

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-second Session
February 13, 2023**

The Senate Committee on Education was called to order by Chair Roberta Lange at 1:01 p.m. on Monday, February 13, 2023, in Room 2134 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Roberta Lange, Chair
Senator Edgar Flores, Vice Chair
Senator Dina Neal
Senator Fabian Doñate
Senator Scott Hammond
Senator Carrie A. Buck
Senator Robin L. Titus

GUEST LEGISLATORS PRESENT:

Senator Marilyn Dondero Loop, Senatorial District No. 8

STAFF MEMBERS PRESENT:

Jen Sturm, Policy Analyst
Asher Killian, Counsel
Kirsten Oleson, Committee Secretary

OTHERS PRESENT:

Chris Daly, Nevada State Education Association
Mary Pierczynski, Nevada Association of School Superintendents
Janine Hansen, State President, Nevada Families for Freedom
Rebecca Feiden, Executive Director, Nevada State Public Charter School Authority

CHAIR LANGE:

We will open up the hearing on Senate Bill (S.B.) 71.

SENATE BILL 71: Creates the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force. (BDR 34-439)

SENATOR DINA NEAL (Senatorial District No. 4):

Teachers and other educational personnel are critical components of the education system. For several years, Nevada policymakers have focused on ways to assist schools in the recruitment and retention of teachers, including creating the Nevada State Teacher Recruitment and Retention Advisory Task Force. The Task Force was established by A.B. No. 276 of the 80th Session.

Nevada continues to face a critical need for additional school support staff; S.B. 71 addresses that.

Senate Bill 71 is an amendment to A.B. No. 276 of the 80th Session. The prior legislation focused on teachers; this bill focuses on education support for professionals through a task force. Section 3 defines the paraprofessionals to be included in this bill.

Section 5 outlines the task force's membership. It defines the number of educational support staff in a county school district with a population less than 100,000, more than 100,000 but less than 700,000, and greater than 700,000. It also establishes the term length, meeting schedule, the manner of meetings, and compensation. Section 5, subsection 7, mandates who is involved with the task force and how they are treated by the local government. Specifically, it addresses their leave time. A State agency or local government shall not require an officer or employee who is a member of the task force to make up their time if they are absent from work or force them to take annual leave, vacation or compensatory time for their absence.

Section 6 sets forth the experience and qualifications of task force members. Subsection 3 outlines the application process. Section 7 requires the task force to evaluate the challenges of attracting and retaining education support professionals by making recommendations on how to keep support professionals in the State.

This bill would have an effective date of July 1, 2023. I provided two reports from February 2023 and June 2020 ([Exhibit C](#) and [Exhibit D](#)), to give you a framework of the prior work and what we are adding to paraprofessionals. I want to make a caveat that I did not serve on the Interim Education Committee.

SENATOR TITUS:

I certainly understand what you are trying to achieve here. We have issues relating to a lack of paraprofessionals in our education system. This seems to be yet another commission. We have about 215 boards and commissions. Is there anything that prohibits the Joint Interim Standing Committee on Education or superintendents from doing this?

SENATOR NEAL:

I do not think so. This work could probably be rolled into an existing task force. The extra layer of talking about support professionals would have to be added. Superintendents should be engaging in how to support paraprofessionals. Counselors, psychologists, school bus drivers, secretaries and maintenance workers have an active union that brings up issues to the superintendent or the school board of trustees to address.

SENATOR TITUS:

To acknowledge what you are trying to do, my daughter is a school psychologist in Lyon County and she continues to complain about paraprofessionals who are frequently ignored within the discussion of teachers. Thank you for addressing the needs of these groups. Various groups including social workers and psychologists are being left out. We should have a task force or superintendents already doing this.

SENATOR FLORES:

If superintendents are meeting already, why are we creating an additional task force? If this is already happening, are the voices of paraprofessionals heard?

In section 6, subsection 1, paragraph (c) of [S.B. 71](#), I see that you want to make sure that the member is not currently serving on a board, commission or council. Can you address that and explain why you do not want overlap?

SENATOR NEAL:

I am not a fan of the government over-regulating people. I want accountability and I want folks to be heard. If you look at the lineage of legislation, we have not given school psychologists, social workers and other entities a platform to voice what is happening to them. They are not always heard and when they are, it is most likely at the school level.

I understand the intent behind this legislation is education, which is a national issue. It is a huge issue in our State to make sure the needs of all personnel within the school system are addressed from the State level down to local level.

Historically, if the Legislature does not mandate something, then no one takes heed to it. I think paraprofessionals are seeking more support through this bill. I believe that paraprofessionals could be rolled into the existing task force created in 2019.

The Joint Interim Standing Committee on Education sought, in their wisdom, to bring this bill forward and I am presenting it. It is up to the Committee to decide whether this task force is a duplication or should be rolled into an existing statutory provision with a mandate that the current task force on teachers incorporates paraprofessionals.

