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PRESENTATION

Interim Legislative Education Committee

Presented By: Yvette Williams, Caucus Chair

8/26/2020

Advancing Racial Justice Through Public Policy

"I have to make you conscious of the things you don't see." James Baldwin

EDUCATION JUSTICE

The development of Nevada's Academic Achievement goals was a thoughtful and inclusive process that incorporates Nevada's vision for being the fastest improving state in the nation. The NDE began the goal setting process with a review of historical student performance, baseline data and literature review of goal setting practices around the country. This was a painful process, but one that was necessary if Nevada wanted to provide education equity and justice to every child. As a result, Nevada launched the most progressive education reforms in Nevada history with Nevada's Plan for the federally mandated Every Student Succeeds Act. The Nevada ESSA Plan directly attacks gaps in education access and opportunity and provides a roadmap to lift those students up with the greatest needs. (See attached Nevada ESSA Plan)

Equity in Accessing Literacy:

In 2017, NRS was adopted that provides **least proficient students** with equitable access to literacy. This included 208 schools in CCSD. Recent federal court ruling protects Black students constitutional right to literacy, as a result of several states' lawsuits. ESSA mandates that least proficient student groups must be given a priority in every State Education Plan. The New Nevada Education Funding Plan (**SB178**) is Nevada's first weighted funding plan where dollars follow the student based on need, and directly aligns to our ESSA State

goals. This specific student group must be included in any new weighted funding formula policies adopted in NRS, if Nevada is to live up to its commitment that every student shall receive an equitable education and fulfill the promises made by Governor Sisolak that his government will dismantle systems of racism.

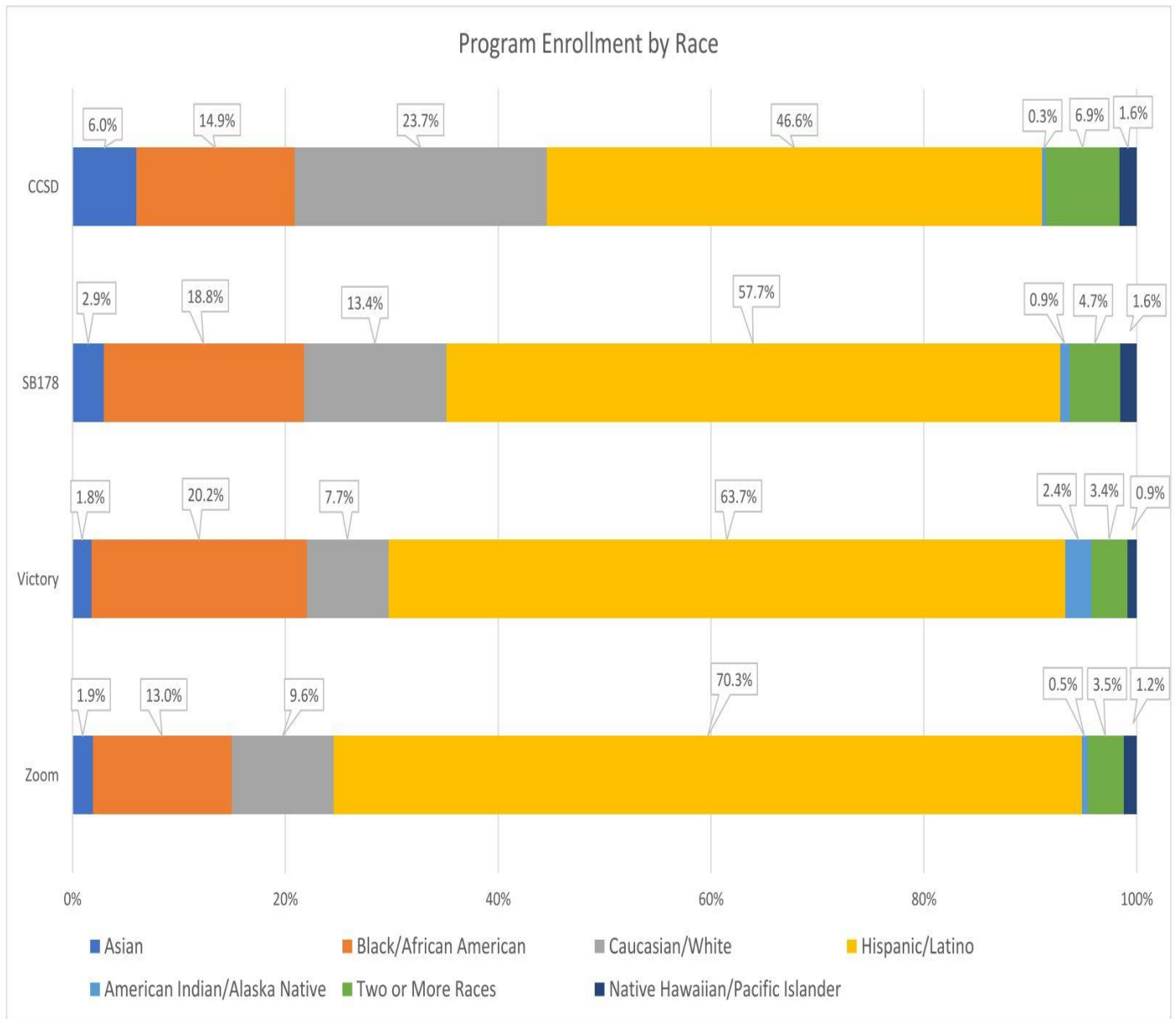
SB178 provides the most equitable distribution of funds distributed to more diverse student populations reflective of Nevada's diverse population, with the lowest proficiency rates and rises overall student's achievement from the bottom up. We are seeing trends that demonstrate students receiving SB178 interventions outperform in average growth percentile than their peers in the same school, achieving the intended goal of SB178 and Nevada's ESSA Plan of reducing the proficiency gap.

