

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Eighty-second Session
April 7, 2023**

The Senate Committee on Education was called to order by Chair Roberta Lange at 1:06 p.m. on Friday, April 7, 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-Gahner, Policy Analyst
Asher Killian, Counsel
Kirsten Oleson, Committee Secretary

OTHERS PRESENT:

Michelle Exstrom, Director of Education, National Conference of State Legislatures
Nathan Driskell, Associate Director, Policy Analysis and Development, National Center on Education and the Economy
Mary Pierczynski, Nevada Association of School Superintendents
Alexander Marks, Nevada State Education Association

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Geoff Knell

Kabrina Feser, Operations Officer, Public Employees' Retirement System

Anna Binder

Hieu Le

Daniel Stewart, Clark County Education Association

Craig Valdez

Francisco Morales, Clark County Education Association

Kent Ervin, State President, Nevada Faculty Alliance

George Ann Rice, Heroes to Education

Jimmy Adams, Executive Director, National Association of State Directors of
Teacher Education and Certification

Kelli May Douglas, Pacific Southwest Regional Liaison, Defense-State Liaison
Office; Office of the Assistant Secretary of Defense

Adam Diersing, Senior Policy Analyst, The Council of State Governments

Amy Shogren, Vegas Chamber

CHAIR LANGE:

We will take the agenda out of order. I will now open the hearing on
Senate Bill (S.B.) 425.

SENATE BILL 425: Establishes the Commission on Innovation and Excellence in
Education to develop a statewide vision and implementation plan to
improve the public education system in this State. (BDR 34-1060)

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

I am excited to present S.B. 425. I have Michelle Exstrom from the National
Conference of State Legislatures (NCSL) and Nathan Driskell from the National
Center on Education and the Economy (NCEE) as copresenters.

I had the distinct pleasure to serve as a member of the 2021 Legislative
International Education Study Group, a bipartisan group of 20 legislators and
legislative staff. This group studied the highest performing education systems in
an effort to take lessons from these education systems and apply what they
learned to improve our own State education systems. Michelle Exstrom will
cover more on this study group and the findings, which are detailed in the
article *No Time to Lose: How to Build a World-Class Education System* produced
by NCSL and *The Time is Now: Reimagining World-Class State Education
Systems* produced by the NCEE.

Senate Bill 425 creates the Commission on Innovation and Excellence in Education to develop a Statewide vision and implementation plan to improve Nevada's education system. Twenty-four members would serve on this Commission as outlined in section 3. It would include three Senators and three Assembly members. Additionally, S.B. 425 requires the Commission to conduct a study comparing Nevada's education policies to those of high-performing international and domestic education systems; make recommendations on how to adapt those education policies into Nevada systems; make recommendations on improving student performance in Nevada, based on high-performing systems; incorporate any relevant findings of previous or ongoing studies related to education funding; and develop an implementation plan for the recommendations made, including an analysis of the costs involved. Sections 5 and 6 appropriate funds for certain travel expenses and allow the Commission to enter into a contract with an organization to support the Commission's work.

Michelle and Nathan will now provide an overview of the study group, its findings, the importance of the lessons learned and why changing right now is so critical.

MICHELLE EXSTROM (Director of Education, National Conference of State Legislatures):

I will provide you with background on the work that we have been doing since 2014 on this issue and the findings of the two legislative cohorts who have participated in this opportunity. This work began with the rerelease of the Program for International Student Assessment (PISA), which evaluates how well students across the developed world can apply what they know in core subjects. The PISA results came out in 2013, and we held a session at one of NCSL's large organization-wide meetings to release the results of PISA. We partnered with the Organization for Economic Cooperation and Development, who administers the exam, legislators and other education experts. During the presentation, two things were clear. First, many of the approaches that states were debating at the time were not necessarily the approaches that other high-performing systems were taking. Second, our students' performance was quite mediocre compared to the rest of the developed world.

A number of legislators, who served as officers of the NCSL Education Standing Committee, approached NCSL and asked us to sponsor a study unlike any other studies NCSL had done. They asked for a study on international comparative

policy because they wanted fresh ideas on what other high-performing systems were doing and to know how other systems' policies and practices are different from the U.S.

In September 2014, we effectively launched the first International Education Study Group with the NCEE serving as our technical experts in that endeavor. Twenty-six legislators and legislative staff from around the Country served in the first cohort. Former Senator Joyce Woodhouse was part of that group.

During the next two years, the cohort studied ten of the highest performing systems in the world—including Massachusetts. They wanted to know how they were getting those results and what policies and practices were in place. They also talked to experts and educators and visited places. This helped them understand what these countries were doing effectively.

In August 2016, during NCSL's annual summit, we released the report. The report conveyed a sense of urgency. It urged their colleagues not to spend any more time debating U.S. policies and instead, turn their attention to places that are seeing more success. A QR code is on page 2 of the presentation ([Exhibit C](#)) that will take you to a report called *No Time to Lose: How to Build a World-Class Education System*.

In 2019, the most recent PISA results were released. This was before the coronavirus pandemic hit. At that time, a new group of legislators wanted to continue the work of the first cohort and do a deep study. We partnered with NCEE again and the Southern Regional Educational Board. The Board's focus is serving Southern states in their workforce development and education. This new group of 20 legislators and staff had a similar goal of learning the latest trends in education. They met and studied trends in the wake of the coronavirus pandemic. The cohort found that other countries were not struggling as much as the U.S. They met experts from around the world on online platforms.

They studied Massachusetts, New Hampshire, Maryland, Canada, Estonia, Finland, Hong Kong, Singapore and Switzerland. They also looked into schools and districts across the U.S. that were implementing certain aspects of high-performing jurisdictions.

Page 5, [Exhibit C](#), shows the legislative members that participated. The legislators and staff are from many different parts of the U.S. They took the

time to study, work together and discern trends. They identified challenges that will probably not surprise anyone. By international, national and State measures, our students are struggling and the gaps are widening. We see that trend through our own results, state assessments and through international comparison. The cohort also confirmed our education system is not built for the economy; it was built for a bygone era. It served us well, but it is not meeting our current needs. Other education systems pivoted or were recreated in a way that meets the country's current and future economic needs.

The pandemic uncovered some frailties and shortcomings within our education system. Certain students did not fare well during the coronavirus pandemic. It also exacerbated issues such as the inability to recruit and retain teachers to the extent needed in the U. S. The cohort maintained that we can no longer afford to lose any child within our system. The gaps seen in underserved children will not serve the Country well as they enter the workforce. They reaffirmed that everyone is deserving of meaningful work and leaving high school well prepared to enter either college or the workforce. Unfortunately, our system is struggling to do that.

The cohort structured their study around NCEE's framework, which identifies the key components of an effective education system. That was a hallmark of the first report, *No Time to Lose*, where effective education systems were identified. This cohort found similar components of an effective education, which is not surprising. The graphic on page 7, [Exhibit C](#), is a point of reference in the study. At the center of an effective education system is excellence—an expectation of excellence from teachers and students—equity and efficiency. Those components are supported by effective teachers, rigorous learning systems and equitable foundations of support. All of that is supported by a coherent and aligned governance. The cohort adopted this as their framework of an effective system. The QR code directs you to additional information on the NCEE website.

The cohort gathered their thoughts and findings into a report released in December 2022 called *The Time is Now: Reimagining World-Class State Education Systems*. I encourage you all to look into the report. It is the voice of your colleagues. It is not from NCSL or NCEE. It is from your colleagues who are communicating their findings and the importance of systems being aligned.