To answer your question about section 6, subsection 1, paragraph (c), this language mimics the language from the 2019 bill. The intent is not to have members who were serving somewhere else to be on the task force. The idea is that new people would be able to offer a different perspective; add a new voice. As you have seen in our legislative committees, we have an overlap. When we have an overlap of individuals that have served on various committees, you do not get a new perspective. Instead, you get a perspective regenerated across different committees.

If you had a bus driver on a committee talking about their experience, it would change the dynamic of what we think about their experience. I do not think we have ever had that conversation or perspective from them. I do not think I have ever seen a bus driver come to the school board to talk about transportation. During the coronavirus pandemic, we had many maintenance people come to talk about the mandates around cleaning and what the bathroom should look like, including the filters, and discuss making sure that everything in the building would be sanitary.

In my district, I distinctly remember being told that the funds from Every Student Succeeds Act (ESSA) were spent purchasing mops. Maintenance staff said they did not want mops. They wanted something else to help them clean the building that did not reshuffle the dirt around. During the coronavirus pandemic, we did not know what was going on, and their voice was not necessarily filtering up to other people, but it was filtering to me.

I will fall back on my prior statement: it is in the wisdom of the Senate Committee on Education to decide what is appropriate legislation to move out of the Committee, whether this is redundant, and what we need to do for paraprofessionals.

CHAIR LANGE:

I will open the hearing for those wishing to speak in support of S.B. 71.

CHRIS DALY (Nevada State Education Association):

We support S.B. 71, which creates the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force that addresses record vacancies in the personnel who make our schools run.

Rightfully, there has been a great deal of focus on teacher vacancies. Nevada schools face a record shortage of education support professionals, which is a critical component for the family of educators in our schools. Students have a range of needs that must be met for learning to take place. Transportation professionals make sure our kids arrive safely in the morning. Nutrition professionals make sure no child is trying to learn on an empty stomach. Custodial and maintenance professionals keep the learning environment clean and safe. Tech professionals do the necessary task of keeping our students online. Paraprofessionals tirelessly support students in their learning. Clerical support staff do many different jobs, including making sure our schools will run smoothly.

Over the past couple of years, school districts have tried to weather an unprecedented shortage of education support professionals—including bus drivers, food service workers and paraprofessionals. Due to this crisis, many districts greatly reduced services like student transportation. Shortages of paraprofessionals compound problems related to teacher vacancies, which compromise learning in the classroom. The crisis is continuing today. The Clark County School District lists nearly 500 vacant support professional

positions, and another 200 empty positions are in the Washoe County School District.

The Nevada State Education Association raised this issue at the Joint Interim Standing Committee on Education last summer. We proposed a model for the Teacher Recruitment and Retention Task Force to address this issue. That task force has proven very successful in terms of its recommendations. We appreciate the inclusion of other licensed education professionals, like counselors, psychologists and social workers. We supported S.B. No. 151 of the 81st Session to address the overwhelming caseloads of specialized instructional support personnel. As this task force moves forward, we believe it will be important to make sure the specific needs and voices of both classified and other licensed education professionals are included in this work.

I have also submitted this testimony ([Exhibit E](#)).

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

I think everything has been outlined about how important paraprofessionals are in our schools. I realize the concern about several task forces, but until there is a group focused on these issues, it is important to include them in this bill. You only get that when you have a specific group focusing on their particular issues. We support S.B. 71.

CHAIR LANGE:

Seeing no one in opposition or neutral, I will close the hearing on S.B. 71. I will now open the hearing on S.B. 72.

SENATE BILL 72: Directs the Joint Interim Standing Committee on Education to conduct certain studies during the 2023-2024 interim. (BDR S-441)

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

The bill before you today is a recommendation from the Joint Interim Standing Committee on Education. Senator Buck and I both served on the Committee. I have also submitted proposed conceptual amendments ([Exhibit F](#)). As you all know, education is a continually changing landscape. It requires policymakers to review existing practices, and proactively identify and implement programs that will strengthen Nevada's education system. During our 11 Committee meetings, there were several areas identified that needed additional examination.

As I go through each of the studies outlined in the bill, I will address the origin of each recommendation. Senate Bill 72 requires the next Joint Standing Interim Committee on Education to study five issues. The first issue is mental health and wellness of students. After hearing several presentations on student mental health and wellbeing, including from the President of the Nevada Association of School Psychologists, discussion centered on the need for evidence-based mental health and wellness programming. There was also an emphasis on the need for collection of such evidence in Nevada to better understand the mental health crisis in our schools and the mental health impacts on different communities.

The second issue the Joint Standing Interim Committee on Education would study concerns teacher workload, including reviewing relevant requirements in statutes and regulations. This was a recommendation presented to the Committee by the Nevada State Teacher Recruitment and Retention Task Force. Nevada teachers are faced with a heavy burden of statutory, regulatory, and policy requirements, some of which may be redundant. The Task Force indicated that the extensive nature of these requirements sometimes impacts employee satisfaction, resulting in fatigue and excessive workloads.

