

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-first Session
February 8, 2021**

The Senate Committee on Education was called to order by Chair Moises Denis at 1:05 p.m. on Monday, February 8, 2021, Online. [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

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Michael Guss, Committee Secretary

OTHERS PRESENT:

Jhone Ebert, Superintendent of Public Instruction, Department of Education
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents
Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education
David Dazlich, Las Vegas Metro Chamber of Commerce
Kanani Espinoza, Nevada System of Higher Education
Chris Daly, Nevada State Education Association
Kenneth Varner, Associate Professor, University of Nevada, Las Vegas;
University of Nevada, Las Vegas, Teach Nevada; Nevada Institute on Teaching and Educator Preparation
Brad Keating, Clark County School District
Hawah Ahmad, Clark County Education Association

Sabra Newby, University of Nevada, Las Vegas
Summer Stephens, Superintendent, Churchill County School District; Vice President, Nevada Association of School Superintendents
Wayne Workman, Superintendent, Lyon County School District
David Jensen, Superintendent, Humboldt County School District
Jesus Jara, Superintendent, Clark County School District
Kristen McNeill, Superintendent, Washoe County School District
Russell Fecht, Superintendent, Pershing County School District; President, Nevada Association of School Superintendents
Rebecca Feiden, Executive Director, State Public Charter School Authority
Dan Musgrove, Clark County Children's Mental Health Consortium

CHAIR DENIS: We will open the hearing on Senate Bill 27.

SENATE BILL 27: Revises various provisions relating to education. (BDR 34-326)

JHONE EBERT (Superintendent of Public Instruction, Department of Education): Senate Bill 27 is a licensure streamlining bill. Section 1 aligns the State Superintendent's authority to initiate investigations into licensed educator misconduct with existing statutory authority regarding private school educators. Section 1 also allows for the State Superintendent to delegate authority to perform licensure investigations to other personnel within the Department. Washoe County School District will be submitting a friendly amendment to section 1, subsection 2 that clarifies which investigative power only covers licensed employees pursuant to *Nevada Revised Statutes* (NRS) 391.031. The State Superintendent is not giving up investigatory authority. Our proposed chief investigator conducts investigations and reports his or her findings to the State Superintendent and the State Board of Education.

Sections 13, 14 and 15 of S.B. 27 would delegate the authority to suspend or revoke licenses by the State Board of Education to the Department. Suspension of a license by the Department would be appropriate in circumstances where NRS requires action within a certain time frame. Failing to pay court-mandated child support and other areas of public safety interest are examples of circumstances in which suspension or revocation of licenses by the Department would be appropriate. The Department has also submitted an amendment (Exhibit B) to restore language related to paraprofessionals in sections 2, 3, 9, 10, 11 and 12. This does not remove the licensing of our coaches. Washoe

County School District will propose a friendly amendment on the licensing of coaches.

Section 4 of S.B. 27 creates an account for teacher incentives in the General Fund. Carryover dollars in these accounts created issues over the past several years. The incentive account is important for recruiting and retaining teachers in Title I schools.

Section 5 of the bill changes the Teachers' School Supplies Assistance Account to a reimbursement program.

After conversations with the school districts and the Nevada Association of School Superintendents, the Department is working on a clarifying amendment to sections 6 and 7 ([Exhibit C](#)).

Section 8 of the bill updates the membership of the Commission on Professional Standards in Education. This section expands eligibility to serve on the Commission to the dean, or representative, of colleges within the Nevada System of Higher Education (NSHE); previously, only the dean—or representative—of a university within NSHE could be a member of the Commission on Professional Standards. It is important to include the colleges within NSHE when developing the expectations for licensure.

Section 16 allows an employee designated by the State Superintendent to bring charges before the State Board of Education on the State Superintendent's behalf when cause exists.

Section 17 allows for out-of-state programs approved by the Commission on Professional Standards to apply for Teach Nevada Scholarship awards.

Section 17 authorizes the State Board of Education to prioritize the awarding of grants to recipients who agree to complete a special education endorsement. Section 17 also removes the requirement for a student to complete an endorsement to teach English as a second language in order to receive a special education license.

Proscriptive language regarding school-family compacts is removed by section 19 of the bill. The Department may provide guidance related to the

development of school-family compacts under section 19. Section 19 aligns school-family compacts with national standards.

One budgetary category for the State allocation is created by section 4. The Department is granted more flexibility to meet district requests for more consistent incentive amounts to teachers, regardless of how teachers qualified for the incentive. The focus of the Department is to provide all students access to high-quality teachers.

CHAIR DENIS:

You mentioned that Washoe County School District (WCSD) is going to bring an amendment.

MS. EBERT:

Washoe County School District as well as the Nevada Association of School Superintendents (NASS) are going to bring amendments.

CHAIR DENIS:

Have you talked with WCSD and NASS? Do you accept their amendments?

MS. EBERT:

My staff talked with both WCSD and NASS. I have read and accept their amendments as friendly amendments.

LINDSAY ANDERSON (Washoe County School District):

Our amendment ([Exhibit D](#)) changes section 1, subsection 2 from "may investigate any person" to "may investigate any ... licensed employee as defined by NRS 391.031."

SENATOR BUCK:

How did the amendment come about? Is there a problem with unlicensed staff in schools?

MS. ANDERSON:

There was confusion about the intent of the original language. Our general counsel's office reviewed the original language. They were concerned that the original language of the bill may have broadened other statutory authority. Our amendment makes clear that existing statutory authority is not expanded by S.B. 27. We understand that the Department did not intend to broaden other

statutory authority, but we believe that the amendment's language makes clear that other statutory authority is not broadened by this bill.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

The first part of our amendment, [Exhibit C](#), deals with the Teachers' School Supplies Assistance Account; the amendment removes sections 6 and 7 of the bill. We would continue to reimburse teachers; however, we add that teachers must be able to determine how funds from the Teachers' School Supplies Assistance Account are spent. Our amendment also proposes giving the Department of Education the ability to conduct periodic audits of the Teachers' School Supplies Assistance Account. The second part of our amendment would remove the section of the bill that requires coaches to be licensed.

