

**MINUTES OF THE MEETING  
OF THE  
ASSEMBLY COMMITTEE ON EDUCATION**

**Seventy-Third Session  
February 28, 2005**

The Committee on Education was called to order at 3:49 p.m., on Monday, February 28, 2005. Chairwoman Bonnie Parnell presided in Room 3142 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4401 of the Grant Sawyer State Office Building, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Ms. Bonnie Parnell, Chairwoman  
Mrs. Debbie Smith, Vice Chairwoman  
Mrs. Sharron Angle  
Mr. Kelvin Atkinson  
Mr. Joe Hardy  
Mr. Brooks Holcomb  
Mr. William Horne  
Mr. Garn Mabey  
Mr. Mark Manendo  
Mr. Bob McCleary  
Mr. Harvey J. Munford

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

None

**STAFF MEMBERS PRESENT:**

Carol Stonefield, Committee Policy Research Analyst  
Rachel Pilliod, Committee Manager  
Paul Partida, Committee Attaché

**OTHERS PRESENT:**

Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada  
James "Ed" Irvin, Deputy Attorney General, Civil Division, Office of the Attorney General, State of Nevada  
Kenneth B. Lange, Executive Director, Nevada State Educational Association (NSEA), Reno, Nevada  
Dr. Dotty Merrill, Assistant Superintendent, Washoe County School District (WCSD), Reno, Nevada  
Bill Hanlon, Regional Director, Southern Nevada Regional Professional Development Program (SNRPDP), Las Vegas, Nevada  
Frank Brusa, Legislative Advocate, representing Nevada Association of School Administrators (NSEA)  
Terry L. Hickman, President, Nevada Association of School Administrators (NSEA), Reno, Nevada  
Dr. Craig Kadlub, Director, Government Affairs, Clark County School District (CCSD), Las Vegas, Nevada

**Chairwoman Parnell:**

[Meeting called to order. Roll called.] Good afternoon everyone. We have a number of things to do today. First, I would like to draw the Committee members' attention to their folders. In your folder, you will see that we have some answers for you to some questions that have been asked in the last couple of meetings. There are two letters in your folder from Dr. Merrill from the Washoe County School District. Also I included a copy of the Executive Summary Report issued by the National Conference of State Legislatures on No Child Left Behind [The No Child Left Behind Act of 2001]. Under that you should find a memo from Mrs. Smith regarding teacher mentoring. We will be getting into teacher mentoring later during the work session.

We will be looking at A.B. 5. I'd also like to add that Ms. Stonefield has put together the latest information on class size reduction. I believe that you were all sent a copy of that information. If you have not received that and you would like it, please let me know and we will be sure to get one to you. I think it is important that when you, as members, have questions in this Committee that we do get those answered. So if there is anything that we have not been good about getting back to you on, please do let me know so that we can help you out with that. Our first order of business this afternoon, I will be opening the hearing on A.B. 108.

**Assembly Bill 108: Revises provisions governing appointment of hearing officers in certain cases involving licensed educational personnel. (BDR 34-378)**

This was introduced by the Department of Education, and with us today we have Dr. Keith Rheault, the State Superintendent of Public Instruction, who will present A.B. 108 to us. Good afternoon, Dr. Rheault.

**Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada:**

[Spoke from prepared testimony, [Exhibit B.](#)]

Assembly Bill 108, as you mentioned, was submitted on behalf of the State Board of Education through the Department of Education. The bill is intended to correct problems we have encountered with the current hearing process for specific cases of teachers, where they are being suspended, demoted, or being relieved of their teaching assignments. Specifically, I'd like to cover what is included in the bill. I view it as a clean-up bill that will allow more consistent hearing officers within the state. Section 1 of the bill deletes the requirement that the State Board of Education create a separate list of hearing officers composed of lawyers in the state.

The reason we are requesting that is we've had that list that we are required to maintain dwindle from 40, six years ago, to the current list of 7 lawyers that are on our approved list. There are a number of reasons why that has happened. One of the reasons is that we very rarely use the hearing officer list. In the past when we have used it, it could be 2 years or 3 years at a time before we get a request for a hearing officer. When we have contacted the individual saying we are submitting your name, 7 names as part of your request, they go, "Am I still on that list?" They don't recall doing it, because they never get called about it. There is a lack of use; they don't stay with the requirement. In statute, it also limits the pay that can be reimbursed to the lawyers on this list to \$60 per hour. You will see when I get to the American Arbitrators Association that fee does not cover most lawyers' expenses. A third requirement is that the lawyers on the list have to take 4 hours of their time to come to State-mandated training on hearing officers. So, combined with that, our list has dwindled. That is one reason why we are requesting a better way to handle the hearing officer process. We are not trying to do away with it.

[Keith Rheault, continued.] A second point I would like to make: if the list dwindles to less than 10, in the statute it says that they may request the use of American Arbitrators Association hearing officers. That one is a cost-prohibitive request and hasn't been used in the state. To get the list of 7 names that I have to submit is \$50. That gives me a list of 7, and then they provide the names and backgrounds. When you look at the cost they charge for one of their hearing officers, the least expensive on the two lists that I have requested has been \$950 per day, and it goes up to \$1,500 per day. Most average \$1,200 per day. When you use them for 3, 4, or 5 days, it becomes very expensive, and the cost of this is split between the school district and the teacher. In many cases for the teachers or administrators requesting, it is cost prohibitive to use the American Arbitrators Association.

Between those, we are requesting that both of those be deleted, and we are recommending that the bill would change the statute that we use the hearing officers who already are maintained through the Hearings Division of the Department of Administration. They maintain a list that we can request, and it avoids duplication from us keeping a list, then having hearing officers. We think that process can be handled relatively easily. It also applies to the hearing officer selection process from the Hearings Division, if we receive a request for a teacher being suspended or that their license is being revoked by the State Board of Education.