The third issue was also recommended by the Teacher Task Force and concerns teacher licensing requirements, including a review on the impacts of those requirements on teacher diversity, effectiveness and recruitment. The Teacher Task Force indicated that certain licensure requirements, such as the Praxis Core Academic Skills for Educators Test, act as a potential barrier for prospective teachers and a diverse educator workforce. Additionally, the Teacher Task Force stressed the need to ensure competency requirements are reasonable indicators for educator effectiveness. This study would look at existing and prospective requirements in this manner.

The fourth topic is high school student achievement and graduation trends. The Committee agreed a study is necessary to determine the factors causing the disparity between increasing graduation rates and decreasing proficiency rates in Nevada.

The final study outlined in this bill concerns policies and strategies to address the needs of, and provide interventions for, students requiring additional resources. Some discussion during the interim centered on the needs of Nevada's Latino students, specifically a lack of representation at four-year

institutions, lagging graduation rates among Latino students, and possible interventions—including a statewide study—were reviewed and discussed.

For each of these five studies, the Joint Standing Interim Committee on Education is required to submit a report of its findings and any recommendations for legislation to the Legislature before the next Legislative Session.

SENATOR TITUS:

Is it normal that a bill is put forward that directs what the Education Interim Committee studies? I sat on multiple interim committees, and we usually develop policies and decide what presentations we want to hear.

ASHER KILLIAN (Counsel):

Assembly Bill No. 443 of the 81st Session revised the structure of interim standing committees. Previously, the Legislature would prescribe a study and then either create a body to do it or the Legislative Commission would appoint a study committee to carry out the study. Under the new joint interim standing committee structure, those would be assigned to one of the joint interim standing committees to conduct. I think you are going to see more bills like this moving forward; bills where studies are prescribed to one of the joint interim standing committees.

SENATOR TITUS:

I support giving direction to the interim committees, but I worry that it narrows what it can study. If there is a crisis that we need to address during the interim, would there be leeway to do that in addition to what is being prescribed here?

MR. KILLIAN:

In addition to any studies that are prescribed by the Legislature, each of the joint interim standing committees is required to develop a work plan for the interim and submit it to the Legislative Commission for approval at the beginning of the interim. If there are any other issues that come up, those could independently be addressed by the joint interim standing committee. That work plan was approved by the Legislative Commission.

SENATOR HAMMOND:

I noticed that the bill has no fiscal note. Typically, when we put together a task force or a study, there is a dollar amount. I understand that procedurally it is a

little different because we ask the standing committees to do the studies. Is that why there is no fiscal note?

SENATOR DONDERO LOOP:

Yes.

CHAIR LANGE:

Is there anyone wishing to speak in favor of S.B. 72?

MS. PIERCZYNSKI:

I want to clarify that the Nevada Association of School Superintendents represents all 17 districts and superintendents. The topics outlined here are very important. The clarification from the Committee was very helpful. We support S.B. 72.

CHAIR LANGE:

Is there anyone wishing to speak in either neutral or opposition?

JANINE HANSEN (State President, Nevada Families for Freedom):

I am not against this bill. I have one concern I wanted to address. The first study talks about programs to improve the mental health and wellness of pupils including, without limitation, evidence-based health therapies and practices.

There are a lot of concerns from parents who are not informed about testing, services or therapies that might be available. I know this is just a study, but it has been an ongoing problem for many parents and advocacy groups who want to partner in helping their children succeed in school. We do not want the rights of parents ignored in regard to their responsibility to their own children.

CHAIR LANGE:

I will now close the hearing on S.B. 72 and open the presentation from the State Public Charter School Authority.

REBECCA FEIDEN (Executive Director, Nevada State Public Charter School Authority):

I will be providing an overview ([Exhibit G](#)) of the Nevada State Public Charter School Authority (SPCSA) and our sponsored schools, as well as some information about the performance of our schools. The SPCSA was created in 2011 with three primary purposes: to authorize high-quality schools, to provide

oversight of those schools and to serve as a model for best practices in charter schools. The SPCSA Strategic Plan was adopted in 2019. It is centered on a vision of equitable access to diverse, innovative and high-quality public schools for every Nevada student. Our mission is to sponsor, support and oversee dynamic and responsive public charter schools that prepare all students for academic, social and economic success.

The SPCSA has a nine-member appointed board. We currently have 27 full-time employees spread across our offices in Carson City and Las Vegas. In addition to the statutory purposes I outlined earlier, we serve as the local educational agency for our schools, which means we have certain responsibilities outlined in federal law, including the responsibility to administer certain federal education grants annually. Those grants account for about \$40 million that we receive from the Nevada Department of Education (NDE) and that passes through to our schools. Due to the coronavirus pandemic, we have seen approximately an additional \$100 million in federal grants that we have passed through to our schools.