SENATOR HARDY:

The amendment proposes removing sections 6 and 7 and continuing the practice of reimbursing teachers. Do teachers not have a fund to draw from as opposed to be reimbursed from?

MS. PIERCZYNSKI:

The original intent of the Teachers' School Supplies Reimbursement Account was to reimburse teachers who were spending money on school supplies out of their own pockets. Each district has disbursed the money differently. The districts would like to keep flexibility in how they disburse funds from the Teachers' School Supplies Assistance Account. Some teachers felt that they did not have enough of a voice in how funds from the Teachers' School Supplies Assistance Account were spent. This amendment would clarify that teachers do have a right to state how they wish to spend funds from the Teachers' School Supplies Assistance Account. Section 6, subsection 7 allows the Department of Education to conduct random audits of the Teachers' School Supplies Assistance Account in order to ensure that monies are spent in accordance with the Legislature's intent.

SENATOR HARDY:

Are we reimbursing a teacher who has paid out of his or her pocket at a store for taxes or is this through the school's vendor account where a teacher can drawdown from a fund and not be out any funds upfront? Are we not reimbursing teachers completely through this amendment? Or were we not reimbursing them completely already? Can they drawdown or are they getting reimbursed?

MS. PIERCZYNSKI:

Reimbursements are done differently in different school districts. In some districts, teachers turn in receipts and are reimbursed by check. In other districts, teachers receive prepaid debit cards specifically for school supplies.

SENATOR HARDY:

I do not want a minimal reimbursement. I would like teachers to be completely reimbursed; therefore, I would like a drawdown of funds rather than a reimbursement that is only a partial reimbursement.

CHAIR DENIS:

To clarify, we have an amendment from Washoe County School District, the Department of Education has their own amendment, and the third amendment is the one that we were just talking about with Ms. Pierczynski from the Nevada Association of School Superintendents. Ms. Sturm, is that your understanding?

JEN STURM (Policy Analyst):

That is my understanding.

SENATOR DONDERO LOOP:

Senate Bill No. 324 of the 80th Session had nothing to do with taxes. The reimbursements were from the Teachers' School Supplies Assistance Account. We called the account an assistance account because the word reimbursement created an issue with the way the districts handed funds to teachers as they purchased materials. Some school districts chose to reimburse teachers by check; some school districts chose to give teachers the money up front and then allow them to use it for their classroom. There were stipulations as to what the funds could be spent on. That fund was swept after the pandemic hit. Section 6 of S.B 27 undoes the work that we did last Session.

To clarify for Senator Hardy, under the Teachers' School Supplies Assistance Account, a teacher could be reimbursed up to \$250 for the purchase of school supplies, based on the number of teachers participating in the program. I believe the final reimbursement amount per teacher was approximately \$192. Teachers could choose how to use the funds; if a group of teachers wanted science supplies, they could pool their resources to purchase those supplies. The principal could not gather these funds from teachers and use them for whatever the principal wanted to purchase. These funds reimbursed teachers for supplies

they purchased for use in their classrooms. I do not want the Teachers' School Supplies Assistance Account to be lost for our teachers.

CHAIR DENIS:

Ms. Ebert, if you can, clarify for the record if that is accurate.

MS. EBERT:

The amendment ensures that teachers direct funds from the Teachers' School Supplies Assistance Account.

CHAIR DENIS:

This does not eliminate the ability of teachers to direct funds from the statute?

MS. EBERT:

Initially, we were asking to remove language related to the Teachers' School Supplies Assistance Account. The amendment puts language back in the section 6 of the bill and adds in subsections 6 and 7. These subsections give teachers sole discretion on how funds from the Teachers' School Supplies Assistance Account are expended.

SENATOR LANGE:

Why are we putting language regarding coaches into the bill? Do we not have enough coaches? What background checks do coaches have to undergo in order to obtain a special license?

FELICIA GONZALES (Deputy Superintendent for Educator Effectiveness and Family Engagement, Department of Education):

The Department feels that it is in the public interest to issue licenses to educational personnel, both to ensure that educators are qualified and to exclude individuals with certain types of criminal convictions. The legal requirement for licensure does not extend to athletic coaches who are employed by, but are not licensed personnel of, the school. The goal of the language is to add a level of public safety by subjecting coaches to background checks at regular intervals.

SENATOR HAMMOND:

The Department will put a notification on its website that it can suspend or revoke a license. If a license has been suspended, will there also be a place on the website that will explain the action and what happened, or is that not

allowed? It is nice to know if action has been taken against an individual before he or she seeks employment elsewhere.

MS. EBERT:

Licensure actions are made public record because we have to bring those actions to the State Board of Education.

SENATOR BUCK:

How do you incentivize Title I schools if funds go to Title I schools that are underperforming? What if a Title I school is performing?

MS. EBERT:

These funds have been helpful to Title I schools. This allows funds to be carried forward in that account.

SENATOR BUCK:

Creating a fund that can build momentum around Title I schools by incentivizing teachers to go to Title I schools is a great idea. I do not want a disincentive for Title I schools that are performing. I do not want to stop giving funds to Title I schools which are performing but still have high free and reduced lunch counts.

What is in place for paraprofessionals? I know there are restrictions in place for paraprofessionals in Title I schools, but I am unsure if there are restrictions for non-Title I schools.

MS. GONZALES:

Senator, will you please clarify your question?

SENATOR BUCK:

If you want to be a paraprofessional in a school district and work in a special education classroom in a non-Title I school, are there certain qualification requirements? Schools hire parents who go through background checks. It is a great entry-level position; they like it, go back to school and become teachers. I do not want restrictions that limit who schools can hire to be comfort paraprofessionals.

MS. GONZALES:

There are federal requirements for paraprofessionals in Title I schools. There is a test that the State Board of Education adopted to meet those requirements.

SENATOR BUCK:

Does this apply to all schools or just to Title I schools?