The message that came out of the last report is a sense of urgency to imagine and rebuild an education system that meets our current challenges and our future workforce needs. The cohort argues that the time is now to address the challenges in our education system. We can no longer afford to sit by and debate when we know our system is struggling. It is going to take states coming together to reimagine a system, based on your State's goal, and figuring out how to map out policies and practices to get you there.

NATHAN DRISKELL (Associate Director, Policy Analysis and Development, National Center on Education and the Economy):

We have a 35-year history looking at trends in education, economics and workforce development. We try to do three things for American policy leaders as seen on page 2 ([Exhibit D](#)). We believe that insight and innovation to improve our education system to be world class can come from anywhere. We focused on the world's highest performing, fastest improving and most equitable education systems. Our goal was to distill and communicate insights for American policymakers to improve the education system. We also emphasize anticipating the future teaching and learning trends facing our global economy, workforce and our students. We do this because we believe the scope and urgency of the challenges facing our students and society today demands we look anywhere within and beyond our shores for good ideas. We also do this because we recognize our students are competing in and interacting in a globalized society and economy. It is incumbent on us to think globally.

At the same time we are thinking globally, we also acknowledge that each of our 50 states' character is wholly unique. The answer for how to improve education in Nevada, Florida or Massachusetts is not going to be found in Singapore, China or Canada. There may be insights found in those places, but those insights are going to need to be distilled and adapted thoughtfully and codesigned for specific states. We work with state policymakers and districts in the U.S. to help translate the insights we find so they can reimagine and redesign their systems to help their students succeed and compete globally.

We also recognize that the most well-intentioned policy designs only goes so far if they are not intentionally realized in schools and school districts. We provide leadership coaching and support to principals, superintendents and other state leaders, including legislators. It is through this work that I have had the privilege of approximately ten years of partnership with Michelle Exstrom and NCSL as well as a productive and inspiring partnership with Senator Dondero Loop,

former Senator Joyce Woodhouse, as well as former staffer Todd Butterworth from Nevada.

I want to provide some context as you consider [S.B. 425](#). I will do so through three perspectives. First, is a brief look back on why the U.S. has its education system and how well it has held up. Second, I will provide a look at the global trends on the horizon—including during the coronavirus pandemic and afterwards. Trends show what our students are facing and will face as they transition into the workforce. Third, I will present what Nevada can learn from high-performing systems and from comparable U.S. states and recent state innovations as Nevada seeks to improve the education system.

If you look at the character of American schooling today, there are a number of features that education historians broadly agree are a holdover from early twentieth century and earlier. This system was designed with a few objectives. First, it was preparing workers for an assembly line factory model that, at the time, was quite innovative. Second, it addressed challenges and opportunities related to immigration in the context of the time. Third, it realized the necessity of attaining education to a certain level as well as the need for widespread literacy and numeracy. Critical-thinking skills were only necessary for a select few because that was what that economy demanded. Fourth, it followed with previous education systems designed in Europe.

It may sound like I am being a bit derogatory about our education system, but I do not intend to be that way. It was designed in the past, but I would argue it has worked quite well. Teachers, students and leaders of our education system have done a fabulous job of realizing the results they intended. Throughout the arc of the late nineteenth century through the mid-twentieth century, the U.S. led the world in attaining education with the quality of our outcomes. We saw unparalleled economic growth and an explosion of the middle class, broad-based stable democracy and booming production that helped us win numerous wars. This is all due to the success of our education system. We need to acknowledge and applaud it.

As seen on page 6, [Exhibit D](#), once you reach the middle of the twentieth century, you start to see an unfortunate inflection point. Looking past the late 1970s, up through the recent past, you see a flattening of our education outcomes even as spending on education continued to balloon. This graph maps

the Grade 12 math scores, which might be thought of as the education outputs of our young people as they exit the education system in high school.

This graph on page 6 is from the National Assessment of Educational Progress (NAEP). It measures outcomes compared to the inflation-adjusted spending on education across our 50 states. What you see is essentially a flat line of outcomes alongside a near doubling of spending. We were spending nearly twice as much to see the same results over the arc of more than 40 years. This chart ends in 2012 because that is the last year NAEP administered the assessment. It will be administered again to Grade 12 students in 2024. Other indicators, including short-term results and state assessments, suggest to analysts that this trend will continue. The pattern has broadly held.

If you zoom out from the U.S. picture and look globally at the results of PISA, you see a similar flatlining in results. In the most recent assessment, U.S. students, who are 15 years old, scored around the top one-third around the globe in reading and science. They were in the middle of the pack in mathematics. Out of 74 countries that were assessed, 30 countries outscored the U.S. Most of the countries that outperformed the U.S. had education systems that were developed later than ours. Many of those countries are barely industrialized and not first-world countries—economically speaking. Vietnam is a notable example of a country that significantly outperformed the U.S. on all three measures: science, math and reading. These results were fairly sobering for policymakers as they look comparatively and globally.

I want to acknowledge that although I am discussing numbers, I am really talking about children and young people. These measures assess what our 15-year-old youth can do with knowledge. Some data about the competencies of our young people are somewhat sobering. On a positive note, about 80 percent of students in the U.S. can read a passage, identify the main idea, point to cause and effect and say if conclusions are warranted based on evidence.

Conversely, only 60 percent of 15-year-old youth can compare distances on roads—think of pulling up a map and finding the most efficient route—or convert one currency to another. Only 14 percent of 15-year-old youth can read a passage and distinguish between a fact and an opinion expressed by a speaker. Only 9 percent of 15-year-old youth can take a scientific fact and

apply it to a scientific problem in a simulated environment. These are applied problems that are administered as part of PISA.

As I continue my presentation, I would urge you to reflect on what that means for what our 15-year-olds can accomplish and how they will face the workforce as they transition out of high school or college and into work. Think about how we might be able to do better by them and help them be better prepared to face the realities of work today.

Even though this is our current reality, the unfortunate fact is the world is continuing to change. We could do everything to maximize results for the current education system and still find it is out of date by 2030 or 2040. Page 9, [Exhibit D](#), provides a brief and abbreviated version of trends over the past 30 years. It shows the results of outsourcing manufacturing to other countries in the 1970s and 1980s. Other countries were able to ramp up their education systems to basic levels to compete with us on the cost of labor.

Automation led to the transformation of some jobs and the extinction of other jobs. For example, work in the fields of accounting and x-ray technicians was fundamentally transformed by automation, which led to certain positions being eliminated. By certain estimates, for every job lost to outsourcing in the 1970s and 1980s, ten times more have been lost to automation in the 1990s and early 2000s. The number might be even higher and more alarming now. Think about what that says if our education system has not adapted to reflect the reality of the work world, and life looks fundamentally different compared to 20 years ago.

By some estimates, there are nearly no jobs left today for approximately three-quarters of our high school graduates. Many of those graduates may be able to adapt to jobs, but as they are currently exiting high school, they lack the skills needed to do about 90 percent of the jobs in the workforce today. Reflect on the reality that change is accelerating.

Some of these trends were true when I graduated from high school 18 years ago. Back then, these issues were talked about very quietly. Based on the evidence, we have not seen comparable change that has kept pace with the evolution and scope of society in a way that will meet the needs of our young people.

What do our young people need in a world that is fundamentally different than ever before? Page 10, [Exhibit D](#), is a distillation of a very complex topic. I would argue that in some cases, we need to double down on the qualities that make us fully human and able to compete with artificial intelligence. Which is to say, our youth need to deeply understand core concepts and be able to apply them to a wide range of practical problems in creative ways. They need to develop interpersonal skills, including the ability to relate to peers and communicate with people they may not see eye-to-eye with. They need to have a moral and ethical grounding and the inclination to protect and defend freedom and democracy in our great Nation.