As of the 2022-2023 school year, the SPCSA oversees 78 charter school campuses located across five counties—the majority of our schools are located in Clark County. As of October 1, 2022, enrollment was just under 60,000 students, which represents about 12 percent of the State's public school enrollment. Charter schools offer a wide variety of educational models, [Exhibit G](#) on page 7, so parents can choose from a wide range of educational options for students and their families.

We often get questions about where the SPCSA fits into the educational landscape. We will address who the entities are and explain some common charter school terminology. The NDE is the state educational agency and the SPCSA follows its guidelines, policies and procedures. We report certain data and information to the NDE, just like a school district. What makes the SPCSA unique is that we are not a school district, and do not operate the schools. Instead, we are a charter school sponsor. Sometimes people on a national level use the term “authorizer.” The term “authorizer” or “sponsor” can be used interchangeably. Hopefully that does not cause too much confusion.

As a local educational agency, we receive grants from NDE that are passed through to our schools. We are also a state agency and part of the Executive Branch. Again, the SPCSA does not operate schools. Instead, we sponsor

schools. Each of our schools is subject to a charter contract. The charter contract is between the SPCSA board and the governing body of the charter school. We often refer to those governing bodies that have a contract as a “charter holder.” The charter holder or governing body is responsible for operating the school. A charter holder or governing body can have a single campus or, in some cases, multiple campuses they are responsible to oversee. The charter holder or governing body can contract with vendors for services.

We will now delve into more of the charter school structure on page 9 of [Exhibit G](#). If a school has multiple campuses, each campus would have an administrator and staff. All of those individuals are employed directly by the charter school’s governing body, not the SPCSA. Typically, when there are multiple campuses, there is an executive director or lead principal who primarily reports to the board. The administrative structure of our schools can vary. For example, we have one school that has an Executive Director of Operations and Executive Director of Academics and they both report directly to the governing board.

Charters holders can contract with vendors. It is not uncommon for our schools to contract with vendors and sometimes these are similar to contracts a school district might have with a vendor. These contracts might include ones for professional development, curriculum and legal services, [Exhibit G](#), page 10. Often our schools are small, so many of them do not have the size or scale to make those contracts, such as one for managing information technology in-house, to be cost-effective.

Schools contract out specialty services like information technology, legal and accounting because they are too small to have their own staff dedicated to that specialty. In some cases, charter schools contract with organizations called educational management organizations or charter management organizations. Both provide centralized school services to charter schools. They may offer a package of services, so a school does not have to find each vendor and take an á la carte approach. The difference between an educational management organization and charter management organization is whether they are incorporated as a nonprofit. To be a charter management organization, the entity would need to be incorporated as a nonprofit. The types of services these two entities provide can be very similar.

Charter management organizations and educational management organizations provide a range of services. Comparatively, they are very different, but there are some common services that they provide, [Exhibit G](#), page 10.

The fees paid to a charter management organization or educational management organization by a charter holder varies based on the services that are provided through the contract. These are vendors of the charter holder, so it is the governing bodies of the charter schools that oversee those services and ensure that those vendors are delivering on their contracts.

Hopefully this helps to paint a picture of all the parties and how they interact with each other.

The SPCSA has focused on three strategic goals: providing families with access to high-quality schools, ensuring that all students succeed—including those from historically underserved student groups—and increasing the diversity of students to ensure that we serve a representative population of students.

With regard to high-quality schools, this graph on page 13 of [Exhibit G](#) provides data for the 2021-2022 school year—which is the most recent available data. Based on data from the Nevada School Performance Framework, which measures school performance of all public and charter schools, 80 percent of SPCSA schools had an index score of 50 points or more in a typical year. This would equate to a rating of three stars or better. There were no official star ratings this year, so we leveraged the index score to do some analysis.

The SPCSA had an 86 percent graduation rate for the class of 2022. Almost every one of our high schools had a graduation rate above the Statewide graduation rate. When looking at the national context, SPCSA has outperformed state proficiency rates in many other states that also offer the Smarter Balanced assessment to third through eighth grade students.

When we look at the performance of our schools, we often look at our Title I and non-Title I schools. We see that in both Title I and non-Title I schools, our schools tend to outperform the State within the Nevada School Performance Framework, [Exhibit G](#), page 15. There is a 50 point cut-off because, in a typical year, that would equate to a three-star or adequate rating given the limitations of our data in the most recent year.

We have watched closely how our schools have handled and responded to the coronavirus pandemic, and how they ensured that students are continuing to make progress despite some of the impacts. Looking at overall school performance, we have maintained the same percentage of schools with a 50 index score or more. We have seen an 8 percentage point increase over the last four years with our graduation rates despite the impact of coronavirus pandemic, [Exhibit G](#), page 16.