MS. GONZALES:

Those requirements are only for Title I schools.

MS. ANDERSON:

Washoe County School District reserves the right to offer our full support until we see the legal language drafted, but we are in support of all the conceptual amendments which were proposed today. We support the direction that this bill is headed.

DAVID DAZLICH (Las Vegas Metro Chamber of Commerce):

We support this legislation and the amendments discussed today. It has been a priority of the Las Vegas Metro Chamber of Commerce to keep transparent and efficient education funding in our school district. We urge a yes vote.

KANANI ESPINOZA (Nevada System of Higher Education):

We support section 20 of S.B. 27. Section 20 ensures that funds appropriated to Nevada Institute on Teaching and Educator Preparation (NITEP) would remain in the program rather than reverting to the General Fund.

CHRIS DALY (Nevada State Education Association):

We submitted written testimony for the record ([Exhibit E](#)). We support S.B. 27 with the amendments to remove new requirements for licensure for paraprofessionals and coaches, and to clarify the investigatory powers of the State Superintendent and the new language regarding the Teachers' School Supplies Assistance Account. We appreciate the amendment to clarify that the State Superintendent's investigatory powers are limited to the area of licensure.

KENNETH VARNER (Associate Professor, University of Nevada, Las Vegas; University of Nevada, Las Vegas, Teach Nevada; Nevada Institute on Teaching and Educator Preparation)

This year, NITEP engaged in over 10 community-based partnerships, providing 1,250 hours of K-12 support beyond traditional practicum placement and over

1,000 hours of community-embedded learning support that impacted over 680 students. Professional development for NITEP fellows included over 800 hours of engagement this year. We are developing a microcredential program which will provide over 500 hours of development for NITEP fellows.

MS. PIERCZYNSKI:
We support S.B. 27 as amended.

BRAD KEATING (Clark County School District):
Clark County School District supports S.B. 27 with the amendments that were proposed today.

HAWAH AHMAD (Clark County Education Association):
The Clark County Education Association maintains a neutral position on S.B. 27. We appreciate the intent to streamline due process for every educator across the State. We are concerned that the broad authority S.B. 27 gives to the Superintendent of Public Instruction, or his or her designee, will lead to investigations that may conflict with Clark County Education Association/Clark County School District bargaining agreements. We are also concerned that the examination requirements on paraprofessionals who teach special education will further exacerbate Clark County School District's teacher retention issues and be an economic and educational barrier to paraprofessionals entering special education. While the implementation of a special license authorizing an individual to perform administrative or athletic coaching duties enhances student safety by creating a centralized database of all licensed personnel, regulation of paraprofessionals and coaches should fall to the Commission on Professional Standards in Education. We appreciate Washoe County School District's amendment to clarify the definition of "licensed personnel."

SABRA NEWBY (University of Nevada, Las Vegas):
We support S.B. 27. We look forward to working with the Department of Education on section 18.

CHAIR DENIS:
I will close the hearing on Senate Bill 27. We will now hear a presentation on Investing in Nevada's Education Students and Teachers, better known as the iNVEST Plan.

SUMMER STEPHENS (Superintendent, Churchill County School District; Vice President, Nevada Association of School Superintendents):

We have submitted a one-page summary entitled "iNVEST in education" ([Exhibit F](#)). We will speak with the Committee about our iNVEST priorities for this Legislative Session. Today, the Nevada Association of School Superintendents is speaking as a common, single voice with regard to our iNVEST priorities. In the last ten months, school districts have had to rethink operations because of the global Covid-19 pandemic. The Covid-19 crisis brought attention to the role that school districts play for students and communities. School districts provide essential functions from learning to safety to nutrition and beyond. Three priorities—streamlining, connecting and funding—must be realized moving forward.

Streamlining is one priority of NASS. Nonessential, often unfunded requirements require the attention of students and staff during a time when educational systems are stressed. We are asking for the elimination and prohibition of any unfunded mandates. We also want to eliminate any legislation that is repetitive or focused on special interests that are not in line with our focus on learning, the Nevada Statewide Plan for the Improvement of Pupils, and the well-being of children and staff. This will allow for educators and staff to focus their time and resources on serving students. We ask for the removal of rigid and time-certain requirements around testing, student discipline and staff evaluations.

WAYNE WORKMAN (Lyon County School District):

The Covid-19 pandemic made the importance of connecting clear. The need to connect with other human beings, including family, friends, teachers, students, coworkers and healthcare providers, impacts our overall health. The need to connect now includes the need to connect through electronic means. Connecting through electronic means requires a device and high-speed internet connection. The Covid-19 pandemic exposed the lack of access to devices and high-speed internet connections in Nevada communities. This lack of access is particularly pronounced in rural and frontier areas within Nevada. We have a long way to go before we can say all Nevada citizens have equal access to this basic human need.

School district budgets are not designed to provide funding for devices and high-speed internet at home. Internet connectivity is not an issue exclusive to education. More government services than ever before are offered electronically. A device and high-speed internet connection is required to access these

services. High-speed internet connectivity and access to devices should be treated like other fundamental utilities, such as water and electricity. Access to devices and high-speed internet connections are fundamental to providing free public education to students.

This issue needs to be solved holistically. We must ensure all Nevada citizens, and especially Nevada's youth, can meet the basic human need of connecting. School district leaders stand ready to assist in solving this problem.

DAVID JENSEN (Humboldt County School District):

Our third initiative is related to funding. From the inception of the initial iNVEST document in 2003, Nevada's superintendents rallied around the cause of transitioning Nevada toward optimal educational funding. The Nevada Association of School Superintendents supports the work of the Commission on School Funding. The Nevada Association of School Superintendents requests your support in three critical areas.

Number one, fund the base for all students while providing additional support for Nevada's most at-risk children. We recognize that Nevada cannot reach optimal funding overnight.