Currently their only choice is the American Arbitrators Association, and this would provide a much more expedient and less expensive method to doing that. One final thing: after discussing the bill with other individual interested parties, I do have a friendly amendment after meeting with them. We submitted these in May 2004, and did not have time to discuss some of the content. I only have one amendment, and I will leave it with your secretary. It has to do with subsection 5 on page 3. At the top of the page, current law says that the Section regarding the appointment of hearing officers does not preclude the employee and the superintendent—in this case, it is the superintendent of the school district—from mutually selecting an attorney who is not a resident of this state to serve as a hearing officer. What we would like to amend on that Section, beginning on line 6, where it says "mutually selecting an attorney who is a resident of this state." We'd like to put in a comma and then add in "a hearing officer provided by the American Arbitrators Association, or a representative of an alternative dispute resolution

agency or organization." It is still an option that they can use that, if the superintendent and the employee can agree. My perspective, if they can have it resolved at the local level before requesting a hearing officer, I have no problem with the amendment and supporting it. That is the intent of the bill. I think I had mentioned that this year we have had three requests. Previous years we have gone 3 years without a request. It wouldn't require us to maintain the list.

**Assemblyman Hardy:**

On page 3, under the very last number 4 on that page, "the hearing officer is entitled to be reimbursed for his reasonable actual expenses." We took out \$60 per hour. You've bandied some other numbers. Do we have another number we can put a hat on, on this?

**Keith Rheault:**

I will have to get that for you Assemblyman Hardy. I did not call the Hearings Division to see what the cost to this will be. There will be a cost to this because they provide the hearing officers. The \$60 per hour we knew did not fit within that. I will get the average cost for you and provide you with that.

**Assemblyman Hardy:**

We already know what the hearing officers are doing because they are in the Department of Administration. They would be compatible or be the same rate or the same people that are already doing that. Is that correct?

**Keith Rheault:**

There would be a little bit of difference in that the lawyers on our current list were provided a 4-hour hearing that gave some of the requirements for hearing officers, although I think the people on the list are used more often and have more experience than the lawyers which we have on our list, as far as hearings go. I think that has offset the experience because they have done more hearings. It is probably more valuable than the content knowledge. With me is Ed Irvin. He is our Deputy Attorney General and has helped request this as part of our bill request.

**James "Ed" Irvin, Deputy Attorney General, Civil Division, Office of the Attorney General, State of Nevada:**

It has been our experience in the past to use the Department of Administration appeals hearing officers in fair hearings, in a couple of cases that are not related to this. In those cases it is my understanding that there was no charge. I believe that it is likely that there will be no charge. These hearing officers do mostly workmen's compensation type hearings and other hearings. They are State

employees. It isn't a panel; it is State employees, so the cost should go away. That \$60 per hour, I think, was around 20 years ago.

**Chairwoman Parnell:**

That looks like it would actually save money. Are there any additional questions?

**Assemblyman Horne:**

I have concerns, particularly coming from the lawyer, that we are eliminating lawyers on this, and we are talking about property rights of teachers, when they come before these hearings, possibly losing their jobs and livelihoods, and we have an attorney general representing the Department of Education before a panel of now non-attorneys in determining the outcome of these hearings. I don't know if, in the long run, we actually do save money if, at the end of the day, we end up with a possible litigation for taking the wrong course of action.

**Ed Irvin:**

There are two separate types of hearings. One has to do with the district level, which is a disciplinary hearing. I don't deal with those. I had some experience in the past, quite some time ago, that related to that. Usually, the union for the school district provides attorneys representing the teachers. In the few cases that have related to licensed revocations in the past year, there have been approximately three cases where both proceedings have been going on. In all of those cases, the teachers were represented by a union attorney. In the cases related to licensed revocation and suspension, in each of the cases that the Department has filed where there has been a request for a hearing or where there was a negotiation in response, the union did represent the teacher.

The Department of Administration hearing officers, I did not take the time to look at their qualifications. However, I believe from my experience that they are all attorneys. They have been hearing officers for quite some time. This could be explained better if it were paralleled to personnel-type hearings, where the Department of Personnel goes through the process of doing an RFP [Request for Proposal] and getting various attorneys to submit bids, and then they go through the process of selecting those. Those also are attorneys; they are also experienced in the area. Some of them have been doing it for over 20 years.

I don't think that it is a case where it will be inequitable. I do represent the Department of Education in these proceedings, but I haven't had a case where there has been any resistance, where either an individual was not represented, or the individual had to expend a great deal of money to achieve that representation.

[Ed Irvin, continued.] In the opposite direction, however, is the situation where, according to the regulations and interpretation of statute, and this is an intermediary due process proceeding, in the revocation of license or suspension of license, the State Department of Education does not have to follow the hearing officer's recommendation. It does provide for due process. As I suspect, you are thinking that this is something related to the property rights of the teacher. In that situation, the way it is now, the teacher could be expending a great deal of money and there is a provision in the NAC [*Nevada Administrative Code*] that says if the requestor, the teacher, the licensee makes the request, receives a bill, and doesn't pay the bill within 45 days, that request is deemed withdrawn. To the teacher this is something that is definitely beneficial.

**Keith Rheault:**

I add, in the case of demotion, dismissal, or refusal to employ, although the findings and recommendations are important, the school districts, when they get that recommendation, it is not binding. They have the right to accept or reject it. It is not a binding settlement that is provided by the hearing officer.

**Assemblyman Horne:**

My only concern was that I recognize that the teachers are represented by counsel oftentimes, but unlike in a traditional court, you may have a neutral judge or magistrate that oversees and makes sure that due process is adhered to. Those are my concerns, but you say that this is an intermediary process.

**Assemblywoman Angle:**

I want clarification on the fiscal note. It says that it may have an impact on the local government, which says unfunded mandate to me. I'd like you to clear that up. Then it states that it does have an effect on the state. I realize this could be negative or positive; can you please clarify this?

**Keith Rheault:**

It does have an effect, in that it changes the way that a hearing officer would be provided to a local school district. Currently, the process that is already in place has a bigger fiscal impact than the one that is being recommended. I don't know of any direct fiscal impact that would be different than what we already have in place. My response would be that there is no fiscal impact different than what we have already had in place for the last 20 years.

**Assemblyman Munford:**

If a teacher is not a member of the union, will they automatically get union representation and support? What I thought, because I know even when you have a situation within your building, and you want a union member to assist you in a basic hearing with your principal, they will not come out if you are not

a member of the organization. Teachers are required to pay dues and be a member. In that case, a teacher has to hire an attorney for their self. Is that true?

**Keith Rheault:**

That is common. We do not get a lot of requests. Most of the requests come from the rural districts. I think there are only three districts that I have received requests from in the last 10 years. Those are Douglas County, White Pine, and Mineral. In the case of White Pine, they were not a union member, and cost was a factor because they wanted their own lawyer representing them. So anything we can do to assist that will give them a fair hearing, but doesn't have a \$5,000 price tag to it, is beneficial. In that case, they can hire or they can choose to go to the hearing without representation. As I recall in that case, which was about 6 years ago, they did get their own lawyer.