Our second goal is ensuring every student succeeds. The graph on page 16 of [Exhibit G](#) shows the difference between the SPCSA's proficiency rate and the State's rates for each student group. With regard to the eleventh grade American College Testing program assessment, SPCSA exceeds the average for math and English language arts in almost every student group shown on [Exhibit G](#), page 18. We are proud of these results and continue to work to improve outcomes for every student across every student group. We know that there are some opportunity gaps that our schools are working towards closing.

Our third goal is to serve a representative population of students. The SPCSA has made steady progress towards aligning with the State's demographic. This includes steady increases in the percent of students qualifying for free and reduced-price lunch and English Language Learners. Schools that have opened in the last few years with SPCSA are more reflective of the State's demographics, [Exhibit G](#), page 20, which has helped move the needle in terms of the representative population.

The SPCSA's work is centered on a vision of equitable access to diverse, innovative and high-quality schools for every Nevada student. This is demonstrated through our strategic goals. We aim to provide high-quality schools that serve all students effectively.

SENATOR FLORES:

In the 2015 Legislative Session, when I first sat on the Assembly Committee on Education, we had many conversations about charter schools not matching their diverse populations. At that time, there were not many charter schools in our districts and many of them were in areas that were not attracting diverse populations of students.

I start with that anecdote because, with time, there has been a genuine investment and focus on ensuring that we are in areas where the needs are. We meet students where they are and where families need it the most.

I want to give you an opportunity to breakdown some of these graphs in [Exhibit G](#), particularly those where you mentioned that SPCSA is performing better than students in the same age group around the State. Is that an apples-to-apples comparison? How far are we from representing the local demographics in our schools versus in the charter schools?

MS. FEIDEN:

I think we have made significant progress in closing some of the demographic gaps. We only graduate twelfth graders, so that is a change that happens over time. Roughly 75 percent of the schools we have opened in the last few years are Title I. That is a significant number of new Title I schools. Those new schools have changed the demographics and makeup of our portfolio.

Apples-to-apples is always a hard comparison to make, but I think we have made a lot of progress in that area. We have some incredible examples of success within our schools, including Equipo Academy on the east side of Las Vegas and Mater Academy of Northern Nevada in downtown Reno. We have some schools who receive community eligibility provisions. These provisions are for schools that are serving a high percentage of students that qualify for free and reduced-price lunch. Those schools are significantly exceeding the Statewide results. Overall, we have higher rates of proficiency, but proficiency is not the only measure; we look at growth and a wide range of measures. When we do an initial cross section, we see a lot of progress. We are proud of the progress in serving students effectively across all student groups.

SENATOR FLORES:

On page 16 of [Exhibit G](#), you highlight that despite the coronavirus pandemic affecting both adults and kids, the students performed comparatively better. The version of myself that sat on the Education Committee in 2015 would have argued that public schools are not performing better because the challenges between populations are not the same. It is not fair to make that comparison. Could you dive into why the charter school students performed better? Perhaps you have specific examples of how, for example, the exact same student from Clark County School District would perform better in a school within the SPCSA's purview.

MS. FEIDEN:

I want all our schools in Nevada to be excellent, which is why I hesitate to compare our schools to other schools. We have seen some really effective work at our schools. I mentioned Equipo Academy earlier; I had the opportunity to go to their annual awards ceremony a couple of weeks ago. I was floored by the celebration of the alumni. They have alumni who are working in their own communities, graduating college and helping other communities.

There are many different strategies that might influence student success rate. Some of those strategies include small class size, a focus on effective instructional strategies and investing heavily in their community. Often there is strong parent and family engagement.

The other piece of why these schools did better during the coronavirus pandemic is because they are small and have one governing body that oversees either one single school, or a couple of schools. They were able to respond to what was happening in their immediate community in a way that only charter schools or small schools are set up to do. They could turn on a dime, whereas, larger schools had a harder time doing that. That is part of the reason for some of the results. These schools quickly pinpoint what is happening and make a change.

CHAIR LANGE:

What are the charter schools' average class sizes for kindergarten through twelfth grade?

MS. FEIDEN:

I do not know the average class size off the top of my head. I recently pulled the data because there is a bill related to class size. I can provide that data to you later.

In many of our early childhood classrooms we have two individuals supervising the class. Sometimes that is a teacher and an aide or a teacher and a paraprofessional.

Generally, we have smaller class sizes, but we do have some classrooms that might have 30 students. Some schools have larger class sizes. Within all of our schools' contracts, there is a maximum number of students they can enroll, which provides some constraints in terms of size. When we do site evaluations,

we have focus groups with parents. It is a part of a standard site evaluation protocol. By far, the most common thing we hear from parents is: we like our school because everybody knows my kid; I feel like people listen to me if I have a problem and I can go right to the person who is going to help. That is because of the smaller size of our schools. We have a high school in Sparks that has 150 kids. You are not going to find a high school like that in a traditional school district. It is a different learning environment. Is it the best school for every child? Maybe not. We provide options and class size is one of those things that we offer.