We encourage the Legislature to address this need through a three-pronged approach. The first area is to restore. The fiscal year (FY) 2020-2021 school district budgets total \$3.6 billion combined. Proposed school district budgets for FY 2021-2022 and FY 2022-2023 are \$3.3 billion combined, or a reduction of approximately \$300 million. Projected inflation and enrollment growth compound this funding gap. This is a one-time cost to restore. It is our strongest recommendation to the Legislature that funds be restored as part of the current Legislative Session. The second step is to reach adequacy. We define adequacy as providing sufficient funding for all students to meet State standards and statutory requirements. The total cost to meet these standards and requirements is an additional \$1.8 billion annually or approximately \$2,000 per student per year. We recommend that the Legislature develop a plan to reach this target over the next several biennia. The third step is to reach optimal. We define optimal as sufficient for strategic investment in practices and resources aligned with Nevada's five-year strategic plan to support all students in attaining exemplary achievement on par with the Nation's best. The Commission on School Funding is evaluating what fiscal measures are needed to

reach this target. We recommend phasing in funding to meet this target over the next five biennia.

The second area is to increase State spending on education by creating broad-based new revenue streams to support optimal funding for all students. We recognize that additional revenues are necessary in order to meet either adequate or optimal funding levels. We support the work of the Commission on School Funding in developing additional funding streams. The Commission will recommend reforming or restructuring of existing taxes. Key considerations include: sufficiency, competitiveness, stability and predictability, and equity. Two examples are property tax, and sales and use tax.

The third area is to protect school districts that lost enrollment due to the Covid-19 pandemic by holding them harmless in FY 2021-2022. Parents across the State have opted to homeschool students or seek alternative educational methods in response to the Covid-19 pandemic. Currently, 15 of the 17 school districts in Nevada have seen a reduction in enrollment during FY 2020-2021 and 7 report overall reductions in enrollment of 5 percent or greater. Until Covid-19 restrictions are lifted, projecting enrollment in FY 2021-2022 and FY 2022-2023 will be extremely difficult. School districts must be held harmless in order to ensure they are prepared for a potential influx of students at the end of the pandemic.

SENATOR HARDY:

You are asking for \$1.8 billion annually, starting when?

MR. JENSEN:

This analysis is coming from the Commission on School Funding. In order to meet adequacy targets, it would require an additional \$1.8 billion per year. Our recommendation is to work toward that over the next several biennia. We recognize that this is likely not the time to come up with the entire \$1.8 billion. I anticipate that the Commission on School Funding will bring recommendations to the Legislature sometime this spring.

CHAIR DENIS:

We will move to presentations on responses to the Covid-19 pandemic.

JESUS JARA (Clark County School District):

I submitted a visual presentation entitled "Covid-19 Response and Reopening" ([Exhibit G](#)). Our guiding principles for reopening our schools are:

- Ensuring the safety and well-being of all students and staff.
- Promoting equity and accessibility to learning for all students.
- Providing instructional delivery systems to meet the needs of students.
- Fostering positive relationships and interactions.

We had a crisis closure caused by Covid-19 in March. We instituted a distance learning model as a result of that closure. Since August, we created three models—a hybrid distance learning/in-person model, a fully in-person model and a full-distance learning model. The fully in-person model is only available at rural schools.

In order to implement distance learning and hybrid models, we developed new strategies to expand access to devices and internet connections. We purchased 247,182 devices. The Clark County School District helped 18,388 families obtain access to broadband internet connections. We also retrofitted 19 school buses to serve as Wi-Fi hotspots at 48 bus stops throughout Clark County.

Schools provide essential nutrition services to students. As a result of the Covid-19 pandemic, Clark County School District established 290 food service locations in southern Nevada. These food service locations have served 11 million meals to date. "I want to make sure it is on the record that this is early in the pandemic where you see my picture there without a mask."

Full-time distance education has been challenging. The challenges did not arise because of our teachers, who have been doing excellent work to provide equitable opportunities for our children. Academics during full-time distance learning is a concern. We are providing intermediate academic support during periods of full-time distance learning. The social and emotional needs of students and staff is also a challenge. In partnership with the Department of Education, we established universal screenings for social and emotional issues. All of our campuses have multidisciplinary leadership teams that work to address the social and emotional needs of students.

We are working to improve distance education. Our efforts to improve distance learning include:

- Improving our Canvas courses for all educators.
- Live webinar sessions and support.
- Content area distance education leader sessions.
- Academic unit meetings.
- Achieve3000 Speaker Series.
- Using federal funds for distance learning resources for staff.

Professional learning has been instrumental in the work of the District. We are in the process of creating champions of Canvas. This work will continue once we return to face-to-face education. Professional development is ongoing as the Clark County School District continues to deliver distance education.

The Clark County School District Board of Trustees approved a voluntary small group academic plan. Under this plan, individual schools will be able to provide small group support. Small group support will include academics, seniors' graduations, credit recovery, academic and attendance support, and individual plans. We sent our school principals an implementation plan that follows social distancing guidelines while addressing the individual needs of students.

We are working to vaccinate all students and staff. We have vaccinated close to 9,100 of our employees as of February 7. Vaccinations are important to help our staff get back to face-to-face instruction.

We have worked with our partners to create a hybrid instructional model for Pre-K through Grade 3 that begins March 1. Under the hybrid model, parents will choose whether their students will participate in in-person learning or continue to receive full-distance learning. Students participating in in-person learning will attend school two days per week—either Monday and Tuesday or Thursday and Friday.

KRISTEN MCNEILL (Superintendent, Washoe County School District):

We have submitted a visual about our Covid-19 response entitled "COVID Response and Reopening" ([Exhibit H](#)). As soon as schools went into closure in March, our team met with principals to establish guiding principles for the reopening of schools.

Our five guiding principles are:

- Do no harm. When we talk about do no harm, we are talking about attendance, grading or discipline issues that may arise.
- Ensuring that the basic needs of students, families and staff are met.
- Equitable access to devices and internet connectivity for all students.
- Maintaining high academic standards.
- Following all federal, State and local health guidelines.

We have three separate educational models in the Washoe County School District. All of our elementary schools are in-person five days a week. Vulnerable populations—English language learners, special education, gifted and talented, and children in transition and foster children—are able to attend school in-person five days per week, regardless of whether they attend elementary, middle or high school.