State student enrollment in SB178, Victory, and ZOOM programs, by race/ethnicity is as follows:

SB178: Asian-2.9% Black-18.8% Caucasian-13.4% Hispanic-57.78% Amer Indian/Alaska Native-.9% Two or more races-4.7% Native Hawaiian/Pacific Islander-1.6%

Victory: Asian-1.8% Black-20.2% Caucasian-7.7% Hispanic-63.7% Amer Indian/Alaska Native-2.4% Two or more races-3.4% Native Hawaiian/Pacific Islander-.9%

ZOOM: Asian-1.9% Black-13% Caucasian-9.8% Hispanic-70.36% Amer Indian/Alaska Native-.5% Two or more races-3.5% Native Hawaiian/Pacific Islander-1.2%



Data provided by Nevada Report Card/Graduation Rates/Data Requests Assessment, Data and Accountability Management (ADAM) and NV DOE <http://www.doe.nv.gov/DataCenter/Enrollment/>
 Analysis by Alyse Esquivel MBA, Business Analyst



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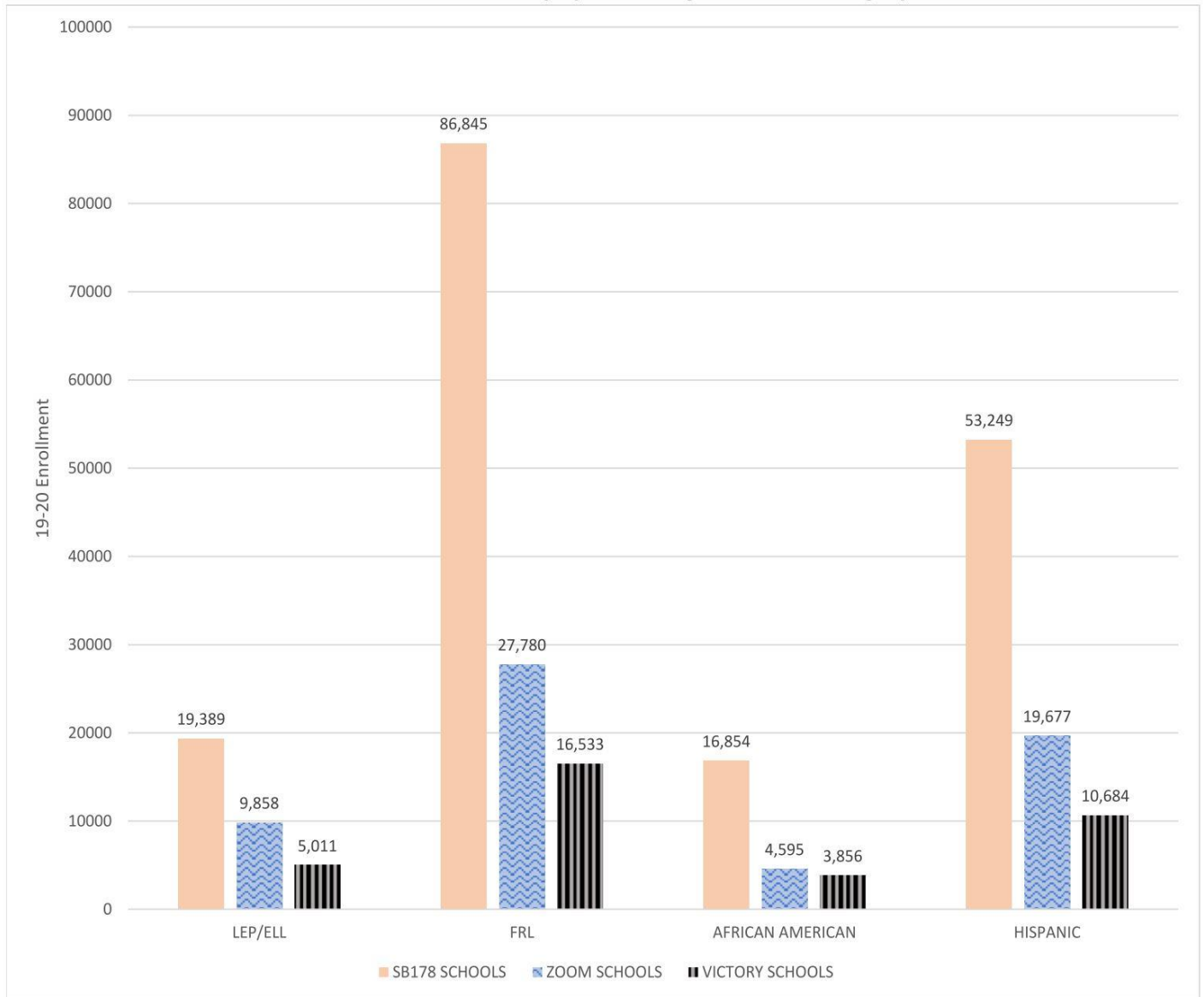
For CCSD’s 2019-2020 school year SB178 served 23% more ELL students with more diverse languages than Victory and ZOOM, and from a wider and more diverse geographic, with students represented in every legislative district and helping students least proficient across the State regardless of zip code.

SB178 served twice the number of students receiving free and reduced lunch than in ZOOM and Victory Schools combined.

SB178 served more than double the number of Black students in Victory and ZOOM schools combined. Although it was the intention when Victory schools was established to serve a large number of Black students on FRL in our most economically challenged neighborhoods, that has changed since 2015. SB178 served 4 times the number of Black students served in Victory schools.

SB178 serves approximately 44% more Hispanic students than ZOOM schools in 2019-20 CCSD schools, in addition to a wider geographic area, and serving students in most EVERY legislative district.