**Chairwoman Parnell:**

It concerns me that people who have been involved in this prior to now, if this passes, had instruction. I assume that they have some instruction on cases that would be particular to a school district or one involving a school teacher. If we are using people from the Hearings Division of the Department of Administration, what kind of knowledge do they have regarding *Nevada Revised Statutes* Chapter 288; and do they receive any special information or training background on that subject since it is so specific?

**Keith Rheault:**

My recommendation would be under the new subsection 3 on page 2; it requires that the State Board prescribe procedures. Under that we would put together a packet of information which would be available to hearing officers, like we currently do. Many of these lawyers who are on our list, the remaining 7, it has been 4 or 5 years because it is only required to be updated every 6 years. So they need to be refreshed, and we have a packet ready to go with that information, with all the current statutes that we put together after every legislative session and current NAC.

**Chairwoman Parnell:**

Thank you; that certainly makes me feel better. Are there any other questions for the gentlemen? We have Ken Lange, who may be able to respond to some of your questions.

**Kenneth B. Lange, Executive Director, Nevada State Educational Association (NSEA), Reno, Nevada:**

We have been working with the superintendent on this language. We support it, and we think it covers what we need to have in terms of properly representing



our members. It is relatively limited, as the superintendent testified; we are limited to three counties in which this process still exists for the purposes for suspensions and terminations. For licensure, it covers everybody, but we have very few of those cases as well, as most of them are taken care of or disposed by virtue of the egregiousness of the offense before we get to the point of a hearing. We are comfortable with this. We think that by adding in, beyond the hearing officer, that the parties can agree to AAA [American Arbitrators Association] or any other alternative dispute resolution mechanism, which helps us to ramp it up if you need a higher exposure in terms of the recommendation. And folks are willing to pay.

**Chairwoman Parnell:**

Thank you, Ken. We appreciate that. Mr. Munford, do you need additional information concerning the question that you had earlier?

**Assemblyman Munford:**

The thing is that, since one of the unions that represents teachers—and then there is the Clark County Classroom Teachers Association—if a teacher does not belong to the union, they are left up to their own, to fight any type of grievance or any concern that they might have. You wouldn't go out of your way to assist them at all, correct?

**Ken Lange:**

Probably not. This is a very good reason to be a member.

**Assemblyman Munford:**

What is the percentage of teachers who are members of the organization?

**Ken Lang:**

We are at 70 percent.

**Assemblyman Munford:**

It is not mandatory? It is up to them, being their option?

**Ken Lange:**

We have to earn every one of those members.

**Chairwoman Parnell:**

Are there any other questions for Mr. Lange? Is there anyone else wishing to speak to A.B. 108?

**Dr. Dotty Merrill, Assistant Superintendent, Washoe County School District (WCSD), Reno, Nevada:**

We appreciate Dr. Rheault's willingness to add the language that he has discussed in subsection 5 of Section 1, on page 3. There are two reasons why we are particularly interested in that language. One is that our school district does not use hearing officers for employee discipline cases. We have negotiated with the Washoe Education Association a grievance procedure, which provides a neutral third party who arbitrates the case. That would allow us to continue to do that by including the language that has been proposed. Secondly, our administrators' bargaining agreement provides mediation as the resolution and therefore, it is conceivable that we would need to be able to use the services of the American Arbitrators Association. We are pleased to have that language integrated into that section of the bill to allow us to address issues at the local level.

**Chairwoman Parnell:**

Thank you. Are there any questions for Dr. Merrill? Anyone else wishing to speak on A.B. 108? At this time I will close the hearing on A.B. 108. I think that once we get that amendment to the members, this will probably be one that we can get moved out very quickly. Our next order of business will be opening the hearing on A.B. 109.

**Assembly Bill 109: Makes various changes regarding provision of education and professional development for educational personnel and makes various appropriations and transfers of money. (BDR 34-479)**

There is a document that is being passed out ([Exhibit C](#)), which will give you an overview of the various sections of this bill. This is so that you are helped as we go through it. This bill was introduced by the Legislative Committee on Education; Ms. Stonefield will be presenting it. I would like to say after a study of this legislation, if we are all okay with the basic policy concepts within the section, this looks to me like a bill that needs to go as soon as possible to the Ways and Means Committee. It does have quite a fiscal note, so please keep in mind, as Ms. Stonefield is presenting the bill, that we are the policy committee. If we feel the policy is something that we agree with—most of it is continuations of programs and expenditures—we might just pass that out and get it over to Ways and Means. Thank you, and welcome, Ms. Stonefield.

**Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:**

This is a bill that came from the Legislative Committee on Education; I was the primary policy analyst with that Committee. As the Chair said, most of this bill contains reauthorization of programs that currently exist. There are two sections that are new: Section 1 would amend NRS 391.552 of existing law. Currently

the RPDP [Regional Professional Development Program]—there are four of them in this state—are required to submit their reports to the Legislature on July 1. Since their fiscal year closes on June 30, it has been difficult for them to meet that reporting deadline. This moves that report further into the year, to September 1. Section 2 is a new provision that responds to testimony from the dean of the College of Education at the University of Nevada, Reno [UNR], who commented to the Committee during the hearing that it is difficult for them to recruit and offer incentives to students who pursue majors in some of the more difficult subject areas, such as math and special education. It is also difficult, generally, to recruit students to go and teach in some of the rural districts in this state.

[Carol Stonefield, continued.] This proposal is in response to that. This would authorize the purchase of slots through WICHE [Western Interstate Commission for Higher Education], which is governed by Chapter 397 of the NRS. We would provide stipends to the students in the amount of \$2,000, and they would then be required to teach for 3 years according to either the subject area or a geographic area of the state where there is a critical shortage. Section 3 provides a stipend to teachers who achieve teaching English as a Second Language endorsement. In 2001, the Legislature considered, but did not enact, Assembly Bill 251 of the 71st Legislative Session, which would have provided a reimbursement to licensed teachers for costs associated with obtaining an ESL [English as a Second Language] endorsement.