SENATOR NEAL:

You talked about free and reduced-price lunch. My question starts with the graph on page 19 of [Exhibit G](#). What does this data actually capture? During the coronavirus pandemic, the children who qualified for free and reduced-price lunch was expanded to include more children. Now, the children who are receiving free and reduced-price lunches are not necessarily Title I students. Can you disaggregate this data, so that I can understand how many at-risk and Title I students are captured in that number compared to the newly expanded number of children who qualify. I wonder how that plays into the data represented on page 18, [Exhibit G](#).

MS. FEIDEN:

In regard to free and reduced-price lunch, the data point captures the number of students who are directly certified, meaning that through some sort of federal assistance program they would automatically receive free and reduced-price lunch. They have filled out income eligibility paperwork or are attending a community-eligible school, which is a school that is designated as a high-poverty school.

It is a challenge to sift through these numbers. It is an apples-to-apples comparison in that we are providing the same data that the State provides. It is a bit complicated, but the statewide number versus our numbers are the same. The fact that all students received free lunch last year did not mean all students qualified for free and reduced-price lunch. There is still paperwork that needs to be filled out as qualifiers to be designated for free and reduced-price lunch. The State collected all of that data yearly throughout the pandemic, even in the years where all students received free lunch. There are still students eligible for free and reduced-price lunch despite how many meals were actually served. The numbers are an information point that, to some extent, is a comparison to the

State, but it may not be a clear picture. Again, we are using the State's database that was released by the NDE on free and reduced-price lunches.

SENATOR NEAL:

I will have to look at the State's data. We included almost all children for free and reduced-price lunch during COVID-19. I distinctly remember sitting on the Interim Finance Committee when we did that. A disaggregation of the data would be very important to determine a true comparison especially when you are claiming that the SPCSA students who were receiving free and reduced-price lunches outperformed students in other schools who also receive that designation. The type of child that may have been included in your 2020 data may not have been a traditionally struggling student.

The second question I have is on your data for academic gains, [Exhibit G](#), page 16. Do you have any data that helps us understand the academic gaps that students come into your schools with and how you help them close that gap? Not all students are equal in their performance and comprehension. Students that go to charter schools might have a different educational gap compared to those who go to a public school. This is happening in west Las Vegas, which has a choice in elementary and high school, but not one for middle school. The choice high school has roughly 125 students, whereas the middle school has the neighborhood's representative population. They are the traditional students that public schools would normally see. They are not performing at the same level. The same goes for the choice elementary, where the parents have the choice to put their kids in smaller classroom sizes. The students who go to the choice schools have very different risks, challenges and academic gaps than those who are attending the middle school.

I do not know whether you operate under ESSA, where you have to disaggregate the data in order to help us understand performance. Performance gaps matter to me because the story is being told in North Las Vegas, my district, where blacks and browns are going to public schools while everyone else is going to charter schools. That worries me because that means those children are likely the ones who have low reading levels.

MS. FEIDEN:

Similar to how all district schools are measured, our schools are measured by the Nevada School Performance Framework in growth data and opportunity gaps. That information is available online for each one of our schools. We could

provide that at a more aggregated level if it would be helpful. We have worked hard to move towards serving a representative population of students. We have the same goal of serving a snapshot of the State's population effectively. When students show up in our classroom, we help them grow, regardless of what challenges they walk in with. Hopefully, the students are walking in with similar sets of challenges to their peers in the school district.

SENATOR NEAL:

I feel strongly about this point. It is not an apple-to-apple comparison when you cannot break down the academic gap that you served. I want to understand whether you are taking students who are reading at a fifth-grade level while they are in eighth grade and improving their reading level to their current grade. Then you could show me an apple-to-apple comparison such as Matt Kelley Elementary School to a charter school in the same neighborhood. I would like to see this type of comparison made between similar demographics, and charter schools closing the educational gap. Show me how you change the educational gap for children within the framework of charter schools. If you are doing that work, hallelujah, we need to find out what that strategy is. It is not just because of the reduced class size; it is the child that you are serving and the barriers that they are having to overcome. Those barriers may not be equal to the same ones that students in public schools face.

MS. FEIDEN:

I am happy to pull some school-specific data. If you want us to go down to the student level and do some anonymous surveys, we will. We will provide the opportunity-gap data and share the progress we have seen with growth data. We pull data from schools in the same district. We have some neighborhood school comparisons that we use internally to see how our schools are doing. If we open a school that is not offering a good or better option to our community, then we are not serving our community.