CCSD 19-20 Enrollment by Special Program and Demographic



Data provided by CCSD Assessment, Accountability, Research and School Improvement, Accountability and Data Analysis by Alyse Esquivel MBA, Business Analyst



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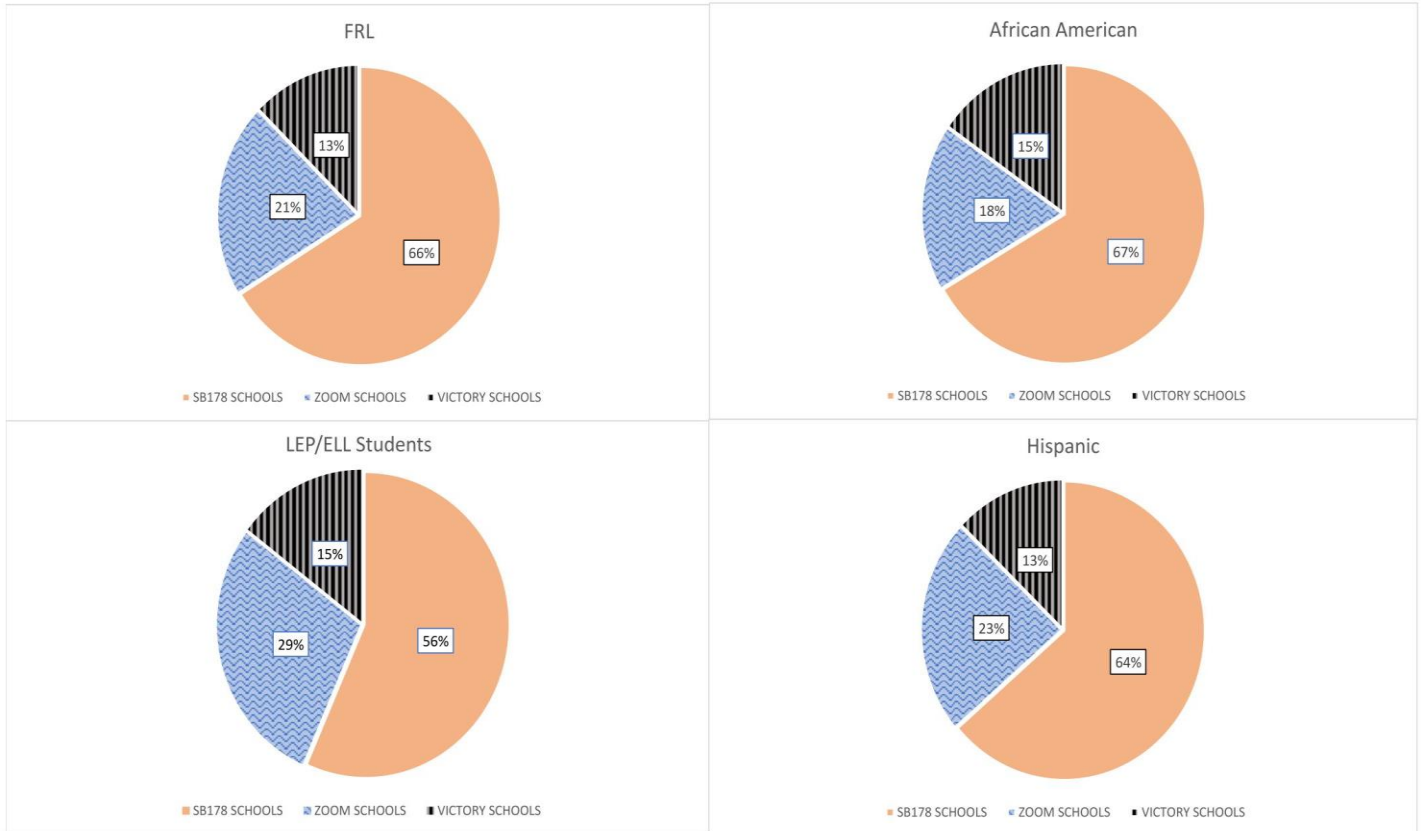
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Overwhelmingly, more students are served through SB178 providing a more equitable funding formula for students with the greatest needs. Additionally, NDE data shows that providing resources/tool kit directly to students with widest proficiency gap is best accomplished when the dollars follow the student and not school based.