Ms. Exstrom covered most of the graphic on page 11, [Exhibit D](#). In brief, it is a distillation of our best evidence around how other systems have risen to meet the challenges I outlined. She covered the components of this graphic and you can find the complete write-up on our website. The basic takeaway of this graphic is it is a circle and all of the pieces fit together which is meant to represent a coherent and cohesive systemic approach to education policymaking. That approach can help us to leapfrog in educational performance and increasingly compete and succeed in an artificially intelligent world and a globalized economy.

I do not know your State nearly as well as any of you on the Committee, but I have worked with some Nevadans. There are many things you should be very proud of and are world-class examples of policymaking. I suspect some of you were involved with these things.

I am heartened to see the work on a modernized funding formula. There is a strong Statewide vision for career and technical education and some promising work to foster a vision for more career-connected learning opportunities for young people throughout the State. I am particularly familiar with some work going on with Superintendent Pam Teel in Lincoln County. I want to applaud the work that you have done around strengthening professional learning for teachers and school staff and robust early literacy support for young people, which we know matters. You have a fantastic cohort of school leaders who are actively engaged in Clark County—I speak from personal experience and the experience of my colleagues. This is all strong work and may not be all of it, only what I am personally familiar with.

I have to ask a provocative question wherever I go. Do you feel those individual practices are as fully supported through State policy and knitted together with a coherent, bold and forward-facing vision for what your economy can look like in the coming decade?

That question reflects the approaches we see in high-performing systems. It is an approach that brings together policymakers across party lines, branches of government and different agencies and focal areas, including education, workforce development, youth and family support and housing. It is a systemic approach that does four major things: sets a vision, links education to economic goals, finds a way to reach compromise to rise above partisan battles that divide us, and focuses on the future prosperity of the State.

As seen on page 14, [Exhibit D](#), there are states around the Country that have begun to embark on this approach. They are states I would urge you to look at as you can continue your work and consider this bill and others. There are commissions in Maryland and Pennsylvania that focus on innovation and economic competitiveness. There is nascent work in Michigan around establishing a framework to launch the state into the next level of economic prosperity. There is work through the Governor's Office in Indiana, joint convening of authorities across bicameral houses, work in the Governor's Office and State Boards in Montana, as well as efforts in Mississippi to more deeply understand the global context. The National Center on Education and the Economy has supported some approaches and others we have not. We have been encouraged to see approaches that are rooted in the holistic approach I previously described. They are really promising avenues for your State to consider as you wrestle with this problem.

Thank you for your time and I applaud you for the work that you are doing today.

SENATOR TITUS:

Thank you, Senator Dondero Loop, for recognizing the educational needs and trying to improve them. Why do we need yet another commission to confirm what has just been presented to us? It looks like these studies have already been done.

SENATOR DONDERO LOOP:

Yes, we have some broad-scoped materials and information, but I think we need to start narrowing it down to what works here in Nevada. I have had conversations with one of my counterparts in Montana and in the South. Every state and district does things differently for different reasons. It might be because there are more school districts, less or more funding. There are many reasons they might do things differently. It was clear, however, we needed to have a moment where we came together and figured out how to proceed. I do not know if that exactly answers your question, but I appreciate your thoughts about why do we need to do this if it has already been done. We need to come together as a State with the members listed and solidify where we are going in Nevada.

SENATOR TITUS:

Are various entities such as superintendents, principals, unions and the Nevada Department of Education (NDE) all operating in their own silos without communicating with each other?

SENATOR DONDERO LOOP:

I would suggest some of them have been communicating, but not all of them. In Nevada, we have been fairly siloed. There are people who may not appreciate the smallness of Douglas County or the bigness of Washoe County. Additionally, some people might not know there are charter schools in some counties, but not in others. Trustees might act differently in different counties. We definitely have silos in this State, but I do not want to discount people who are working together.

SENATOR NEAL:

How will the proposed commission work with NDE? I know NDE has a master plan.

SENATOR DONDERO LOOP:

Yes, NDE has a master plan, but their master plan is continually redefined to make it more coordinated and efficient for our State. As you heard in the presentation, what we did in education worked for a long time but, nowadays, it is not working as well. I do not mean to be negative, but we need to change things to make progress. This would help us be more efficient.

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SENATOR BUCK:

We just passed S.B. 72 out of Committee, which has five studies.

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

Senate Bill 425 will look at national studies. Inevitably, we know from research that accountability—whether accountability in discipline or in student outcomes—leads to student achievement. Accountability transfers between district staff, principals, teachers and parents. Why do we need another commission? Why not utilize the NDE that has plans in place? To me, it does not seem like it will be efficient and effective to gather people who are not actually in the classroom or have knowledge about what is going on in there.

SENATOR DONDERO LOOP:

When you look at the list of people involved in the proposed commission, we have incorporated people who may be teachers. Section 3 outlines the membership. We recommend including members who are teachers, on the State Board of Education, on the Board of Trustees and a legislator. All those people have different roles in the education system. Those roles could be people in financing, a teacher in the classroom, an administrator or someone in a charter or public school. It is a convening of experts, including teachers. We should listen to teachers and administrators about what is going on, what is working and where we can make a difference.

When we studied other education systems, people asked me what I learned and what were the takeaway lessons. In effective systems, the teachers were involved in mentoring other teachers and designing curriculum. Overall, the teachers were much more involved than here. That is my perspective.

SENATOR BUCK:

Senate Bill 72 had five studies. Potentially, those studies would be happening concurrently to the proposed Commission. What are your thoughts on that? It seems like a duplicative process.

SENATOR DONDERO LOOP:

I do not have S.B. 72 in front of me, so I could not tell you exactly what would be studied. The Commission on Innovation and Excellence in Education would

develop a Statewide vision and implementation plan. I believe the studies in S.B. 72 would be on specific issues.

SENATOR BUCK:

When we look at our State overall, some districts are performing well, others need more support. How will this proposed commission target what we already know to be issues in our State?

SENATOR DONDERO LOOP:

If we have districts that are performing well, we will use those as examples to help other districts. We are also taking other examples from around the world and bringing them to our school districts in America to help redesign and rethink what we are doing and how we are planning to improve. If a school that is doing well partners with another school, it does not take away from what might be working well in the other school. It is a partnership to work together where teachers help create and move forward with the excellence of what is already happening. I have watched this happen in Nevada. It is wonderful to see a school, for example, that has a good science, technology, engineering and mathematics program teach another school how to replicate the program.

SENATOR BUCK:

I appreciate that as well. When we look at other countries, not all students have access to education. Here in the U.S., all children have access to public education. In other countries, there are different pathways for children and they might not have access to education.

SENATOR NEAL:

I should not ask this question. I happened to watch the School Board of Trustees meeting. During the meeting, they talked about community priorities. It was low on the community's priority list to use the money given to them in the next biennium on classroom size. How would a national group persuade a large district towards certain policies when the district is hearing from its community members they do not care about class sizes? It would not be wise to not manage classroom size over the next biennium.

SENATOR DONDERO LOOP:

I have many personal thoughts on this. Community surveys usually only receive select responses. If we all answered, that would be one thing, but it is different when it is 400 people from wherever. Right now, if you ask any parent, they

will say they are pretty concerned about safety. When I knock on doors in a wide range of economic areas in my district, I hear the same thing: I love my teacher and I love my child's classroom, but there are too many kids and I do not like what the school district is doing. We need to focus on where kids are and start thinking about things that go along with that. Aspects that make education systems good are small classrooms, innovative teachers and teachers who can design curricula with other teachers. We need to let those topics drive the conversation and decisions. Sure, we absolutely need safety, teacher pay or whatever else is on the top of the community priority list.