District accountability reports indicate that in the 2003-2004 school year, limited English proficient students comprised over 16 percent of the state enrollment. Clark County is at 19.5 percent, Carson City is at 15 percent, and Washoe is at 13.5 percent. This amounts to 65,372 students in that school year. The total number of teachers who hold the ESL endorsement is around 400. The Department of Education currently requires a licensed teacher to earn 12 credits. The course must include methods, materials, theory, testing, and curriculum development. This program, as it is structured in the bill, would provide funds to the school district to obtain the instruction for their teachers.

Section 4 is a reimbursement to teachers who obtain National Board certification. The National Board for Professional Teaching Standards is an independent, nonprofit, nonpartisan organization whose mission is to establish high and rigorous standards for accomplished teachers. The certification has been generally recognized as a means to produce high-quality master teachers. The Committee heard testimony that the incentive program, which was adopted by the 1999 Legislature and which has been continued in 2001 and 2003, has been a success. Current biennium appropriation is about \$51,000 per fiscal year, although the Department has been authorized to reimburse up to

\$2,300 per teacher. It has currently reimbursing at \$2,000. The Department recommended \$87,000 each year of the biennium, in anticipation of increased numbers of teachers. Any teacher that receives this reimbursement is required to teach in a Nevada school for 2 years, subsequent to receiving the reimbursement.

[Carol Stonefield, continued.] Sections 5, 6, and 7 relate to the Regional Professional Development Programs (RPDP). Section 5 is the continuation of the appropriation for the four regional programs. Section 6 provides for the annual evaluation. Section 7 provides additional funds for administrator and trustee training. According to the evaluation that is purchased, the contract is with the vendor WestEd. There have been approximately 11,000 teachers and over 700 administrators participating in RPDP programs in the 2002-2003 school year. About 11,000 teachers and about 1,000 administrators participated in the 2003-2004 school year.

Teachers and administrators continue to rate the RPDP services to be high quality, and the primary focus has been on improving content knowledge and pedagogy. Originally, the RPDPs were created by NERA [Nevada Education Reform Act of 1997], and their focus was on the academic standards that were adopted pursuant to NERA. All teachers were to have available to them training in the standard, so that they would know how to instruct according to them. Since that time a number of additional services or responsibilities have been assigned to the RPDPs. The funding for administrator training was placed under the Statewide Coordinating Council by the Legislature in 2003. Prior to that, it was known as Project LeBEAPE [Legislative Bureau of Educational Accountability and Program Evaluation]. I believe that the appropriation was an independent one and 2 years ago was moved under the Statewide Coordinating Council.

The recommendations include the boards of trustees. The Legislative Committee on Education received testimony that there is not a lot of money available for trustee training, particularly in the rural districts, and in some instances, the funding is nonexistent. These funds could be used to assist in providing training in the areas of management, supervision, goal setting, understanding the provisions of NCLB [No Child Left Behind Act of 2001] and its implications, and learning how to use data to make decisions.

Section 8 contains a clause to enable the WICHE stipends to become effective immediately for the next school year. That concludes my remarks, Madam Chair.

**Assemblywoman Smith:**

Carol, can we go back to the WICHE stipends? Your notes have \$2,000, but I read that at \$2,600. Am I off?

**Carol Stonefield:**

Yes. I am sorry. \$2,600 is correct; I misspoke.

**Assemblyman Mabey:**

How is the money collected if they have the stipend and have to pay it back at 8 percent? Is that done through a bank? How does that occur?

**Carol Stonefield:**

By tapping into WICHE, we use the procedures that they already have and I am not sure of how they do that. I would be happy to find that out for you.

**Chairwoman Parnell:**

Thank you, and I want to point out to everyone I was glad to see when I was reading through, not only in the WICHE section, the repayment, if somebody does not fulfill their obligation that is to be paid back, there is an accountability of the monies that are being expended. If somebody does not do what the intent is, they are then asked to pay it back. In Section 7, it calls for the evaluation of the RPDPs, even money to make sure that evaluation is taking place. Two points of accountability within this legislation worth pointing out. Are there any additional questions?

**Assemblywoman Angle:**

Ms. Stonefield, do you have an exact number for the biennium?

**Carol Stonefield:**

No. I don't have it, but I understand that Madam Chair has a total.

**Chairwoman Parnell:**

It comes to about \$22 million. The vast majority, about \$21 million, are the total of the sections referring to the RPDPs, and the others are under \$1 million when you total the sections not dealing with the RPDP centers. Are there any additional questions for Ms. Stonefield? Dr. Rheault, you checked off A.B. 108 and A.B. 109, so it looks like there are questions for you.

**Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada:**

We support Section 3. We would not have a problem implementing it, I hope, whichever district puts together the best application. It was already mentioned that we require 12 credits of ESL-specific course work to get the endorsement.

[Keith Rheault, continued.] You cannot get just an ESL license in Nevada. In California, they give ESL licenses, but there is no subject area or course work. In Nevada, you must hold an elementary license or a secondary license. Once you have a regular license, then you can add the ESL endorsement. That has helped us when we went to the NCLB [No Child Left Behind Act of 2001] highly qualified.

Our teachers that held an ESL license, for example, already had a major and a regular license. That is what highly qualified is based on, not ESL. We would be very supportive. The \$1,200 that is identified in here per teacher, if you can negotiate, and Clark County has been very good at this, bringing an instructor from a college into the school, and you can get course work for \$100. That would cover all 12 credits, so that would be sufficient. If they went to a private institution that is charging \$300 per credit, it probably would not go too far. Hopefully, the districts have put together some good applications to get teachers qualified.

**Assemblywoman Smith:**

Dr. Rheault, do you think this language sufficiently ties it up so that the teacher who gets the stipend would have to have the endorsement placed on the license? I'm hearing that there is an issue sometimes with teachers going through the course work, but not actually putting the endorsement on the license. Would this take care of that?

**Keith Rheault:**

I didn't read it that closely to see, but I will double-check on that. We would assume that if they are getting paid, I thought in the language it said they had to teach for 2 years with this. I will double-check to make sure, I assume that this is what we would want, that they would use this endorsement. We have had it in the past where teachers had the endorsement on their license but chose not to use it. There have been teachers who ask why they would want to do this when they can teach a regular class without the SL [Second Language]. There have been some cases like this brought up in isolated incidents over the years.