Analysis shows that out of the 20,054 students enrolled in Victory schools only 5,194 of those students are actually students in the least proficient (lowest 25%) subgroup, and ZOOM schools shows only 8,846 students of the 40,682 students enrolled are in the lowest percentile, and 13,969 students are ELL students. While 100% of the students served in SB178 are those with the greatest needs. In considering future policy, legislators must be mindful and not assume that by funding total school populations in targeted neighborhoods will result in meeting those targets. It should be student driven and based on individual student needs.

It is also important to note that 100% of students in Victory are FRL as targeted, however in ZOOM not all students receiving funds are the targeted students as designated in NRS as ELL students. For example, out of the 40,682 ZOOM students in Nevada only 13,969 are ELL students, and of those students only 8,846 students fall in the lowest 25% percentile. However, if dollars follow the student, 100% of the funds intended to provide EQUITY will serve 100% of the targeted students.

CCSD 19-20 STUDENTS IN SPECIALIZED PROGRAMS BY DEMOGRAPHIC

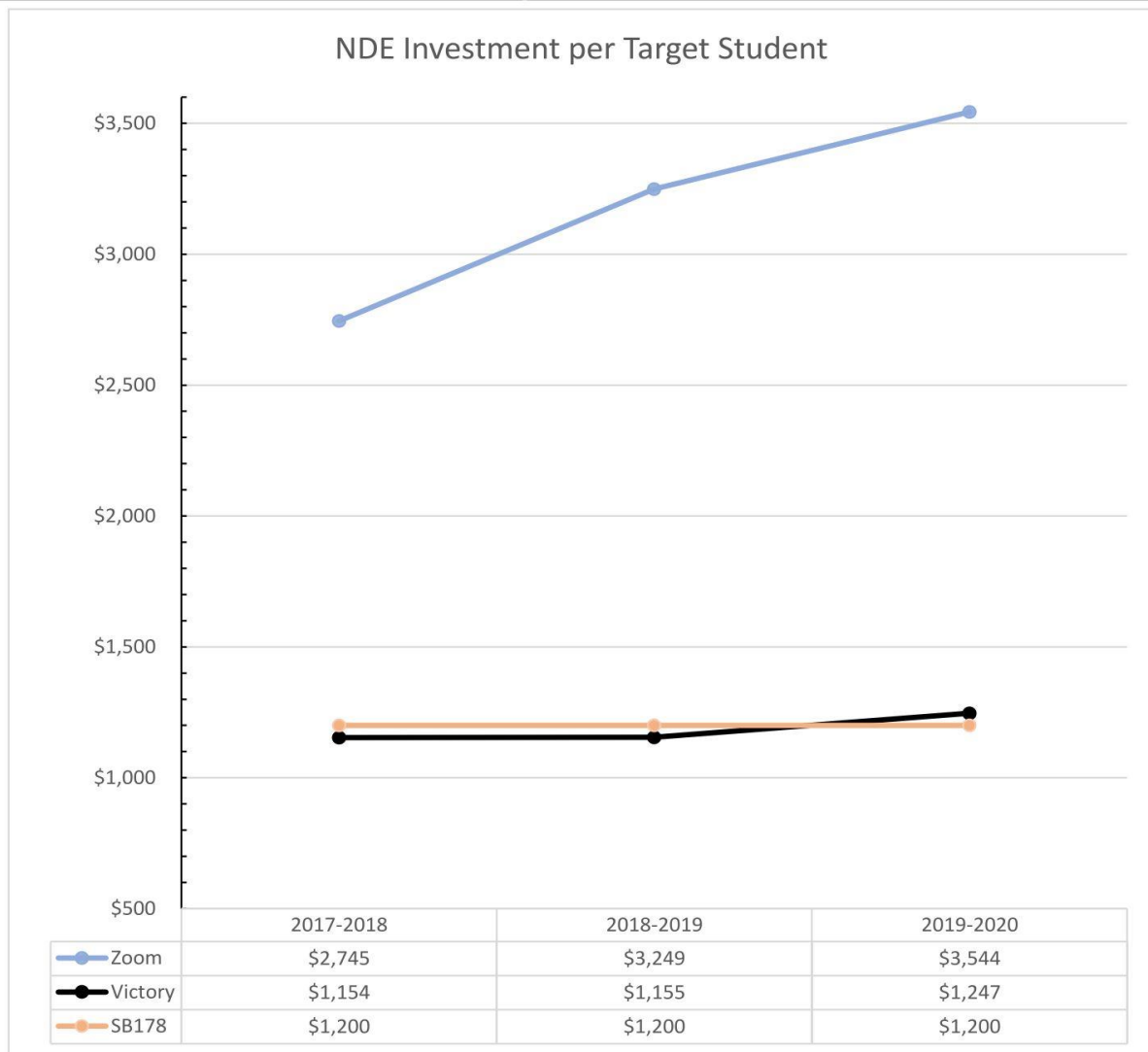


Percentage is based on enrollment in specialized programs. Only students enrolled in SB178, Zoom or Victory programs are counted.
 Data provided by CCSD Assessment, Accountability, Research and School Improvement
 Accountability and Data Department
 Analysis by Alyse Esquivel MBA, Business Analyst



Return on investment and funding equity is an important consideration when deciding on education policy. Funding equity is a focus area for the U.S. Department of Education currently and have issued Dear Colleague letters in this regard, informing how the Department of Civil Rights may rule in that regard.

In 2018-2019 school year, ELL students received \$3,249 per student designated as ZOOM, \$1155 designated as Victory, and \$1200 designated as SB178. In 2019-2020 school year, ELL students received \$3,544 per student designated as ZOOM, \$1247 designated as Victory, and \$1200 designated as SB178. Considering all the data in this presentation, CCBC is of the opinion that the funding formula is not equitable.