SENATOR HAMMOND:

This has been a good discussion about educational gaps and how we are servicing those gaps. I would like to see the data and percentages as well. Your numbers are looking good. Public schools, especially the large ones in Clark County, were challenged during the coronavirus pandemic. It seems that because many of the charter schools are smaller, they were able to pivot and figure out how to deliver quality education.

I know that many charter schools have waiting lists. Can you provide more information on how many potential charter schools submitted an application? How many applicants were granted admission? Please break that down into a percentage. I would like to get an idea of the number of applicants and how many were granted admission so that I can make a comparison to other states.

Ms. FEIDEN:

I will get you some historical data. During this past application cycle, there were five applications submitted and two of them were approved—which is 40 percent. The national average is about 33 percent. I will bring you more data on that.

SENATOR HAMMOND:

I am trying to figure out how many new schools we are bringing online and, given our success, how do we compare to other states like Arizona and Tennessee?

Ms. FEIDEN:

We opened a number of schools this year. Five new charter holders came online in the 2022 school year. There were also a couple of campus expansions from existing charter holders. I believe we had a total of eight new campuses this year and next year, we are slated to have four new campuses.

SENATOR HAMMOND:

I would like a comparison of how we are doing to other states—mainly in the west.

SENATOR BUCK:

I want to clarify what you are reporting for free and reduced-price lunches. Many students receive free and reduced-price lunches. Do parents have to fill out a form to qualify? Are the numbers we are looking at from parents who filled out the form or are they from all students receiving that program?

Ms. FEIDEN:

The last few years have been unique because, initially, the federal government agreed to cover all schools to feed every child. Recently, the State has filled the gap in funding so that all students who want meals receive them. The parents of students have to meet certain income or a qualification threshold to be considered eligible. Currently, some students might get a free lunch, but not be

considered free and reduced-price lunch eligible. The official free or reduced-price lunch eligible definition comes from the federal government. A student might receive lunch because either their parents are on an assistance program like the Supplemental Nutrition Assistance Program or because they meet the federal income threshold. Those are two ways that a student ends up in the free and reduced-price lunch category.

SENATOR BUCK:

What percentage increase in this program is legitimate? How is that reflected in the percentages that the charter school claims to have?

MS. FEIDEN:

Over the last four years, we have gone up about 10 percentage points in the free and reduced-price lunch designation; that is about 46 percent. In 2019, we were at about 36 percent. We have also seen a significant increase in our Title I schools. They typically have a higher percentage of students who receive free and reduced-price lunch. In 2019, we had 20 Title I schools. We currently have 36. In the last 4 years, we have gained 16 new Title I schools. That is another way that we have seen a shift in the student population and the makeup of our charter school portfolio.

SENATOR TITUS:

Of your 78 charter schools, are they all brick-and-mortar schools?

MS. FEIDEN:

Most schools are brick-and-mortar. We have a handful of full-time virtual schools. I believe we have four full-time virtual schools plus one that the state refers to as a hybrid school—Beacon Academy. Beacon Academy has two campuses. It is an alternative school that primarily serves students who are severely credit deficient. The school needs a state board approval to function as alternative school. The students come to a campus two days a week and do remote work the other two days. Most of the students are over age and under credited. It is a different instruction model. We have 72 brick-and-mortar schools, compared to a handful of virtual and alternative learning options.

SENATOR TITUS:

Do you have to follow the same licensing requirement for your teachers that public schools do?

MS. FEIDEN:

The licensure requirements are slightly different. All our teachers who are in core content areas—including math, reading, science and social studies—plus English Language Learner teachers and special education teachers must be licensed. Additionally, no less than 80 percent of teachers are licensed. Most schools have way more than 80 percent licensed because the majority of teachers are in core areas. There are a handful of teachers in our schools, usually in a specialty subject like art, music or another elective, that are allowed to be unlicensed. They are still required to go through the same background check process.

SENATOR TITUS:

Do schools that go through high school offer a dual-accreditation program? Do you have any partnerships with community colleges? What percentage of those schools have dual-accreditation?

MS. FEIDEN:

All of our high schools offer a dual-credit option. Some of them do it extensively, whereas, others do it on a smaller basis. The schools have direct relationships with the community colleges or universities.

SENATOR TITUS:

My daughter taught at a charter school for a period of time. When I asked the difference between teaching at a charter school and in a public school, she said that the parents are more accountable in charter schools. If there is an issue with the kids, you call the parents. It is unfortunate that parental involvement is limited within public schools. That was an observation from someone who taught at a charter school.

SENATOR BUCK:

I know that Democracy Prep is in your portfolio, and it is on the historic west side of Las Vegas. Are West Elementary, Middle and High Schools in your portfolio?

MS. FEIDEN:

Democracy Prep is one of the SPCSA-sponsored schools. I believe West is operated by Clark County School District.

SENATOR BUCK:

What are some suggestions to get more schools in disadvantaged areas? The disadvantaged areas need choice.