The other section that I wanted to comment on was Section 4. It had to do with the National Board certified teachers. It was already mentioned there is \$51,000 in the Governor's recommended budget. We have run short a little bit what we try to do in that program—there is some federal money that is given to the National Board, and each state receives a small allocation. In Nevada's case, they officially offer us \$10,000 that we can request every year to subsidize some of the reimbursement. Every year we beg. There are states that do not use their allocations, and we have been able to receive as much as \$50,000 in

federal money. The nice thing about the federal money is that we can pay that up front, and they don't have to pay it back if they are not successful. The State money which is in this bill can only be reimbursed if they are successful. The success rate of passing is 40 to 50 percent. We may have 75 teachers applying for it, but 35 to 40 on average have passed in the last 4 years. They put out \$2,300 with the hope that they will be successful. If they are not, we do not reimburse them the difference with the State money. We do have, printed off the website ([Exhibit D](#)), the incentives and the number of teachers in Nevada that were successful compared to other states. We had 183 teachers in the last 5 years. The first year we had 2. I can leave that if you are interested.

**Chairwoman Parnell:**

That would be great; I think that the members would like a copy of that. And that is what I've seen. I know a few people who have gone through the National Board certification, and it is an extremely difficult and time-consuming process. It is nice to see after the first handful of people, in 5 or 6 years, that the number seems to be increasing dramatically year by year, which is a good sign. Bill Hanlon is signed in to testify. Bill, would you please come up and tell us about the regional development centers?

**Bill Hanlon, Regional Director, Southern Nevada Regional Professional Development Program (SNRPDP), Las Vegas, Nevada:**

[Handed out [Exhibit E](#) and [Exhibit F](#).] The RPDP was established through NERA [Nevada Education Reform Act of 1997] to address the teacher and administrative backgrounds, particularly in the areas that they teach. We were specifically asked to address the standards of math, English, science, and social studies. In the last couple of sessions, we have been given other duties. The other duties include suicide prevention, paraprofessional training, being on school support teams, working with "needs improvement" schools, and things of that nature. We have asked for an increase in budget this biennium. Part of that is due to the fact that we were cut about \$1.5 million during the last biennium. While we were cut, we were asked to also increase the number of services.

What I believe you have before you are two things. One is that I do support the change in date from July to September 1 for the reporting of data ([Exhibit E](#)). That was particularly difficult for us because we hold summer institutes, and those summer institutes go right up to the last week in June. Then, trying to get a report done by June 30, it was tough. We do support that, so that we can have more time to collect that data and more accurately reflect what we are doing. The piece in front of you ([Exhibit E](#)), for A.B. 109, is under Section 5, subsection 2. Currently the language there says, "A school district that receives an allocation pursuant to subsection 1 shall use the money to maintain and

continue the operation of a regional training program..." What I would like to do is have some language that cleans up the inconsistencies that appear in NRS 391.512. As you look through NRS 391.512 ([Exhibit F](#)), you can see in statute that governing boards are responsible for the budget, they are responsible for hiring and firing the director, they are responsible for the evaluation of the program, et cetera.

[Bill Hanlon, continued.] The governing boards are responsible for the RPDPs. The governing boards, by statute, are made up of the superintendents within the region they serve, a teacher from each district, a university official, and a Department of Education official. What I am proposing, so that we have consistency in the language, is that we change subsection 2(a) of Section 5 to say: "A school district that receives an allocation pursuant to subsection 1 shall act as the fiscal agent for the RPDPs governing board"—use the same language—"to use the money to continue the operation a regional training program for the professional development of teachers and administrators."

**Chairwoman Parnell:**

Thank you, I have a question, because it is not denoted. On the one that has the red and the blue ([Exhibit F](#)), this also would amend the Section 5 in current language in A.B. 109?

**Bill Hanlon:**

Yes. It is the same issue. There are two places in NRS that describe the school district to establish and operate. In all of the other places within NRS, it is talking about the governing boards' responsibilities. What I have done, and that is the section that starts off with NRS 391.512 ([Exhibit F](#)), I ran some off in color and the others are in black and white. It replaces "school districts" with "regional governing boards" throughout NRS 391. There is no subsistent change; it reflects what is happening.

**Chairwoman Parnell:**

Are there any questions for Mr. Hanlon? We did have one about substitute pay, and we talked briefly about it. I think you did answer it, but it is important to put on the record when we were looking at the amount of money in this appropriation. When I was still teaching we would have professional development days, and somebody had to pay for a substitute. Out of this money, is some of that used to pay substitutes when the classroom teacher is coming in for professional development?

**Bill Hanlon:**

Any time that we offer some professional development program where it would require a sub, we would pay for the sub.



**Chairwoman Parnell:**

Do you have any idea about what percentage of the total money?

**Bill Hanlon:**

In the past I could tell you. This year was an anomaly; within Clark County they asked everyone who is providing professional development not to provide professional development that would require subs. That has thrown our budget out of whack. What are doing now is to offer either stipends or paying teachers, in lieu of subs, to come after school.

**Chairwoman Parnell:**

I would assume, when this vote goes to Ways and Means, that you would at that point in time have a budget to show them or some documents showing where your expenditures are?

**Bill Hanlon:**

We were required to submit a budget by July 31, or around that time. The unfortunate part of that is since July 31, we have been given additional duties to do. The budgets were created upon what we thought our responsibilities would be as of June. I am hoping that we can do some addressing of some of these other issues as we go along.

**Assemblywoman Smith:**

Along those lines, statute says that you may provide stipends. Have you been able to do that with this funding?

**Bill Hanlon:**

Absolutely; we have done that extensively. In areas of high need or areas identified as critical shortages, we have enticed teachers—for instance, in reading and mathematics—by offering stipends.

**Assemblywoman Smith:**

When the district has its five days of professional development, those are coordinated through your office?

**Bill Hanlon:**

No, they are not. The five days that are provided by the State are coordinated by the individual districts. Right now the RPDPs have nothing to do with those. We do provide services within those, but those are run by the individual school districts and, a lot of times, by the individual regions or by the schools themselves. If they ask for our assistance, then we provide services for them.

**Chairwoman Parnell:**

Could you share with the Committee members, if you do this on a weekend—or Friday night and Saturday night, which teachers often go to—what would be going on?