Target Students for Zoom Schools are ELL students; for Victory Schools are FRL; for SB178 are Lowest 25th Percentile Proficient

Data provided by Nevada Report Card/Graduation Rates/Data Requests Assessment, Data and Accountability Management (ADAM)

Analysis by Alyse Esquivel MBA, Business Analyst



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Please note that when our analyst dug into the data from CCSD and NDE we realized the numbers just did not match up. After further investigation, CCSD noted that the variance is due to them identifying early learners in grade K-2 that demonstrate lowest proficiency rates, and benefit from school tools that have been purchased with SB178 funds. SB178 uses SBAC scores to identify recipients for SB178 and therefore K-2 students that may ordinarily qualify are not tested until the 3rd grade. CCSD has informed us that their indicators show that these early learners are trending up (AGP) and reducing proficiency gaps at an earlier age. This has been one of our biggest struggles – how to improve

proficiency at an earlier age and maintain through graduation so they are college and career ready. Reducing proficiency gaps is the intended GOAL of SB178, and all indications demonstrate students are moving the scale towards education equity.

Opportunity & Access Gap:

High School Diplomas

Of all African American CCSD graduates in 2019 only 4.7% earned an Advanced Diploma. This number reflects students completing advanced learning opportunities at the honors and AP level throughout 4 years of high school. Advanced Diploma is slightly higher at 6.1%, and College and Career Ready Diplomas at 8.8%. A whopping 80% of all African American students graduating in 2019 from CCSD received a Standard Diploma. This reflects the widest gap of 36.5% compared to Asian students followed by Caucasian students of 52.4% receiving a Standard Diploma. This is a huge red flag in participation rates at the higher learning levels, and when analyzing data to determine levels of discrimination in equity and access, consider that the National Alliance of Partners in Equity (NAPE) recommendation is no more than a 10% participation gap. As you can see, Nevada reflects chronically excessive levels of discrimination in equity and access based on their recommendations.