MS. FEIDEN:

Are you are asking how we make sure to expand options in high-need communities through charter schools? I think we have really done that over the last couple years. That is in part through our strategic plan and through lots of outreach. If someone says they are interested in opening a charter school, they have to submit a letter of intent so that we know the application is coming. It encourages them to consider where the greatest need is in our community.

The majority of schools opened in the last couple of years are in areas that, historically, did not have charter schools. We have worked to expand equitable access. It is not equitable if you have to drive across town because there is not a charter school in your community. We have worked to ensure we are opening new schools that are not concentrated in certain communities that historically had charter schools. Our board has talked a lot about that. We have talked about the transportation recommendation from the Commission on School Funding as an opportunity that may help to increase access to charter schools. Currently, charter schools do not receive transportation funding. It is very hard for our schools to find money in their general operating budget to transport students. Inevitably, there are some kids with no transportation from a school bus, so that is a hurdle for them. If the Commission on School Funding recommendations are adopted, that would be a tool to potentially help increase access.

SENATOR DOÑATE:

I would like more information on special education. It seems like there is not enough information about math either. Earlier, you mentioned tracking enrollments of people applying for charter schools. Do you also track students that must be rerouted back to public schools or, in essence, make a transition from a charter school to a public school?

MS. FEIDEN:

In terms of transitions between schools, I do not think we have pulled that data set. A large majority of our students come either from a district school or go back to a district school. Some of our schools see more student turnover which

might be because of where the school is located and families moving further away. Is there a specific enrollment issue that you want us to explore?

SENATOR DOÑATE:

No, I would like to see if you are tracking that information and which schools receive the most turnover. That would be important for me to know if it was happening in my district.

SENATOR NEAL:

Historically, within charter schools, there have been barriers for special education, and having licensed teachers that follow the law. Can you speak to that?

MS. FEIDEN:

Charter schools are required to have licensed educators for special education. There are some challenges recruiting for special education. Similar to problems with recruiting math teachers, recruiting special education teachers is where we see some of the biggest gaps nationally in terms of numbers of educators and vacancy rates.

Sometimes our schools use a substitute teacher. That is what a district must do in the event of an absent special education teacher. Sometimes there is a long-term absence. That substitute must meet licensure requirements to serve special education students.

Historically, there has been some criticism that our schools do not serve special education students or students with certain types of needs. That is not legal. Our schools are required to serve all kids. There have been a few instances where that type of thing has been brought to our attention, and we have worked very quickly to make sure that that student is being served.

Over the last three years, we implemented a program to make the response more proactive not reactive. We refer to this program as the "mystery parent program." It is kind of like a mystery shopper. We pretend to be the parents of a special education student who are interested in enrolling their student in a charter school. We call our schools to see what response we get. We want to make sure that we do not hear of any barriers to entry. We should not hear anything that sounds like more work for a parent to enroll a child who has a special education need than a regular student. We are proactively working to

make sure that our schools understand their responsibility. We are monitoring that, not just on the back end, but also on the front end. If we hear about an issue, we are ensuring that all students are served by our schools and there are no barriers for enrollment.

CHAIR LANGE:

I will now open the hearing for public comment.

MR. DALY:

I want to make a couple of brief points on the SPCSA's presentation. Charter schools still have significant student demographic differences compared to neighborhood public schools. Charter schools have 3 percent fewer students with disabilities, 4 percent fewer English Learners and up to 34 percent fewer low-income students. We agree that these numbers may be skewed due to the definitions changed during the coronavirus pandemic, but those differences do not include differences in student populations that go beyond the demographics.

Senator Titus made a point about parental involvement and family engagement. Some charters actively push out students that have some disciplinary issues. Those kids end up in our neighborhood public schools that are responsible for the education of every student. The SPCSA has made some progress on demographic issues, but if you look at their five-year plan—I believe they are in year four of the five-year plan—they are still not meeting their own goals on demographics. Their goals were to meet or exceed state demographic percentages. As is evident in their percentages, even in newer data they are not meeting Statewide demographic percentages. Meanwhile, we see charter schools are continuing to expand quickly. That is something to keep in mind when we are talking about accountability.

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CHAIR LANGE:

Seeing no more public comment, the meeting is adjourned at 2:27 p.m.

RESPECTFULLY SUBMITTED:

Kirsten Oleson,
Committee Secretary

APPROVED BY:

Senator Roberta Lange, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Begins on Page	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 71	C	3	Senator Neal	Report by Nevada State Teacher Recruitment and Retention Advisory Task Force; 2023
S.B. 71	D	3	Senator Neal	Report by Nevada State Teacher Recruitment and Retention Advisory Task Force; 2020
S.B. 71	E	6	Chris Daly	Support Statement
S.B. 72	F	6	Senator Dondero Loop	Proposed Conceptual Amendments
	G	9	Rebecca Feiden/ State Public Charter School Authority	Presentation: State Public Charter School Authority Overview