This Legislative Body is a good example of the benefits of small networks. There are 63 legislators. We pretty much know everyone or see each other every day. In New Hampshire there are 400 members. I am not sure if everyone knows each other; they may not interact much. There are benefits to having a small legislature. The same principle applies to classroom numbers. With small classrooms, kids get attention, one-on-one time and other things they need to be successful.

There might not be enough schools in every district or teachers, but there is a way of doing things so kids have more one-on-one time. Thinking back to when I taught second grade, at one point there were five second grade teachers. We did things creatively because we had a principal who allowed us to do that. The principal allowed us to focus on small groups for math and reading while maybe another teacher took a bigger group to do a science lesson or read books. We did things creatively and we worked as a team. Teachers are full of ideas. We need to allow for a conversation about that.

CHAIR LANGE:

I will now invite those wishing to speak in favor of S.B. 425.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

We are aware there are many commissions. We view this proposed Commission a little differently than existing commissions. There is a wide variety of people involved including representatives from counties, cities, Nevada State Education Association, teachers, associations and superintendents. We are happy they have a position on the proposed Commission. The proposed commission is starting out with a different lens; they are starting with an international perspective. That perspective will be brought to the discussion table. It is a different approach and we appreciate involving the superintendents. This

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proposed commission will bring many ideas from different corners of our State. They will do good work. We support this bill.

CHAIR LANGE:

Is there anyone wishing to speak in opposition?

ALEXANDER MARKS (Nevada State Education Association):

Senate Bill 425 creates a broad stakeholder commission. We appreciate the inclusion of a teacher as a member appointed by our president. We would like to point out that the proposed Commission includes teachers and administrators while other educators are not included in the composition. Further, the process by which the teacher-appointing authorities are to coordinate with appointments to the board to ensure there is one elementary, one secondary, an urban and rural teacher alternating characteristics at the beginning of each term could prove cumbersome and potentially exclude half of all teachers. The Nevada State Education Association would ask that S.B. 425 be amended to include a broader representation of school employees and to simplify the teacher-appointing process. We have submitted a proposed amendment ([Exhibit E](#)).

GEOFF KNELL:

This has been very interesting and very overwhelming. Socialism and communism have infiltrated our system. I am on the streets in Churchill County, Reno, Sparks, Las Vegas and Henderson and I come across teenagers. They do not know their First Amendment and cannot name the five parts of the First Amendment. It is sad. The system is hosed. When I put my boots on the ground, I come across these students in all kinds of cultures. I am a street preacher and I am retired from the U.S. Navy. My son was a combat veteran who died.

Your education system is very poor; the indoctrination in this presentation is Socialism, communism and Luciferianism. I see it out there. We have destroyed this Nation. I wish you would understand what you are doing is not from God and is not biblical; it is sad.

I go to school board meetings. I go to the Washoe County School Board and they are full of Luciferian's ideology, political philosophies and ideologies. I wish you would wake up and see what is going on out there.

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CHAIR LANGE:

Seeing no one else in opposition or neutral, Senator Dondero Loop, do you have any closing remarks?

SENATOR DONDERO LOOP:

Thank you for hearing S.B. 425. I would like to remind all of you that this is a commission to address a systemic review.

CHAIR LANGE:

We will now close the hearing on S.B. 425 and open the hearing on S.B. 308.

SENATE BILL 308: Revises provisions relating to educational personnel.
(BDR 23-1018)

SENATOR EDGAR FLORES (Senatorial District No. 2):

I am here to present S.B. 308. I brought my colleague Kabrina Feser, who is the Operations Officer for the Public Employees' Retirement System (PERS) of Nevada. She is not here as an advocate for this bill. I asked her to join me as a subject matter expert for technical questions that may arise as we are talking about PERS and vesting in PERS. Again, she is neither advocating nor presenting a position on behalf of the PERS' board or anyone else.

I will strictly be working off the conceptual amendment ([Exhibit F](#)). We are in crunch time, and I did not want to request legal to put this together as we recently came up with this language. I want to give a quick shout-out to the Clark County Education Association. During the Interim, we had an opportunity to have a forum with several hundred teachers; many of the members on the Senate Committee on Education were present as well. During the forum, the teachers were able to present concerns and challenges they face. I was also able to meet with a group of educators from the Clark County School District (CCSD) who are in Nevada as part of the J-1 international exchange program.

To simplify the J-1 exchange program, although it is much more technical, there are teachers—primarily from the Philippines—who come to America to teach. There is a recruitment process where people will go to the Philippines, see if teachers meet the minimum criteria, then invite them to help our school district. As you are aware, we have a huge teacher shortage. They typically come on a J-1 visa. The program typically lasts three years but it can, under certain

conditions, be extended for two additional years. Some teachers will stay for five years, but most are here for three.

It is important to note that the teachers who come on J-1 visas are often working with our most vulnerable population of students. They are working with students who have individualized education programs and have a host of additional challenges. Our schools are very appreciative of their work and have made it abundantly clear that they would not be able to operate without the services that J-1s provide. I emphasize that point because, as I saw their work, I wanted to help them.

During my conversations with them, we discussed how J-1s do not reach five years when State employees become vested members in PERS. As a result, they do not qualify for the benefits. By the time the J-1s reach retirement, they do not have the luxury of PERS benefits. That was frustrating to me because we are very grateful to the service J-1s provide to the State. We are in a crisis for teachers. There is a responsibility and obligation to say thank you to them. This bill provides an opportunity to do so.

I will now discuss how I believe we can specifically help them. The conceptual amendment deals with *Nevada Revised Statutes* (NRS) 286.510. In the conceptual amendment, [Exhibit F](#), five years is replaced with three years. Changing the amount of years will address the first issue I talked about.

The second issue is also very frustrating to me because J-1s are paying an excessive amount of money. The recruitment process begins with somebody going to the Philippines and selling someone on the idea of coming to Nevada because it is a great program and there is a need. Anecdotally, speaking with many teachers, they were spending \$10,000 to \$20,000 to participate in the program. That amount is absurd and absolutely unnecessary for them to pay that much. I had the opportunity to speak with the legal community and people who are engaged in this process. It is a cookie-cutter process. The people who are recruiting teachers are replicating the process and have a minimal investment of time between one case and another. They are repeating the same process, so it cannot be justified to charge them anywhere between \$10,000 and \$20,000.

This bill attempts to create a cap on how much the recruiters can charge. The school district works with many recruitment agencies and, when we asked

J-1 teachers, we found out some were paying \$5,000. We thought that was fair. It does not make sense to have teachers paying more than that. This bill creates a cap so that we are not taking advantage of people who are here to meet this State's desperate need. We want to make sure everyone is paying the same amount. That is the objective of this bill.

I also want to put on the record that I have committed and have been in conversation with the Office of the Governor to do something on a larger scale that would potentially help some teachers remain here longer than three years. I bring that up because it often takes a principal two to three years to train somebody to assimilate into the culture of the school and understand best practices. If the visas typically last three years, the principals have to retrain teachers and it is a revolving door.

If we are in crisis mode and have many vacancies, it is in the best interest of our students and schools to create a mechanism to allow these J-1 teachers to stay here longer. It also is in the best interest of the child to have a J-1 teacher stay longer. Remember, these J-1 teachers are working with the most vulnerable populations. Having a teacher stay alongside a student for more time allows the teacher to better measure student growth. For example, if there is a revolving door of new teachers coming in and leaving, the new teacher might see a child acting out and not know that the child is acting out less than in previous years. Maybe the student is self-harming, but it is not as bad as it was two years ago. Longevity of teachers is important. We will continue to have conversations and hope to work with the Office of the Governor to address that issue.