Our middle and high schools are on a hybrid model where they attend two or three days per week, with the exception of the period between December 9, 2020, through January 19, 2021, when moved to full-distance learning for middle and high schools because of a lack of resources.

In partnership with the Department of Education and the Washoe County Health District, we provide contact tracing and emergency certification for guest teachers. In-person learning requires mitigation efforts. These efforts include:

- Self-screening for Covid-19 symptoms. All employees and students self-screen before they go to work or school.
- Additional cleaning efforts.
- Examination of ventilation systems. We increased the circulation of air within buildings.
- Physically distancing. In elementary schools, we have a three-foot social distancing requirement. In middle and high schools, we have a six-foot social distancing requirement.
- Every person who walks onto a Washoe County School District property, whether it is a school or an office building, must wear a face covering. We have 99 percent compliance with the face-covering mandate. Where there is a lack of compliance, the District provides face coverings for students who do not have face coverings of their own.
- Proper hand washing.

All students within our school district receive free meals through the Washoe County School District's Nutrition Services Department. We partnered with the Food Bank of Northern Nevada during periods of distance learning. All meals are served free of charge. In hybrid models, we have meal-to-go kits. Our Nutrition Services staff put together kits for days when students are not participating in in-person learning. Students receive these kits on days when they attend school in person. We have served over 2.9 million meals to date.

We have distributed over 17,276 devices to students in order to address the digital divide. We purchased 3,000 hotspots and received additional hotspots from the T-Mobile Settlement.

As of February 6, we have sent out over 9,000 invitations to our employees to receive their first vaccination. We only have 350 more employees to vaccinate. By mid-March, all of our employees should receive their second doses of the vaccine.

Testing, contact tracing, and guest teachers were the additional resources we needed for middle and high school students to return to in-person instruction. The emergency waiver provided by the Department of Education allowed WCSD to process 216 applications for new guest teachers. We have antigen and polymerase chain reaction testing available to students and staff. Washoe County is assisting WCSD with contacting tracing in elementary and secondary schools.

Our Coronavirus Aid, Relief, and Economic Security (CARES) Act funds will be used to support academic recovery and the mental health needs of students and staff in FY 2021-2022 and FY 2022-2023. The Washoe County School District Board of Trustees is working on a two-year strategic plan that exclusively focuses on response and recovery.

RUSSELL FECHT (Superintendent, Pershing County School District; President, Nevada Association of School Superintendents)

I am the Superintendent of the Pershing County School District and the current President of the Nevada Association of School Superintendents. I represent our rural districts. While rural districts are diverse, our responses to the Covid-19 pandemic have numerous similarities.

The Covid-19 virus does not care who you are or where you are. The virus impacts us all in the same way. Our rural districts have varied in learning models. Some districts have been in 100 percent distance learning; 100 percent of schools in other districts have offered in-person instruction; and other districts have implemented a hybrid learning model. Some classrooms, schools and districts have switched between learning models, depending on Covid-19 activity in their community. We are trying to find the balance between student and staff safety and meeting the educational needs of our students.

Rural districts must comply with the State mitigation efforts, such as mask wearing and social distancing. We implemented other safeguards that were covered in previous presentations. These include, but are not limited to, the personal hygiene campaign, extra cleaning, increased ventilation and daily health screenings.

Those schools in full-time, in-person learning models have not seen an increase in Covid-19 cases due to school-based spread. We did not receive pushback among students, staff or parents when we asked them to put a mask on and social distance. We have experienced an across-the-board drop in enrollment due to home-schooling applications from parents who have chosen to take on home schooling instead of having their children participate in in-person instruction or distance learning options. Parents who have opted for home schooling have largely done so because of an antimask political stance or a belief that we will never have an environment safe enough for their children.

Transportation restrictions are a major hurdle for rural school districts. In some cases, transportation restrictions are the sole reason for a district choosing a hybrid or full-distance learning model. We have not had a case of Covid-19 spread on a school bus after increased ventilation and mask-wearing mandates were implemented. Rural districts transport their students over vast distances. In Pershing County, I have a one-way route that comes in from 65 miles out.

Remoteness is a significant challenge for those who either choose or must choose to be in a distance learning model. Many rural locations do not have internet connections or cell service that they can tap into with a hotspot.

Rural communities have some of the oldest school facilities in Nevada. These facilities were built in a time of 15 students in a classroom. Social distancing was not considered when these buildings were constructed. Infrastructure is

antiquated in rural school facilities. Increasing ventilation is not an overnight fix for many rural schools. It is challenging—and expensive—to place WiFi throughout a school in order to meet the needs of distance learning and one-on-one initiatives.

Our students are experiencing learning loss due to Covid-19. Recovering from learning loss is not going to take place in a single year or even in two years. Recovery is a long process that cannot be done with less resources.

REBECCA FEIDEN (Executive Director, State Public Charter School Authority):
I submitted a visual presentation entitled "Nevada State Public Charter School Authority Response to Covid-19" ([Exhibit I](#)). Charter schools are tuition-free, open to all students, and enroll students through a lottery. Charter schools are required to have their students take all State assessments. Charter schools are governed by volunteer boards of directors and may not operate for a profit. Charter schools are subject to a performance contract with a charter school sponsor, such as the State Public Charter School Authority (SPCSA).

The Public Charter School Authority was created in 2011. The Public Charter School Authority serves three primary purposes: authorize charter schools of high quality; provide oversight of schools sponsored by the SPCSA; and serve as a model of best practices for charter school sponsorship.

There are statistics about the SPCSA on slide 7, [Exhibit I](#). The Public Charter School Authority sponsors 67 charter schools located in 5 counties. These schools serve approximately 11 percent of the State's total student enrollment.

The Public Charter School Authority provided guardrails and oversight for in-person learning during the Covid-19 pandemic. The leadership and boards of schools governed by the Public Charter School Authority made decisions about which instructional models would be used. However, these decisions had to be made within the guardrails established by the Public Charter School Authority.

