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BILL INTRODUCTION REMARKS  
FOR  
**SENATE BILL 33**  
BY  
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FOR THE APRIL 15, 2003, HEARING OF THE  
SENATE COMMITTEE ON FINANCE

Senate Bill 33 is another measure from the interim Legislative Committee on Education. This bill deals with two relatively new forms of schools – **charter schools and distance education.**

**Charter Schools**

The charter school provisions of this bill were suggested by the school districts to address some minor issues that have arisen since last session.

Currently school districts are required to retest students if less than 90 percent of the students take the statewide tests or in the event of certain breaches of test security or test administration. Under the current statutes, if a charter school is required to retest its students, the school district is required to pay the cost of retesting. **Sections 1 and 10** reallocate the cost of any retesting to the charter school. According to testimony, since the school district does not have control over the testing at the charter school, the school district believed that they should not have to pay for this cost.

**Section 2** as amended, clarifies the process for submission of fingerprints for nonlicensed employees of charter schools, for forwarding of records to the state Superintendent of Public Instruction, and the provision of any needed information to make a determination as to whether a person's conviction is unrelated to their prospective employment. The superintendent is required to render a decision in a prompt manner. The purpose of this section is to make the procedure for unlicensed personnel in charter schools parallel to that followed for unlicensed personnel in traditional public schools. In **Section 3**, the provision that references the hiring of a teacher or administrator with a criminal history is the same standard applicable to the licensing of teachers and administrators in Chapter 391 (NRS 391.033).

Finally, in the 2001 Session, the charter school law was amended to authorize the State Board of Education to sponsor a charter school. The per-pupil payment for students in State Board-sponsored charter schools is the school district per-pupil amount or the statewide average, whichever is greater. Any difference is to be paid by the school district. The school districts pointed out that it was not appropriate for the school districts to pay for students they were not serving. Therefore **Section 4** of the bill makes

EXHIBIT F Senate Committee on Finance

Date: 4/15/03 Page 1 of 2

the Department responsible for any additional payments for such charter schools.

### **Distance Education**

Senate Bill 399 authorized distance education last session and, in reviewing the draft regulations, it was brought to the attention of the members of the Legislative Committee on Education that several clean-up measures were needed.

First, while a governing body of a charter school may submit an application for a program of distance education, a committee to form a charter school was not listed. This oversight is corrected in **Sections 5 and 9**.

Second, **Sections 6 and 7** change some reporting deadlines to "on or before the last day of the first school month of the school year" [count day], at the suggestion by the Nevada Department of Education. The purpose of this change is to ensure that written agreements concerning distance education would not be received prior to count day to avoid double counting for apportionment purposes in both the school district and distance education program.

Third, **Section 8** addresses the issue of licensure for teachers providing distance education courses. The Department brought to the interim Committee's attention an inconsistent treatment of college and university faculty in the statutes related to concurrent enrollment in higher education courses and distance education.

If a high school student enrolls in a community college course, he can receive both high school and college credit for the course taught by the postsecondary faculty. However, under the current statutes, postsecondary faculty are not eligible to teach dual-credit distance education courses in the core academic courses (reading, math, social studies, and science) unless they have valid teaching licenses, which most of them do not. The provisions of **Section 8** remedy this disparate treatment and would permit Nevada students to take distance education courses, approved by the Department, from college and university faculty, either here in Nevada or elsewhere.

The remainder of the bill changes various cross-references necessitated by the substantive provisions of the bill.