CHAIR LANGE:

I am familiar with J-1 visas. I also feel as though J-1s are charged an exorbitant amount of money to come here and fill a need we have in our State. I will call the people involved in the recruitment process brokers because I do not know what their position does. These brokers are taking advantage of a need we have and are making money for themselves.

Are there other nationalities of people coming here on J-1 visas? I know many come from the Philippines. Do they have the same kinds of issues that the Filipino J-1s are facing?

SENATOR FLORES:

The short answer is yes. Relationships are built with certain countries and right now our strongest relationship is with the Philippines. The relationships are built with countries with similar curricula and teaching preparation that would match what we expect Nevada teachers to have. We could have teachers from any country, but it is dependent on establishing the relationship. The broker, as you called it, sets up a bridge to bring J-1s to Nevada.

I agree with you, the brokers are taking advantage of the teachers. They sell the idea of coming to the U.S. to be a teacher, but charging \$20,000 or even \$10,000 is crazy. In addition to that fee, there is a waiver process if the teacher wants to stay for longer than three years. I have heard from teachers who were told it will be another \$10,000 to process the waiver. It is frustrating to hear this is happening to our teachers. We have an obligation to cap the fees. The brokers are still going to make money, and we do not want to prevent them from doing so. We understand they have a job to do, but they can do it within reason. Approximately 300 teachers come in; that number ranges every year and if you multiply 300 teachers by \$10,000 or \$15,000, that is an excessive amount of money. If 200 to 300 teachers are charged \$5,000, the brokers will still make money within reason.

CHAIR LANGE:

I have a question relating to PERS. Usually, someone comes here for a minimum of three years, which is sometimes extended to five years. The maximum the teacher will stay in the U.S. is five years. This bill would allow them to be eligible and vested in PERS at three years, correct? Could you explain the PERS vesting, so the Committee is on the same page?

KABRINA FESER (Operations Officer, Public Employees' Retirement System):

Under NRS 286.510, subsection 1, the current vesting period is five years, so they would need to work five years to be eligible for a benefit at age 65.

SENATOR BUCK:

How much would this impact PERS? To be vested takes five years, but for this subpopulation, it would take three years. For every year vested, the amount an employing entity pays into PERS is 33 percent to 39 percent of the wage and, for firemen or police officers, the percentage could be up to 50 percent. On top of the employee's wage, the employer pays 33 percent to 39 percent—I know

the number is going up every year, so I am not exactly sure what the percentage is because it has been a while since I have done payroll.

Ms. FESER:

With the conceptual idea, the three-year vested time would not only be for J-1s, it would be for any public employee who is in the regular fund. The vesting period would be three years. The reason why all employees are included is because we generally prefer policies to apply to all memberships, not just a specific group. We understand that sometimes specific policies make sense but, in this instance, the preference is to apply it to all members.

Furthermore, we did reach out with the system's actuary to get a cost. That is why it took us a while to get the language for this bill. I have been working with Senator Flores. Based on the cost of transitioning regular employees to a three-year vesting period, there was a minimal cost.

SENATOR FLORES:

We wanted to make sure we were not giving benefits to nonresidents that a citizen would not have. Out of fairness, we wanted to make sure everybody was treated equally.

SENATOR BUCK:

There are always questions about the unfunded liability of PERS. I am a PERS recipient. I am grateful to have retirement after 25 years. Could you touch on how changing the vesting period will impact the system or raise the percentage rates that State taxpayers put into PERS? If, for example, you make \$100,000 a year, you have to pay 40 percent of wages—or maybe 39.75 percent. You have to pay that percentage in addition to the \$100,000 in order to meet the payroll. Is that correct?

Ms. FESER:

Yes, there is a contribution rate paid on behalf of all employees who are eligible for membership. We received confirmation that J-1 teachers are eligible and are being enrolled in PERS. Those contributions are already being made on their behalf. With the current vesting mechanism and the J-1s only being here for three years, they do not reach the vesting period.

SENATOR BUCK:

I agree with the statement made about the brokers. Maybe we need another bill to limit them even more than this bill does. It seems natural to me that we would want the J-1 teacher here at least five years or potentially longer if they are being productive, teaching and adding value to our students in the State. We would want them here for longer than the three years if they are filling a need. We definitely need teachers.

SENATOR FLORES:

I just received a message and I want to share it for the record. The Clark County School District has 375 J-1 teachers. I had previously said 300. I believe another school district has a few J-1 teachers, but CCSD has the most.

SENATOR TITUS:

I have a question about PERS that is similar to my colleague's question. If we change the retirement age from 65 to 62 or 60, that would have to be changed for every person in PERS, not just the subset of the 375 teachers. Is that correct?

Ms. FESER:

I believe the idea of this bill would be to change the vesting period for anybody who would be employed on or after the effective date of the legislation. Anybody who is employed would experience the change in the vesting period after the bill is passed.

In terms of the timeframes, after serving 5 years at age 65, 10 years at 60, or whatever tier an employee falls under, they would be able to retire. Currently, everyone needs 5 years at age 65. This bill would change it to be 3 years at 65 years old.

SENATOR TITUS:

I wanted to make sure that we were not just looking at teachers. There is a significant group that contributes into PERS.

I see it as a predatory practice that J-1 teachers are being charged so much. There are not only J-1 visas for teachers, there are also J-1 visas for nurses, doctors and lab technicians. I worked with many. It took us eight years to bring a nurse from the Philippines. The predatory practices do not only happen to teachers, it happens to all the J-1 visa holders including the ones who help

supplement our healthcare system. I like the idea of capping the cost because I always felt it was unfair how much they are charged; it truly is predatory. Can we cap the charge in a free market? I am sure if someone shopped around they could find a broker who is willing to do the service for a minimal fee. If the fee is capped at \$5,000, will there be enough brokers? I worry about interfering with commerce.

ASHER KILLIAN (Counsel):

The proposed language would prohibit a portion of the State, school district or a public entity from paying more than a certain amount for a certain service. The State has the ability to decide for itself the level of money it is willing to pay for a particular service. This is not capping the fees that the agencies themselves can charge. It is just saying the State agency would not be a customer of the entity at a higher rate.

SENATOR TITUS:

As a State, would we be saying we would not do business with anyone that charges more than \$5,000? That does not mean the brokers will not say to the J-1 applicant they will not take their case unless they pay them. Typically, does the school pick up the cost of what the brokers are charging the J-1 applicants? I think the individual pays, is that correct?

SENATOR FLORES:

There is a sponsorship relationship. There are forms called DS-2019 and DS-160 which typically cost less than \$200 each. The sponsor provides the form to the potential J-1 visa recruits. Presently, the school district works with the brokers. They have a preestablished relationship with them. Some teachers paid \$5,000 while others paid more, depending on the relationship they had with a broker. We are asking the sponsor, in this case the school district, to establish a relationship with brokers that charge \$5,000. That would alleviate the burden on teachers, some of whom have paid up to \$20,000.

SENATOR TITUS:

Are you saying that instead of the J-1 teacher using a broker to come to America, the school district will take over the role of the broker and cover the cost of coming here? The school district would take over the cost as opposed to the individual being charged directly from the broker.