**Bill Hanlon:**

We offer a variety of services. We offer workshops in services. We offer coursework. We offer programs of study. We have a variety of offerings that happen sometimes during the school day, sometimes after school, weekends, in a session, and some are institutes. We have right now middle school math and middle school science programs. Teachers that are enrolled in those programs take either 16 credits of math or science. Within those classes—those are content-based classes—we stress instructional strategies, assessment strategies, strategies for working with special populations—poverty, special education, and ELL [English Language Learners]—those teachers will, as a result of that program, take the practices and become highly qualified.

That hopefully will address some of the shortages that we have in math and sciences in the middle school. We offer seminars. Up through this year, for instance, in the southern region, we would bring all of the algebra teachers together once per quarter to discuss what they just taught, what the students had difficulty with, and what they did to address those. We would be addressing what they were going to teach the next quarter. We would pre-identify which students would traditionally have difficulties and suggest resources and strategies to address those difficulties. We would address the content knowledge of those teachers. We also look at the alignment between the content and the assessment.

What we find is that, as we discuss with teachers, what they say they value, and then when you look at what they assess, there is sometimes an inconsistency. So we offer those. When principals ask, we will go into a school and work with teachers. When we do that, we don't report to the principal, we work with the teacher. We may model or mentor—those types of activities. We might suggest they take workshops or seminars with us. If there is something we may not be doing that they need, we would send them to that at our expense. The RPDPs have a mutual aid and assistance program, where if one of the RPDPs is doing something and the others are not or cannot, we then aid each other. For instance, we go into different counties; I go into Pershing once per week. We serve teachers in Pershing and Humboldt Counties. Typically, it is a number of activities, seminars, and workshops that they take with them to use in the classroom. All that we do is based upon content that has been created by the Council to Establish Academic Standards. We stay close to those standards. We offer administrators training on how to evaluate and supervise

certain subject areas, such as math or reading. Hopefully, when they go into classrooms, they are looking for things that we are recommending to the teachers that they try in their classrooms.

**Chairwoman Parnell:**

Are there any questions for Mr. Hanlon? Ken Lange.

**Kenneth Lange, Executive Director, Nevada State Educational Association  
(NSEA), Reno, Nevada:**

[Handed out [Exhibit G](#).] We'd like to focus our attention today on Sections 3 and 4. We remain concerned, even though they are relatively small amounts of money, about those types of programs that are prescribed by the Legislature that extend monetary or other benefits to current employees of school districts, without the benefit of the collective bargaining process. The Legislature has set forth a process through which any type of wage, benefit, and terms and conditions of employment are mandatory subjects of bargaining. However, the Legislature is free to disregard that to some extent and create a conflict in policy by prescribing these lines of funding for particular things that we believe, either collectively or individually, might work to alleviate a particular problem.

We would like to suggest that there may be a process here by which we can satisfy both ends, by creating a situation in which the Legislature prescribes its desired outcome—in this case, an increased number of qualified people to teach ESL or an improvement in ESL programs in general, then directing an amount of money, essentially, in a pool for the purposes of letting the school district and the bargaining agent sit down and figure out ways to direct those resources. They may come up with better ideas than we have that are more germane and specific to the situation. I know that is a tough process, sometimes, to trust; it is a little bit messy.

For those of us who work at the state level and left that particular part of the organization behind some time ago, it is much easier to say, "Let's just solve it here." When we put the parties in the room and let them beat up on the objective, very often what they come out with is a process invested with much more ownership and fine-tuning. That can't be done through the legislative process, as much as we try to hit every piece. We can't get at that through this process; it is incredibly frustrating. However, they can. We had counsel draft language that we believe would achieve the end that I have described in terms of creating the overarching direction, the policy direction of the Legislature, and taking it down into the process. I would like to offer that for your consideration, as well as the general conceptual driver behind our concern.

**Chairwoman Parnell:**

When you are looking at Section 3 in your language, what concerns me is the intent of A.B. 109 is for teachers to become TESL [Teaching English as a Second Language] endorsed, to have that endorsement to work in a particular classroom where that endorsement would be beneficial. In your new language, school districts and charter schools for the support of programs of instruction for pupils, you totally eliminate that incentive for someone to get that endorsement. Is that your intent?

**Ken Lange:**

No. Counsel and I had a long discussion about how this would work. Certainly we could focus it back down, which is the side I took in terms of the argument. Mr. [James] Penrose is our counsel who writes legislation for us and writes the amendments. It was his perception that if we stay general, that gave additional latitude but still allowed for the development of stipends, grants, or other incentives. It permitted incentives beyond, or in addition to, a monetary endorsement or paying for the certification itself. I can't tell you right now, but I believe that there are probably at least 3, 4, 5, or 6 different ways to induce educators into that role and to take on those additional responsibilities. We wanted to leave more latitude than being as specific as the current language. I think it is legitimate, and goes to the point of flexibility.

**Chairwoman Parnell:**

I think it would be a concern, because the intent seems to shift from the teacher endorsement to generic money for programs for limited-English speaking children. To me it is a stretch from what the current language in A.B. 109 is, but we will delve into and discuss that.

**Ken Lange:**

We'd be happy to hone that down. I think we erred on the side of being more flexible than specific.

**Assemblywoman Smith:**

To follow up on that, this goes back to the question that I asked Dr. Rheault earlier. First of all, when I read this, I see this as supportive as pupil instruction, not teacher instruction. I believe that the accountability piece is missing on this. I have heard that we have a large number of teachers who will go through the program for TESL but not put the endorsement on the license. I think we are missing that accountability piece in this language. So you if you could look at that again, I would appreciate it.

**Ken Lange:**

Yes, it makes sense to me. I think that can be written as part of the policy direction from the Committee and the Legislature, in terms of shaping the conversation that would take place at the bargaining table and it can be done easily.

**Frank Brusa, Legislative Advocate, representing Nevada Association of School Administrators (NSEA), Las Vegas, Nevada:**

I represent Nevada teachers who are affiliated with the California Teachers of English to Speakers of Other Languages. We would like to let you know that we support the language in Section 3, we support A.B. 109, and we believe in the concept of grants to get teachers certified in TESL in Nevada.