In August 2020, the SPCSA established in-person Covid-19 learning guidance. This guidance limited in-person instruction to 25 percent of a school's enrollment if the school was in a county flagged by the Covid-19 Task Force. Most charter schools in flagged counties opened either in a full-distance learning model or with limited in-person instruction.

In September and October 2020, some charter schools brought specific groups of students back into in-person learning. Since then, charter schools have gradually increased the number of students participating in in-person learning. Charter schools refined cleaning protocols and adapted to a hybrid learning environment. In early November, the Authority increased the limit on the number of students participating in in-person learning to 40 percent of a school's enrollment. The Public Charter School Authority granted some exceptions from the limit on in-person instruction to charter schools which could demonstrate a need for higher rates of in-person learning and strong safety measures. During the Covid-19 pandemic, charter schools were subject to all emergency directives.

The next meeting of the Public Charter School Authority Board is at the end of February. The Public Charter School Authority is monitoring Covid-19 case rates and test positivity, talking to charter schools and working on a vaccine rollout plan. All of this data will inform any potential decisions to change our guidance this spring.

The Public Charter School Authority reviewed all charter schools' reopening plans for compliance with the Department of Education's guidance on Covid-19. We have increased communication with charter schools to ensure that schools have access to critical information. At the beginning of the pandemic, communication between the SPCSA and charter schools was several times per week; the Public Charter School Authority scaled back communication to weekly intervals as Covid-19 protocols were implemented by sponsored charter schools.

As of January 18, the vast majority of schools sponsored by the SPCSA are in a hybrid instruction model. Many charter schools are increasing in-person learning. The Public Charter School Authority studied federal, State and local guidance on safely reopening schools. Local health officials have assisted the SPCSA in ensuring that sponsored charter schools are well equipped to implement reopening guidance. Local health district officials have joined several SPCSA calls with schools to share information, answer questions, discuss scenarios and ensure that schools are prepared for reopening. Health district officials have also worked closely with Public Charter School Authority staff on school-based response plans. The Public Charter School Authority worked to ensure sponsored charter schools have access to appropriate personal protective equipment.

Learning loss is a concern of the SPCSA. In the summer of 2020, we leveraged federal funds to provide access to a three-part training on instructional recovery. Charter schools are continuing to use local assessments to identify students' progress and where there may be gaps caused by the Covid-19 pandemic. We believe that State assessments will provide a broader view of the impact of the Covid-19 pandemic and associated learning loss.

Charter schools had a high rate of success in reaching students through outreach efforts. We saw relatively high levels of attendance despite the challenges caused by the Covid-19 pandemic. Where chronic absenteeism issues exist, SPCSA-sponsored schools have focused on the root causes of the chronic absenteeism. Charter schools have engaged social workers, conducted appropriately distanced home visits to check in on students and families, and supported students with access to devices and high-speed internet connections.

The Public Charter School Authority saw an additional \$9.3 million in federal funding. We have used these funds for technology, staffing, instructional materials, cleaning and wraparound services.

The Public Charter School Authority reviews budgets to actual reports for sponsored charter schools. We saw mixed results from these reports. We do not have any major trends to report at this time. However, we noticed some charter schools with enrollment numbers that are lower than projected.

Slide 13 on [Exhibit I](#) provides a summary of support SPCSA provided to sponsored charter schools during the Covid-19 pandemic. The Public Charter School Authority has a limited staff, but we adjusted our capacity to ensure that we provided as much support as possible during the pandemic.

CHAIR DENIS:

As districts switch to a hybrid model, some districts sent out surveys to parents asking whether they wanted their children to participate in in-person learning or remain in distance education. What is the ratio of parents who want their children to participate in in-person learning versus parents who want their children to continue participating in distance learning?

MR. JARA:

For Pre-Kindergarten through Grade 3, 59 percent of parents indicated they want their children to participate in in-person learning.

MS. MCNEILL:

In Washoe County, responses of parents have varied depending on the time of year. The majority of our families wanted to have an availability of options. In January, the majority of students are either in a hybrid or in-person model.

MR. FECHT:

In rural school districts, less than 5 percent of students are participating in distance learning. Pershing County School District (PCSD) has been in 100 percent in-person instructions since the beginning of the school year. We were able to spread out and meet distancing requirements. We did provide an option for distance learning. Roughly 3 percent of students signed up to participate in distance learning. Within the first few weeks of the school year, the participation in distance learning fell to under 2 percent of students. As of January, only 1 percent of students in PCSD are participating in distance learning. I know a number of other rural school districts have seen the same pattern.

MS. FEIDEN:

The Public Charter School Authority has seen a wide array in our sponsored charter schools. A charter school in Ely has 100 percent of students participating in in-person learning while some charter schools in Clark County have seen a percentage of parents interested in in-person instruction in the range of 20 percent to 40 percent.

SENATOR HAMMOND:

I am interested in student attendance. I heard that when students log on to distance education, the only way to be counted is if they are in front of a camera. Can you describe your attendance policy? Do students need to be present in front of a camera during a class?

MR. JARA:

We do require attendance in order to get students engaged in the classroom. The data on attendance is not promising. Our absentee rate is higher than in the past. Engagement in distance education has been problematic. There are some older students who are working in order to help their families economically. Our teachers have close to seven days where they can adjust records if children submit homework as part of asynchronous instruction.

SENATOR HAMMOND:

Is there a requirement that students have their cameras on so teachers can see that they are there, seated and engaged?

MR. JARA:

We are not requiring cameras to be on because some students do not want to turn their cameras on. Teachers do see students' phone numbers on the screen. I had an opportunity to substitute a class before the holiday season. You do see all students' phone numbers. Some students do turn on their cameras.

MS. MCNEILL:

Attendance is a large issue. Chronic absenteeism is an issue across the Country. The Washoe County School District does not require students to turn their cameras on. We do require a touch point, whether it is a phone or a device. Our chronic absenteeism rate has increased.