SENATOR FLORES:

No, the teacher is still paying the fee. The teacher does not have the luxury of looking for a sponsor. The sponsor comes to the teacher. In this case, the sponsor is the school district. The school district sets up the relationship with the brokers. Presently, the brokers the school district is working with charge an excessive amount of money. We want to ensure a capped cost is part of the relationship the school district makes with brokers. We do not want to allow brokers to charge excessive amounts. We are using the term "broker" for the sake of this conversation. The DS-2019 forms cannot be accessed by the applicant; the sponsor has to give the form to the teacher. To initiate the process, the sponsor sets up a bridge with a broker. After the initial foundation is laid, the applicant applies and then shows up for a placement within the school district. Again, we are asking to make sure they are working with brokers who set a cap at \$5,000 because there are brokers who currently charge that. We want to terminate relationships with brokers who are charging exorbitant fees.

SENATOR NEAL:

This bill allows J-1s to be vested in PERS after three years, but their visa typically expires after five years. Is that correct?

SENATOR FLORES:

The J-1 exchange program typically allows teachers to stay three years, but they can apply to stay up to two additional years. There is usually a waiver involved in that process. After the typical three years, the teacher would return to their home country—typically the Philippines. The teachers are not vesting because they do not hit the five-year mark. If they do qualify for the waivers to stay up to two more years, they reach the vesting point. The issue is there is a revolving door where one J-1 teacher replaces the other. Most J-1s never reach five years.

SENATOR NEAL:

Administratively, how does PERS work in this scenario? This bill allows for these J-1s to be vested after three years of service. These J-1s leave to go back to their country and PERS is asked to do an actuarial analysis on an individual who is no longer residing in the U.S.

MS. FESER:

Once someone has a vested status, their service credit and everything stays within the system until they are eligible to draw benefits, unless they apply for a reduced benefit. After the proposed three years of service, they would be considered vested. That would be their status in our computer database. We do annual statements for inactive vested members who are not currently working. We would reach out to them to make them aware of potential benefits they have within the System.

Furthermore, we have been in communication with CCSD on creating an annual communication initiative with any J-1 visa holders to make them aware of PERS, their rights to it and their eligibility. Upon termination, we could possibly acquire an accurate mailing and email address to communicate with them on a future basis.

As of right now, our computer system does allow them to have online profile access. We are in the middle of a computer system upgrade, which would add some additional features to help J-1s keep their records up to date in our system.

SENATOR NEAL:

In this Committee, we heard bills about alternative routes to licensure and flexible student teaching. Is there any other group that is allowed to vest as a student teacher at three years or are we making this happen for J-1s? The student teacher would probably benefit from the PERS change as well.

MS. FESER:

The conceptual idea is that all members, including teachers and public employees, would be vested at three years—not specific to J-1 visa holders. It would be changing vesting requirements for any and all members of the regular fund.

SENATOR NEAL:

I am confused on how this is considered a minimal cost. I am in conversations about PERS, and it is very hard to change once it is set in stone.

SENATOR BUCK:

I would like to see an analysis of how much it will cost our State to change vesting to three years for all PERS recipients. I would like to see that cost

before I vote on this. When changing the vesting period from five years to three years, will it cause the opposite of longevity in keeping our teachers? Sometimes teachers do not realize the benefit of our retirement system, where after 25 to 30 years, teachers can retire regardless of their age. Would this reverse our goal of keeping teachers?

SENATOR FLORES:

I want to backtrack. I want to remind everyone that presently, in CCSD, there are 375 J-1 teachers. They are doing a tremendous service to our State and, without them, many of our schools would collapse because we are desperate for teachers. Principals in my district and others have made it abundantly clear they desperately need teachers—J-1s in particular. They are paying into something they will not benefit from. That is the current situation that has been going on for years. As a State, we have done a disservice to desperately beg another country to allow people to come here to meet the needs we cannot meet ourselves. We have not been able to fulfill our obligation to our kids and families. For a very long time, we have been taking advantage of people by bringing them over and not giving them this benefit.

I see the opposite of what you described happening. I pray one day we do not need a J-1 program because we have all the teachers here from our neighborhoods and we do not have to rely on another country to save us because we cannot fulfill a need. I pray that happens, but I foresee that is years away. It is a selling point to tell somebody if they come to Nevada and fulfill an obligation we cannot, they will receive retirement benefits.

The career length of an employee in the school district versus a government employee is different. That is an important distinction. I agree with you, the whole point is longevity; we want people to participate and stay. In government work, many people will transfer between agencies. The employee may think one agency is not right for them, but another one could be a better fit. Teachers are different. Teachers do not often say I will quit teaching to pursue another profession. They might transfer between schools, but they remain a teacher.

Your question was about whether changing the vesting period would promote longevity. Right now, we need to focus on teachers. I understand this changes the vesting period for other employees, but you will find employees are interested in PERS and will stay within government work. Teachers usually transfer between schools. I am not suggesting teachers do not have career

changes, but realistically, given the time invested in becoming a teacher, many stay within the profession. I do not think this will hurt the PERS model by saying it will take three years to be vested. I do not think somebody would take advantage of it after they get all the certifications and go through the entire process to become a teacher. I do not foresee that happening. I am sure there might be a scenario where that happens.

The bottom line is, if you serve our kids for three years, you should absolutely get a benefit. You should have the confidence in saying, I tried the profession for three years and maybe it did not work out, but there will be a benefit. That is an ideological conversation, Ms. Feser can answer some of your technical questions.

SENATOR BUCK:

The easiest solution would be to have J-1s stay for five years. It would help fill a need in our classrooms and they would be vested like everyone else. I would like to see how many State employees would meet the vesting period of three years if that were to change. This bill would change the entire System for 375 teachers. I am not downplaying our need for them. We need more of them in our pipeline. I do not know how many people are on PERS, eligible, or paying into PERS. This would change the entire System for employers and employees, including for firefighters and State employees. It is an expansive System with I think, thousands or hundreds of thousands of employees.

MS. FESER:

Our current PERS membership is 108,000. There are 79,000 benefit recipients. It is a very large population. You asked for statistics. As of today, there are 14,000 members who have three years of service credit and are active but are not yet at the five-year vesting point. If this bill was effective today, they would be considered vested.

In terms of the actuarial cost, it is a minimal cost because it is changing the vesting period; this bill does not change the provision to purchase service credits sooner. It would still take five years to qualify to purchase up to an additional five years of service credit. It also would not change our disability benefit, that would still take five years to qualify. Because those are not changing, the cost for the actuary is minimal for regular membership. The vesting eligibility benefits would be three years and received at age 65.

In addition, the actuary commented that there are other pension plans that have gone this route for recruitment and retention purposes. If you are vested at three years, maybe you do not want a 6.75 percent benefit, maybe you want to work until you reach 10 percent or 15 percent of your average compensation. It incentivizes employees because, if they vest earlier and continue working, they will get more money because they are guaranteed a benefit.

SENATOR BUCK:

That would be great if our teachers knew that, but we do a horrible job in this State educating our teachers of the amazing benefits available to them if they continue working.

SENATOR FLORES:

I agree with you, in the ideal scenario we would allow J-1s to be here for five years. Unfortunately, we do not have control over how long they can stay. That is the way the program is established by the U.S. Department of State. The J-1s are allowed to stay for three years unless they have a waiver to extend their time. If we could fix that, I would have done so. We do not have control over that, so that is why this bill addresses the situation the way it does.

I also want to give a quick shout-out to Assemblywoman Erica Mosca. She has been instrumental in conversations with teachers who are part of this community. She also came up with a lot of this language. Unfortunately, she could not join me today, but I want the record to reflect how instrumental she has been.

MS. FESER:

We have not been able to take this bill to the full retirement board; they meet on April 20, 2023. Staff will be recommending a neutral position.

CHAIR LANGE:

Is there anyone wishing to speak in support of S.B. 308?