Considering the existing opportunity and lack of access to higher level diplomas, concerns of another layer of inequity are realized in recent statistics of Black students earning a College and Career Ready (CCR) Diploma. Out of 4,195 CCR diplomas earned in 2019, only 224 went to Black students in CCSD, 15 in Washoe County, zero in Carson City, 14 in State public charter schools, zero in Elko County, 1 in White Pine County, Lander, Nye, and Churchill, and zero in Humboldt. A total of 6,236 CCR diplomas were awarded in Nevada schools in 2019.

Career Technical Programs

The disproportionate Black graduates earning a CCR diploma is another reflection of the access gap Black students experience in participating in CTE programs. Data reflects Black students still have difficulty accessing high skilled/high demand CTE programs in Nevada schools. They are chronically under enrolled in advanced manufacturing and STEM programs due to the limited programs available at their schools.

The lack of opportunities to attend a Magnet School or Career Tech Academy where robust CTE programs are available, make attaining a CCR diploma difficult and for many students impossible. Statistics show that a higher percentage of students graduating from one of these schools earn a higher learning diploma (Advanced, Advanced Honor, CCR).

Magnet Schools and Career Technical Academy

The selection process to attend a Magnet School or Career Tech Academy makes accessing one of these schools more difficult for Black students. And although there have been some recent changes to CCSD preference/criteria, at CCBC urging, statistics define that more must be done, if these schools are to provide an opportunity for these students. The Black student group is underrepresented in the middle school and high school levels. In the 2020-21 CCSD school year Black students are enrolled in high school at 9%, Hispanics 46%, Caucasian 24%, Asian 13%, American Indian/Alaska Native .3%, Multi-Racial 6%, Native Hawaiian or Pacific Islander 1%. (See CCSD Magnet/CTA Selection Process and Magnet/CTA Enrollment Ethnicity Report attached)

Some states and school districts use a weighted lottery to reduce the opportunity gap for Black students. A more equitable system can be achieved by utilizing a weighted lottery in Nevada to reduce the opportunity gap currently disenfranchising AfAm students. After 13 years of working with CCSD, trying many different solutions and painfully drilling down on the data to better understand why Black students are under-represented and racially isolated on these elite campuses, it is obvious that the only other resolution is to require legislative intervention and ensure that all student groups have the same advantage and equitable opportunity to access magnet and CTA's. If a choice school has a subgroup underrepresented, the lottery would provide an

additional weight to that student subgroup during the application process in an effort to reduce the opportunity gap, until the student population at that choice school reflects an inclusive student body that also reduces racial isolation of minority student populations and issues of segregation within choice schools in CCSD.

Zone Variance

Last session, the Legislature recognized the challenges ELL students have that are stuck in schools that are not meeting their academic needs. These ELL students deserve access to literacy and the opportunity to master English.

Recent federal district courts ruled in favor of the constitutional rights to literacy for African American students in several states. Providing African American students, who are in the lowest 25% quartile proficiency rate and/or have experienced documented racial discrimination or harassment at their current school, the same opportunity to an equitable opportunity to access literacy and quality education.

A NO tolerance policy for racism/bias in our schools must be enforceable with an appropriate solution to take that child out of the hostile environment, as you would for sexual harassment and bullying. If a child can be banned from school for his/her behavior, certainly they should have that same right to remove themselves from a school as expressed above for the bad behavior of others at their school.

Disparities:

Proficiency Gap

Every Student Succeeds Act requires every state education department to prioritize reducing proficiency gaps of specific student groups in their state ESSA Plan, where it can be demonstrated that a proficiency gap exists. Historically, the needs of Black students has gone unmet in Nevada and historically reflect the highest percentage of students testing in the lowest 25% quartile by race, along with ELL students and IEP.