MR. FECHT:

I cannot speak for every rural school district. Pershing County School District does not require that cameras be on all the time. At the request of the teacher, should we need to verify that a student is in attendance and actively engaged, we may ask the student to turn on the camera. If a student is unable to turn on his or her camera, a phone call or an email can be used to verify the student's attendance. We try to be flexible.

MS. FEIDEN:

Many charter schools are encouraging students to participate via camera. Participation via camera does allow for better monitoring and engagement. The Public Charter School Authority has conveyed to its sponsored charter schools that they should not require participation via camera. Participation via camera can cause bandwidth issues that may halt a class. Second, students or their families may have personal reasons for not wanting a camera to be on during a distance learning class.

SENATOR HAMMOND:

When you look at reopening plans with a hybrid model, what is the level of instruction time that a teacher has with a student? I looked at plans for reopening with a hybrid model, and there were some cases where a teacher in a distance learning model is in front of a student for four days per week whereas a hybrid model only has a teacher in front of a student for two days per week.

A hybrid model has less instruction time. Are you trying to ensure that you have the same level of instruction days with a hybrid model?

MR. JARA:

Academic loss is a concern. We are dealing with a mental health crisis among our children. We are finalizing plans to ensure that educators are in front of students for 6 hours and 11 minutes per day. Face-to-face instruction is critical.

MS. MCNEILL:

Engagement in the hybrid model requires clear expectations for students and staff. We made sure there was a clear six-hour or six-and-a-half-hour—depending on whether the student is in elementary or secondary school period of instruction—per day. On a student's off day, we have asynchronous learning with an ability to check in at least one time per day with each student. The hybrid model is the toughest model to implement.

MR. FECHT:

We do everything we can to avoid being in a hybrid model. We have to work as best we can to engage with students. The benefits of seeing students face-to-face, and of providing face-to-face instruction, outweigh the full-distance learning model's greater instruction time. The hybrid model is difficult to implement.

MS. FEIDEN:

The Public Charter School Authority has seen charter schools adapt. Early on, some charter schools were scheduling out every students' full day, even on virtual days. This caused tension at home and at school because school staff was having to manage both students in the building and students in distance learning at the same time. We have adjusted to ensure that teachers have enough time and that the hybrid model works for students. I had one call from a parent who said, "My child is in front of a screen all day two days per week. This cannot be healthy." We had conversations with sponsored schools about how to best support the needs of students. Running a hybrid model is complex.

SENATOR DONATE:

I am glad that we are having this conversation. I am a recent graduate with a public health background. I am concerned about the transition for students, their families, caregivers and grandparents. Educators have a direct connection to the community and to parents. What strategy does your institution have on

educating non-English-speaking communities and protecting marginalized families? Have you had conversations about educating Black and Latinx family members who may not have received education on health literacy?

MR. JARA:

We are partnering with the Southern Nevada Health District to provide education to families. We are rolling out health education materials in different languages. We are learning from our colleagues in WCSD about testing protocols for students and staff in in-person learning models. We are also providing education about vaccinations in partnership with Southern Nevada Health District.

MS. MCNEILL:

We partnered with the Washoe County Health District, the faith-based community and Immunize Nevada on outreach efforts to communities of color and marginalized communities. This effort includes face coverings, social distancing and other mitigating efforts. We also have a family newsletter that is available in both English and Spanish. The newsletter has links to resources that our families can access.

MR. FECHT:

The Pershing County School District focused its education efforts on mask wearing, social distancing and proper hygiene. We sent out Centers for Disease Control (CDC) and Prevention guidance in different languages.

MS. FEIDEN:

The Public Charter School Authority is removed from direct family communication. We made sure that charter schools with large populations of non-English-speaking students translate public health guidance. We asked our sponsored charter schools to copy us on all family communications regarding Covid-19. The Public Charter School Authority also made sure that sponsored charter schools have access to CDC guidance that is printed in multiple languages.

SENATOR DONATE:

Now that we are transitioning to reopening, have you encountered any issues with mandatory testing? Some teachers raised the issue of American College Test (ACT) dates conflicting with their vaccine schedules. Have you encountered conflicts between ACT dates and vaccine schedules within your

own districts? What does the future of testing look like for the remainder of the school year?

MR. JARA:

The Clark County School District has to comply with federal mandates regarding testing. We are partnering with our bargaining unit to make sure we have sufficient staff to administer mandated tests and assessments.

MS. MCNEILL:

The Washoe County School District is a unique employer. The more we were able to offer the vaccine after hours and on the weekends, the greater the participation rates. We had conversations with the State Superintendent about testing mandates.

MS. FEIDEN:

Some charter schools had concerns about the logistics of mandated federal tests and assessments. We told our sponsored charter schools to be prepared to implement those federal tests and assessments.

SENATOR DONDERO LOOP:

I noticed WCSD's presentation mentioned CARES Act funds were going to be used for academic recovery and mental health in 2021 and 2022. I would like to know what you have done with your CARES funds. I see that CCSD used CARES funds for the Achieve3000 Speaker Series and distance learning resources. What are those items? I would like to know what the school districts are doing regarding mental health. How are school districts placing mental health counselors? If you would like, you can answer those questions offline.

SENATOR LANGE:

Early on in the pandemic, lower-income families were disproportionately affected by a lack of access to equipment needed to participate in distance education. We were able to get internet connections and devices for lower-income families. Have the school districts still seen a large drop-off in attendance in low-income neighborhoods? How are you working to get students in low-income neighborhoods who have been absent back to school? I read an article about how far students will be behind educationally because of the pandemic. What are the school districts doing to bring students up to grade level by next year?

MR. JARA:

We are examining attendance numbers by school. Academic loss is a concern. We are hopeful that federal dollars in the next stimulus package will enable us to extend the school year and provide opportunities to address mental health problems.

MS. MCNEILL:

The Washoe County School District knows it will take more than one year to recover from academic loss. We will emphasize mental health support for students and staff. Mental health support will be our top priority as all students return to a full in-person learning model.