ANNA BINDER:

I am calling in support of S.B. 308 because my seven-year-old, previously non-verbal, autistic son has been paired with a J-1 educator since the coronavirus pandemic and is now thriving. She is wonderful and has been an asset to our elementary school. I try to stand up for her and in the past couple

of years J-1s have needed support. Ms. Callow, my son's teacher, is amazing and we want to keep her here as long as possible. I am sure she is not the only J-1 educator, but J-1s do tend to specialize in special education, and schools need all the help they can get.

HIEU LE:

I am from Senate District No. 3 and Assembly District No. 8. I support this bill. It helps many Asian and Pacific Islander teachers and substitute teachers.

DANIEL STEWART (Clark County Education Association):

We fully support this bill. Teacher vacancy, especially in Clark County, is bad. There are 375 J-1 teachers, and we must do as much as possible to keep them. They are fantastic at what they do and remain a critical part of our education infrastructure.

CRAIG VALDEZ:

I am a resident of Las Vegas and an active member of the Asian American and Pacific Islander community. There are many J-1 teachers who identify as Filipino. I am calling in support of S.B. 308 to ensure J-1 teachers receive the benefits they deserve.

FRANCISCO MORALES (Clark County Education Association):

The Clark County Education Association supports S.B. 308. We thank Senator Flores for bringing this bill forward. It is a great piece of legislation which gives a well-deserved benefit to teachers who help teach our kids. Until we can fix this program at the federal level, it is a great step forward. We urge your support.

CHAIR LANGE:

Is there anyone wishing to testify in opposition? Seeing no one, is there anyone wishing to testify in neutral?

KENT ERVIN (State President, Nevada Faculty Alliance):

In addition to being the State President of the Nevada Faculty Alliance, I am an appointed member of the Nevada Deferred Compensation Program. I am not speaking on behalf of the Nevada Deferred Compensation Program, I mention it to highlight my experience.

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The Nevada Faculty Alliance is neutral on the bill. I am seeing the amendment to this bill for the first time today. The State pension system is not well-suited for short-term employees who are here for a few years. At the Nevada System of Higher Education, there are categories of employees in similar positions, including post-doctoral scholars and medical residents who, by statute, have been exempted from PERS and other retirement systems. Instead, they are given an alternative.

I am aware of two alternatives for those students as well as other graduates. There is a plan through the Federal Insurance Contributions Act and the Social Security Retirement plan. I believe that is for part-time and seasonal employees.

For our post-doctoral scholars and medical residents who typically have a three-to-five-year limit on employment, they are in a mandatory 403(b) plan. In this program, they are fully vested with contributions from themselves and their employers. They can take the plan with them.

I want to put on record there may be some alternatives that would work in this sort of situation for the exchange teachers.

CHAIR LANGE:

I will now close the hearing on S.B. 308 and open the hearing on S.B. 442.

SENATE BILL 442: Enacts the Interstate Teacher Mobility Compact. (BDR 34-83)

SENATOR MARILYN DONDERO LOOP (Senatorial District No. 8)

I am presenting S.B. 442 which enacts the Interstate Teacher Mobility Compact. This Compact is an exciting opportunity for Nevada. The Interstate Teacher Mobility Compact is an initiative of the U.S. Department of Defense, the Council of State Governments and the National Association of State Directors of Teacher Education and Certification. It is a licensing compact to help alleviate barriers that teachers face when relocating and seeking employment in a new state.

This Legislature has debated about measures over the years on ways to address these and other barriers to teaching, including the near unanimous passage of S.B. No. 100 of the 80th Session, which expedited Nevada teaching license

applications for spouses of active-duty members of the U.S. Armed Forces and allowed those members, veterans and their spouses to obtain a license through another state's alternative route to a licensure program to obtain a license in Nevada.

These and other opportunities will help support our focus on removing barriers to teaching and will address part of the teacher shortage crisis we face. My copresenters will speak more on this Compact, including the development process and how it will work.

Senate Bill 442 enacts the Interstate Teacher Mobility Compact, which establishes requirements for the issuance of a teacher license to an applicant who holds an equivalent license from another state that is also a member of the Compact. It also shares files and information regarding the investigation and discipline of a teacher between member states. The bill requires the Commission on Professional Standards and Education to adopt regulations to carry out the provisions contained in the Compact and provides for the licensure pursuant to the Compact.

Senate Bill 442 exempts a person who obtains the licensure pursuant to the Compact from the examination required for initial licensing. This bill also exempts a person who applies for a license under the Compact from submitting proof with the application that they have completed an improved course of study or training. Finally, it is important to note that this Compact becomes effective upon ratification by ten states. According to the <teachercompact.org> website, Utah, Colorado and Kentucky have enacted legislation, and another 16 states, including Nevada, have pending legislation.

I would now like to turn the presentation over to my copresenters who have been working diligently on the measures and others to address the teacher pipeline issue that states across our Nation are facing. Dr. Rice is a longtime friend and a well-respected administrator from CCSD who is retired.

GEORGE ANN RICE (Heroes to Education):

We appreciate this opportunity to speak on behalf of and advocate for S.B. 442. We have three speakers including Kelli May Douglas from the Office of the Assistant Secretary of Defense; Adam Diersing from The Council of State Governments; and Jimmy Adams from the National Association of State Directors of Teacher Education and Certification (NASDTEC).

JIMMY ADAMS (Executive Director, National Association of State Directors of Teacher Education and Certification):

For over 95 years, NASDTEC has worked to improve the portability of educator licenses. In 1965, NASDTEC established the first agreement between states to support educators who are relocating across state lines. Since then, the agreements between states have had many names. Our current version is known as the NASDTEC Interstate Agreement. This Agreement was successful in opening lines of communication and resulted in established agreements regarding the minimum requirements for a professional license. The NASDTEC Interstate Agreement is not a reciprocity agreement, it does not bind a jurisdiction and it is not an interstate compact. This bill is possible through funding to the Department of Defense and technical support from the Council of State Governments and the National Center for Interstate Compacts. Our Association was selected to provide administrative support for states interested in using an interstate compact to facilitate the portability of educator licenses.

The Interstate Teacher Mobility Compact, which we are discussing today, allows each member state to identify high-level licenses within their state that meet the same level of professionalism as in other states. The professional skills are: a bachelor's degree and has completed a state-approved educator preparation program with no outstanding requirements. They would also be subject to a criminal record background check by the receiving state. If the teacher meets those requirements, the receiving Compact state can issue an equivalent license based on the three components of content, grade range and student population. This eliminates the overhead of processing paperwork and delays due to the teacher having to provide additional verifying documentation already verified by the sending member state through this Compact.

States maintain their autonomy and have full control over the licenses they issue. The Compact creates a streamlined process by which a teacher can receive a license and become eligible for employment. This is a win-win as a professional educator gains increased mobility, which is consistent with being a professional. States benefit from receiving effective educators, including sharing educators across state borders, teleteaching and reclaiming those who left the profession rather than trying to navigate the out-of-state requirements for licensure.

KELLI MAY DOUGLAS (Pacific Southwest Regional Liaison, Defense-State Liaison Office; Office of the Assistant Secretary of Defense):

I am here on behalf of military families and the Department of Defense. I am pleased to provide comments on the highly beneficial impact that policies such as S.B. 442 would have on the military community. The Department of Defense has prioritized working with states to resolve licensure issues for military members and their spouses for many years. As our military members and their families move from state to state, to transfer a professional license easily and quickly to obtain employment is critical to the economic stability and well-being of these families.