While ELL students and IEP students receive additional funding to support their efforts for achievement, Black student needs have gone unmet.

Distance Learning

Access to distance learning must be a priority of CCSD's reopening plan. Anything less is inequitable and unequal giving rise to education injustice.

67% of all students in CCSD are on free or reduced lunch.

An estimated 40% of households were in need of access in CCSD in preparation for the start of the school year, the widest gap was again, Black students. Recognizing that our learning model will remain changed forever, we need to be prepared to ensure our future model is built on education equality. As students come and go, this system will need to be supported with adequate annual funding from our State Legislature to meet the technology demands of schools and students. Making distance learning BETTER for those that already have access cannot be the priority UNTIL ALL students have access to the same opportunities as those that have. Otherwise, you create a learning environment where some have and others don't have. A reflection of what we currently have and a replica of status quo unacceptable and intolerable for future generations of Black students we refuse to lose in another systemic institution of racism.

Racism, Bias, and Isolation

It is no secret that CCSD has struggled for many years in addressing the racism, implicit and explicit bias on school campuses that often create a hostile environment for students of color. With the diversity of students attending Nevada schools it's important that they get the same protections against racial harassment as other forms of bullying. Many students deal with adverse childhood experiences away from school, and schools should provide a safe and welcoming climate where all students can learn, free from racial hostility.

Nevada legislature can support Governor Sisolak's commitment to address racism head on and help create a healthier and safer school climate by amending NRS to include racial harassment in bullying laws. This amendment will send a clear message of how districts/schools should address harassment

and hostile environments of **racism** with the same expectation passed as the bullying laws and create a NO TOLERANCE ZONE in Nevada schools.

Discipline

Disproportionate discipline of Black students remains an issue in Nevada with small progress being made through various programs in CCSD. Recent data continues to reflect a wide gap. Although incidents overall have reflected improve, there remains a disproportionately expulsion of Black students, and although reports were due that provides data to inform about specific incidents vs discipline by race, statistics are still not available. Therefore, we cannot provide an analysis of incidents of racism/bias and how adults contribute to this education crisis. We hope to do so during the upcoming legislative session.

Additionally, with recent police reforms underway at the Legislature, we recommend the banning of pepper spray within our school systems. Data shows pepper spray was used 25 times in CCSD schools last year. This is very alarming to parents and community.

We want to close with the following recommendations for the Committee's consideration but want to first remind you of a quote by an unknown author. "A river cuts through rock, not because of its power, but because of it's persistence." We hope you will be persistent and courageous to tackle the inequity and education injustices in our current school system, and bring forth, not just progressive, but aggressive legislation next year. We are available to answer any questions, provide perspective, or inform on the issues we are very much engaged in.

RECOMMENDATIONS:

- Maintain student designation for least proficient students (SB178) in any weighted funding formula adopted by the Nevada legislature, as a fully funded student group comparably funded to the weight of the ELL subgroup. Both are seeking English mastery.

- Fully restore SB178 funding and expand to ALL schools (1-5 stars) fully funded and expand the weighted funding formula to include FRL, ELL, IEP, etc. subgroups to this New Nevada Education Funding Plan
- Fully restore funding Read By3 which worked in conjunction with SB173 to get our early learners on track.
- Pass Weighted Lottery legislation that provides a more equitable access to Magnet/CTA's choice schools for racially underrepresented students.
- Zone Variance for African American students in lowest 25% proficiency rate and/or experience racial discrimination and harassment.
- Amend current Bully NRS to include mandatory protocols that address racial hostility/harassment on campus and should also address protocols for educators engaged in racial bullying/harassment.
- Mandate equal access to distance learning in NRS for every student if instruction is provided via the Internet. Distance learning should not create another system of inequality when the opportunity exists without geographic barriers to realize a truly equal education online system.
- Redirect appropriate funds from school police to social emotional supports, that address adverse childhood experiences of high-risk students with professional mental health interventions. Addressing root causes, while reducing school police presence on campus.