**Dr. Dotty Merrill, Assistant Superintendent, Washoe County School District (WCSD), Reno, Nevada:**

There are five small concepts embodied in this bill that I would like to point out to you that our district strongly supports. The first is on page 2 of the bill, in Section 1, subsection 2, beginning on line 9. Mr. Hanlon has mentioned moving the date from July to September. For the same reason that he provided to you, we have a number of professional development opportunities through our RPD available in June. This gives us a greater opportunity to finish up those programs towards the end of that month, gather the evaluations, and give some critical analysis to those evaluations before the time of the annual report. We are appreciative of that. On page 4 of the bill, in Section 3, we support the concept here to provide money to pay for the costs incurred for teachers to obtain their endorsements to teach English language learners. As has been noted many times already before this Committee, there is a clear need in our state for this.

Also, at the top of page 5, Section 4, we support the concept of reimbursing teachers who obtain their certification for the National Board of Professional Teaching Standards. We think this is a very important way to acknowledge the tremendous work that they do in order to prepare for that process. On page 6, we also support the ongoing funding for regional professional development centers. As Mr. Hanlon noted in his testimony, the responsibilities for our programs have increased exponentially rather than arithmetically. At the same time that we have new teachers and new administrators, we have the opportunity to provide professional development for them as well.

The last point I would support on behalf of our district you will find on page 7, in Section 7. This is the concept of providing funding for training opportunities for educational administrators, as well as for opportunities for local boards of trustees. We support all five of those concepts as presented in this bill.

**Chairwoman Parnell:**

Are there any questions for Dr. Merrill? Is there anyone else wishing to testify on A.B. 109? As we close the hearing on this, I point out to all of you that we did end up with two amendments to A.B. 109, one sponsored by Bill Hanlon and the RPDPs and the other on behalf of the Nevada Education Association. We will do a work session on this a week from Wednesday. This coming Wednesday we have a busy agenda. Perhaps next week we will want to get this out and determine whether or not we will be sending it on to Ways and Means. With that, I will close the hearing on A.B. 109.

Our next order of business, I open up a work session to consider A.B. 5, if you would all find your work session document ([Exhibit H](#)).

**Assembly Bill 5: Provides for development and implementation of pilot program for mentor teachers. (BDR S-478)**

Ms. Stonefield will go through that. I think we all remember the lively discussion we had on A.B. 5, the bill to provide development and implementation of pilot program for mentor teachers.

**Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:**

Assembly Bill 5 was sponsored by the Legislative Committee on Education. It provides for the development and implementation of a pilot program for mentor teachers. It was heard on February 16, 2005. It proposes to require the Commission on Professional Standards and Education to develop and implement a pilot program. The Commission is to report its pilot design to the Legislative Committee on Education by April 1, 2006. The pilot will be implemented in the 2006-2007 school year. It calls for a fixed appropriation. The amount provided in the bill is \$1 million to the Department of Education for distribution to the school districts that participate in the pilot program.

There was no opposition expressed. Fiscal impact, there is none indicated on the local government; the State government contains an appropriation not included in The Executive Budget. There was an amendment proposed by the Nevada State Education Association to require that a school district participating in the pilot program negotiate any additional compensation to be paid to mentor teachers and any other related issues pursuant to Chapter 288 of the NRS.

**Assemblywoman Smith:**

I have a question about the logistics of the amendment and this becoming part of the collective bargaining. With the long process that collective bargaining goes through, how would that happen with the timing? Terry [Hickman], can you help me with that?

**Terry L. Hickman, President, Nevada Association of School Administrators (NSEA), Reno, Nevada:**

The negotiation process is long, but I believe it would be thoroughly understood that, for this to be implemented, it would have to be done quickly. I assume that both parties would be focused, willing to work on this issue quickly, so that it could be implemented in the timely manner that we think it should be.

**Chairwoman Parnell:**

Do you have other examples of where there is not an across-the-board collective bargaining or negotiation discussion, to where there is a small percentage of your total membership that you are bargaining for, which would be receiving this stipend or bonus? How does that work in deliberation? Say you had 10 teachers in the district who were your mentors. How are they dealt with when they are a tiny part of your entire population in the negotiation process?

**Terry Hickman:**

There are times when you are dealing with very few people in the bargaining unit. It is normal that many times, for example in Carson City as well as in Clark County, the extra days issue stays outside the contract. It only affected 30 people in Carson and in Clark County, a couple hundred. It was something that had to be done and was done very quickly, so it did not have a problem on the beginning of the school year.

**Chairwoman Parnell:**

That makes it much clearer to me. Does anyone else have any questions?

**Assemblyman Horne:**

What fears are you concerned with if we pass this bill without this amendment? What do you fear is going to happen in the general practices of collective bargaining? With this pilot program, we are talking about one year.

**Terry Hickman:**

I don't think it is a fear. I think it is because this is something that is important, that mentoring is something we have not been able to fund as a state. We think it will not be just a pilot, it will be the beginning of a long program. Therefore, we would want it to start with the foundation of local buy-in, by participation by the local teachers' association in cooperation with the school district, and building a program that will not have to be redone the next year—hopefully when it would be funded again—but something that would be built upon and be done in a manner that would be compliant with the contract, so that those involved would have that assurance that, hopefully, it will go on, and that it will go on in a way which will not create any kind of problems in the relationship with the school district.

**Assemblyman Horne:**

What I'm hearing you say is that at the end of this one-year pilot program, should we not have this collective bargaining agreement language in there, the program may continue on without it, as it being an exception to the other practices with our teachers?

**Terry Hickman:**

NRS 288 says that compensation is a mandatory subject of bargaining, even though it is a pilot program. I would like to think that this is a subject of mandatory bargaining that we not excuse the process. I think it will build greater cooperation among those who participate. I do not see it as something negative. I see it as a very positive thing, and that is why it should go through NRS 288.

**Assemblyman Hardy:**

If you go to collective bargaining for \$1 million in one year, are you collectively bargaining to have 1,000 people or 500 people? So you are collectively bargaining to get X number of people who are mentors in the pilot program, or do we already know how many mentors there are? What are we collectively bargaining for? Are we talking about the number of mentors and how much they would receive per mentor? We already have \$1 million in the bill. Is that what you are asking for, is the number of people?

**Terry Hickman:**

NRS 288 states that compensation is a mandatory subject of bargaining. We do not want to frame it in terms of how many or a matter of how much. It depends on which districts would apply for it. One million dollars is a lot of money to me, but when you are looking at nearly 28,000 teachers, it won't go very far, so the districts will have to work very hard at their application. I think that they would want the cooperation of the local districts, so it can be done very quickly but meets the prerequisites that we all want, which is an accountable program that meets NRS 288. Whether or not it is 500 mentors statewide, or however many it is, I believe that we want it to comply with all current statutes. I hope I answered your question, Dr. Hardy.