Military spouses are disproportionately affected by state-specific licensure requirements which causes delays and gaps in employment. Over 36 percent of the working population is required to have state licensure to practice in their professions. Their annual cost for state relocation rate is more than ten times higher than their civilian counterparts. Accordingly, military spouses experience unemployment and underemployment at significantly higher rates than their civilian peers.

After over a decade of working with states to modify licensure policy to assist military members and their spouses, we have identified occupational licensure compacts, such as the Interstate Teacher Mobility Compact, as the optimal mechanism for creating true reciprocity among all member states. In adopting this Compact, Nevada can increase its pool of highly qualified teachers—many of whom are members of the military community—address the documented teacher shortages experienced within the State and throughout the Nation and support learning for all students.

Given that teaching has been found to be one of the most prevalent professions for military spouses, this policy has the potential to have a substantial impact on this population. It is important to note that licensure compacts, such as the Interstate Teacher Mobility Compact, not only benefits military spouses but also all eligible professionals coming into the State. Thank you for allowing me to provide comments on the positive impact of this measure to the Department of Defense and military families. I have also submitted a letter of support ([Exhibit G](#)).

ADAM DIERSING (Senior Policy Analyst, The Council of State Governments):
I would like to discuss the development process for this Compact and the national perspective as it is enacted across the Country.

The development of this model legislation began in September 2021 with the assembly of a technical assistance group comprised of legislators, state education department officials, members of professional associations, licensed teachers and other stakeholders, including Senator Dondero Loop at the time. The group met over the course of several months to determine the mobility needs of the profession, the model to meet those needs and how to integrate with the existing licensure systems within states. A separate drafting team transitioned those recommendations from the technical assistance group into the full draft of the Interstate Teacher Mobility Compact legislation. That went through several months of public comment and stakeholder review. The final draft was published in November 2022.

We have seen significant movement in the legislative sessions this year to enact the Teacher Mobility Compact, as was mentioned by Dr. Rice. To date, three states have signed the model legislation—Colorado, Utah and Kentucky. Along with Nevada, 15 other states have filed model legislation and 4 of those have passed in at least 1 chamber of their Legislature. As noted in the legislation, when the tenth state enacts the model legislation, the Interstate Teacher Mobility Compact will go into effect and the Commission will be convened.

Ms. RICE:

I retired in 2007 with 34 years of service to CCSD; the last 16 of which were as Associate Superintendent of Human Resources. My remarks come to you from my experience and my continuing work with states and school districts in our Country through Heroes to Education. The issues this Compact addresses are not unique to our State, but they are particularly important to our State.

Going into the second semester of this school year, CCSD had 1,400 positions vacant. Multiply the 1,400 vacancies times up to 30 students who would be in those classrooms, and you can see how much the vacancies affect the student population. Washoe County School District had 300 vacancies and Lyon County School District had 28 vacancies going into the second semester.

Looking at the 2023-2024 school year, before knowing the number of teachers who will retire or just resign at the end of the year, CCSD is now recruiting for 1,297 teachers, Washoe County School District is recruiting 350 and Lyon County School District is recruiting for at least 100 teachers. This is the largest amount they have ever recruited.

This is not only happening in Nevada, but also all over the Country. Colleges providing degrees in education are seeing a decreasing level of enrollment. In my 16 years of teaching, a majority of new hires had to be sought from outside our borders because our own institutions of higher education could not prepare enough educators for Clark County, let alone the other 16 districts. That issue has not changed.

There is a bill before the Legislature to decrease class size, which is much needed, but counties will need to find even more teachers to fill the classrooms. We are also competing with eager companies and fields offering many more extrinsic rewards than we are able to offer. We cannot afford to have teachers who are moving or considering a move into our State decide not to come or leave the profession rather than take another group of tests or classes unique to our State. Under the Compact, unique requirements can be fulfilled at the time the teacher renews their license. This gives teachers a period of time to get any extra requirements taken care of.

Looking at it through the eyes of a military spouse whose family is being transferred from one of our three military installations here in Nevada, they would be able to take their Nevada teaching license into the state where they are being sent. They do not necessarily want to go, but they go because it is good for our Country. They would be able to take their Nevada license into that new state without all the issues of extra tests and classes. I talked with one such spouse who has six different teaching certificates. She told me about all of the tests and unique classes she had to take before she was able to continue her career. The family was not relocating for their pleasure or opportunities; they were moving for the good of our Country.

Thank you for the opportunity to advocate on behalf of this very important bill. As an aside, the first ten states to pass the Compact—three have done so already—will have the opportunity to convene and send a representative to Washington DC to work with NASDTEC to draft governing regulations and bylaws. Nineteen states have introduced this Compact. It would be wonderful if

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Nevada could be the fourth State to pass it. This was created in November and was sent to various states in December. There have not been too many opportunities to get the bill passed. Within 3 months, 19 states have introduced this very important legislation.

CHAIR LANGE:
Are there any questions from the Committee?

SENATOR TITUS:
I wanted to thank you Senator Dondero Loop. This is something we can all agree on. I appreciate you bringing this forward because this Compact fulfills a true need.

SENATOR DONDERO LOOP:
I need to thank and show my appreciation to Dr. Rice and the team you have heard from. They have led the charge and have been relentless in making sure I received the information for this bill.

CHAIR LANGE:
I was at the Council of State Governments which met in Hawaii last year. When we heard the presentation, I got excited about introducing it in Nevada. It offers so much to us and being one of the first ten states who pass this and become part of the board would be instrumental in ensuring the goals and standards of our State are met in a national way. I hope we can move this forward.

SENATOR DONDERO LOOP:
With so many military bases in Nevada, this is an important piece of legislation.

CHAIR LANGE:
Is there anyone wishing to speak in support of S.B. 442?

AMY SHOGREN (Vegas Chamber):
The Vegas Chamber is in support of S.B. 442 which establishes the Interstate Teacher Mobility Compact. This will encourage teachers to come to the great State of Nevada. Removing the barriers to entry to well-qualified education professionals is an essential step forward in improving our education in the State.

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Ms. PIERCZYNSKI:

We want to thank Senator Dondero Loop for bringing this important piece of legislation forward. We also wanted to thank Dr. Rice for her involvement in all of this. We fully support this bill, and it should be passed.

Ms. BINDER:

I support S.B. 442 and I would like to thank the Senator and everyone who has helped her. We have focused on removing barriers to improve our education. This is a great step towards removing barriers from qualified teachers moving here. I love reciprocity, working with other states and streamlining qualified educators into our classrooms. I fully support this bill and hope it passes.

CHAIR LANGE:

I have received nine letters of support ([Exhibit H](#)) and an informational document ([Exhibit I](#)) for S.B. 442. I will now close the hearing on S.B. 442. Is there anyone wishing to speak in public comment?

Ms. BINDER:

I want to thank this Committee for all your hard work. You are halfway through the Session.

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CHAIR LANGE:
The meeting is adjourned at 3:20 p.m.

RESPECTFULLY SUBMITTED:

Kirsten Oleson,
Committee Secretary

APPROVED BY:

Senator Roberta Lange, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
S.B. 425	C	4	Michelle Exstrom, National Conference of State Legislatures	Presentation
S.B. 425	D	6	Nathan Driskell, National Center on Education and the Economy	Presentation
S.B. 425	E	16	Alexander Marks, Nevada State Education Association	Proposed Amendment
S.B. 308	F	17	Senator Edgar Flores	Conceptual Amendment
S.B. 442	G	33	Kelli May Douglas Defense-State Liaison Office; The Office of the Deputy Assistant Secretary of Defense	Letter of Support
S.B. 442	H	37	Senator Roberta Lange	Letters of Support
S.B. 442	I	37	Senator Roberta Lange	Informational Document