MS. FEIDEN:

We have seen success in trying to reach students who were harder to reach at the beginning of the pandemic. We have been able to connect low-income students with devices and high-speed internet connections. Academic recovery is a priority. Initial CARES Act funding went to the purchase of technology to address connectivity issues and professional development in virtual learning. For example, we have a course on instructional strategies for virtual learning. The next phase will be building instructional recovery plans that ensure students can pick up the pace of learning. We expect CARES Act funding will go to professional learning and support on instructional recovery plans and additional staffing, such as interventionist tutors.

SENATOR HARDY:

I am interested in the direct and indirect effects of the Covid-19 pandemic. How many cases of Covid-19 have we seen in elementary, middle and high schools? What were the causes of nonattendance if students were exposed to Covid-19? How do we measure the indirect effects of the Covid-19 pandemic, such as mental health and suicides? Are we looking at a positivity percentage in order to reopen?

MR. JARA:

We have those numbers on our website. We will send them to you.

MS. MCNEILL:

Those numbers are available on our website. At every WCSD Board of Trustees meeting, there is a standing agenda item for Covid-19 tracking. The Board of

Trustees uses the Covid-19 data to decide whether to move to a different instructional model.

MR. FECHT:

Speaking directly for Pershing County School District, we did not have a case that was linked to spread within our schools until two weeks ago. We have not experienced spread on a school bus. To my knowledge, other rural districts which are providing transportation did not see a significant increase in Covid-19 transmission.

MS. FEIDEN:

We will provide you with specific numbers. I believe SPCSA-sponsored charter schools have seen few cases of Covid-19 that have been caused by transmission on campus. There were a few cases of staff members who were Covid-19 positive and potentially infected on-site.

CHAIR DENIS:

I will close the Covid-19 portion of our hearing. I will now open up time for public comment.

MS. ANDERSON:

The Reno High School "We The People" Team won first place in the State "We The People" competition.

MR. DALY:

We submitted written testimony for the record ([Exhibit J](#)). Some educators are back at their school buildings, offering in-person instruction. Other educators are working in hybrid models, juggling in-person instruction and distance learning. Other educators, including in Clark County, are working to create meaningful educational experiences entirely through distance learning.

We supported the work of the Department of Education to develop *Nevada's Path Forward: A Framework for a Safe, Efficient, and Equitable Return to School Buildings*. We felt this was the proper framework to safely reopen and operate school buildings.

Educators appreciate the importance of returning to school buildings for in-person learning as much as anyone else. However, educators are also concerned about their own health—and the health and well-being of students.

The Nevada State Education Association has consistently raised concerns that school districts lack the resources needed to follow the recommendations for safely operating school buildings during the Covid-19 pandemic. We continue to advocate for additional resources for school counselors, social workers and psychologists to meet the mental health needs of students. Educator access to vaccinations is a critical step toward the safer operation of school buildings.

While we hope that all classrooms across Nevada will be safely open for in-person learning soon, we remember challenges from before the pandemic. Despite efforts to address underfunding, Nevada continues to rank near the bottom of states in most metrics. In the "Quality Counts 2020" report from *Education Week*, Nevada ranked forty-seventh in school finance and fiftieth in overall chance of success. We all know that Nevada has the largest class sizes in the Country. There is much work to do, and we stand ready to work with this Committee on the challenges ahead.

DAN MUSGROVE (Clark County Children's Mental Health Consortium):

Mental health consortia were created by the Legislature in 2001 to study the mental health needs of all children in Nevada. The Clark County Children's Mental Health Consortium studies the mental health needs of all children in Clark County. We develop recommendations for service delivery reform. We appreciate the superintendents' statements regarding mental health needs of children. I am not sure the superintendents realize just how pervasive mental health problems are throughout the Clark County School District.

The Covid-19 pandemic strained an already stressed mental health care system. This strain is negatively impacting children and families. Children have experienced fear, grief and loss, anxiety about Covid-19, stress about their family's financial situation, and isolation and disruption caused by distance learning. Can you imagine how children with disabilities and mental health care needs are bearing additional burdens as parents and caregivers attempt to meet their needs in home settings, which frequently lack necessary supportive services these students receive at school? As we begin the transition into a safe reopening, we ask that the Clark County School District follow individual education plans and Section 504 Plans. Students and families must feel supported.

Students and families must not be punished for a situation not within their control. We have received reports that schools are being punitive in the new

online environment. Students are experiencing anxiety about lower, or failing, grades. There were inaccurate absentee counts, retention warnings, uncomfortable screen time, and threats of class failure and not graduating. We heard testimony from parents and mental health professionals about how the methods schools are using for student accountability can be harmful to students' mental health. As we transition into in-person learning, we want teachers and administrators to be mindful of the potential harm caused by accountability methods and to show compassion and understanding.

MR. KEATING:

The Clark County School District is excited that a Nevada teacher is a finalist for the National Teacher of the Year Award for the first time in 60 years. Juliana Urtubey is a learning strategist at Booker Elementary School in Las Vegas and one of four finalists for National Teacher of the Year.

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February 8, 2021
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CHAIR DENIS:
I adjourn the meeting at 3:39 p.m.

RESPECTFULLY SUBMITTED:

Michael Guss,
Committee Secretary

APPROVED BY:

Senator Moises Denis, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
S.B. 27	B	1	Jhone Ebert/Nevada Department of Education	Proposed amendment
S.B. 27	C	1	Mary Pierczynski/Nevada Association of School Superintendents	Proposed amendment
S.B.27	D	1	Lindsay Anderson/Washoe County School District	Proposed amendment
S.B 27	E	1	Nevada State Education Association	Written testimony in support
	F	1	Nevada Association of School Superintendents	"iNVest in education" plan
	G	1	Clark County School District	"Covid-19 Response and Reopening" presentation
	H	1	Washoe County School District	"COVID Response and Reopening" presentation
	I	1	State Public Charter School Authority	"Response to Covid-19" Presentation
	J	1	Nevada State Education Association	Written testimony about Covid-19 responses