**Assemblyman Hardy:**

No. I do not know what you are bargaining for, if it isn't the number of people wherever they may be, because you have a set amount which you have said that you are going to collectively bargain. What is it that you are asking for in the collective bargaining instance in this case?



**Terry Hickman:**

In NRS 288, because it is a mandatory subject of bargaining that comes to compensation, we would be bargaining compensation as part of the mentoring program. Once the grant application is established, the districts would make application for however many they would want to be involved in the program. The local teachers' association then would be involved with the school district in trying to work out a program which would reach out to as many teachers that would be listed in the program, and the compensation would be set by a cooperative effort.

**Assemblywoman Smith:**

In the area that we give stipends for new hires, is that part of the bargaining process?

**Terry Hickman:**

It is mandated by the state of Nevada, and it is the teachers that are supposed to be the ones that receive that benefit.

**Assemblywoman Smith:**

What I'm trying to get to is that we are looking at a very similar thing, because we are looking at a stipend. So are the stipends that we are currently using for new hires doing the same thing that you are asking for in this amendment?

**Terry Hickman:**

When it comes to the new hire stipends, which came through the Governor's Office as part of the appropriation, it has now been in place several years, and therefore it is in place. As far as I know, it is not locally bargained because of the procedures set forward by the State Legislature. The definition of that is that the teacher who receives it. That is why I believe in the bill—I believe that I am referring to A.B. 60—we testified that all licensed personnel should receive that stipend, because the stipend excludes those who are licensed, but who are not teachers. For example, counselors in some parts of the state do not receive that stipend. So, therefore, we have asked that all licensed personnel would receive that.

**Assemblywoman Smith:**

But it is not part of collective bargaining? I'm trying to see a relationship between this and the only other place that I see we do something similar.

**Assemblyman Horne:**

You don't come to the table and say, "We want to negotiate the stipends to be X amount of dollars instead of Y amount of dollars," and you bargain for that. What I'm having trouble getting is that if this is going to be a pilot program—if

we have \$1 million, and we want to try this pilot program for one year, and it is not going to be mandatory, we will get volunteer teachers who want to be mentors, and this is what we are going to pay you a stipend in this year to see if this works. At the end of that time, we get a report and we say, "This was great. This works, and now we want to make this part of our education system," then come to the table and say, "We are going to have it part of the system. Now we are going to negotiate what we are going to pay our mentors." To me, I can't get past it. It seems like you are jumping the gun on the negotiating of this. It is a stipend because it is for a one-year pilot program. Am I wrong? If I misstated it, please help me out.

**Terry Hickman:**

This is a conceptual program. It is hard for me to answer directly, but if I were stating that this program was in effect—let's say that a mentor was assigned 10 teachers at a school. I would assume the district would put forward the concept of it being a set amount of hours where they would receive assistance. We are saying that negotiations would be placed on that, which they would be paid for. There is also the possibility that, perhaps, they would be taken out of their classrooms so that they could be a mentor. It is not always implied that it is after school hours. It can be during school hours, perhaps during a prep period or something along those lines. The program is yet to be in place, but I think it is important that we start the program without putting aside NRS 288. I don't think that NRS 288 is a hurdle. I believe that it is something that can be worked, together with the school district, to provide a basis for a program, even though it is a one-year pilot program. I believe that we all want it to succeed because we want the teachers of Nevada to stay in Nevada.

**Chairwoman Parnell:**

If you look at the language of A.B. 5, the first year is requiring the Commission on Professional Standards in Education (CPSE) to develop and implement a pilot program. In the development process via the CPSE, isn't that a place where this discussion should take place? Not at this point in time, when the CPSE is asking what this plan will look like and what the design of this is? Would that also be an appropriate time to discuss collective bargaining? It seems like maybe we are too early, because we are not the ones that are actually charged with the design of this program. Can you respond to that? I am looking under "an act relating to educational personnel," the summary ([Exhibit H](#)). It is the first year they are going to develop the plan for the program, and the second year of the biennium is the implementation of the program. So in that first year development of the plan, would that also not be an appropriate place for this discussion?

**Terry Hickman:**

It would be an appropriate place to have some input, and we would appreciate that, in terms of the plan. The point of this plan is to develop the local plan itself from this. They will develop the grant process. Its implementation will be at the local level.

**Chairwoman Parnell:**

Is there anyone in the audience wishing to speak on the proposed amendment to A.B. 5?

**Dr. Craig Kadlub, Director, Government Affairs, Clark County School District (CCSD), Las Vegas, Nevada:**

I would indicate that some of the concerns that each of you has risen are also concerns that have occurred to us. Although we have just seen the amendment, we feel comfortable with the bill as written, and believe that for pilot purposes it is not necessary to go into the negotiation process. We also believe that negotiations can be far more successful when they are not so prescribed by the Legislature, dictating what we can and cannot negotiate. We feel that this might actually hem us into a corner which, again, there may come a time when that would be appropriate. We feel, for a pilot purpose, that would not be necessary.

**Chairwoman Parnell:**

Is there anyone in the audience wishing to testify on A.B. 5 or on the proposed amendment? I do not see any. I do not know if the wish of the Committee at this time is to make a motion or if anyone would feel more comfortable pondering this a while. I need to get a sense from you all.

**Assemblyman Manendo:**

I would hate to see the bill go down. I am wondering if we should take a little bit of time. Maybe the Committee needs to digest this, since there are so many questions. That way we can rethink this, and we don't vote it down today. I'm not sure of what the Committee is thinking, but it seems pretty split. My recommendation would be to give us a little time.

**Assemblyman Hardy:**

I am not anxious for the bill to go down. I'm not convinced of the necessity of the amendment. I would have no trouble voting the bill out. I don't see the rationale adequate enough to worry about the amendment with it. I think that if there is a problem, it is probably more with the amendment than with the bill itself, in my mind.

**Chairwoman Parnell:**

Is there a motion on the floor or further comment?

ASSEMBLYMAN HARDY MOVED TO DO PASS ASSEMBLY BILL 5  
WITHOUT THE AMENDMENT.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**Chairwoman Parnell:**

We have more business before us. Today is the last day to submit Committee bill draft requests, so we need to vote on four BDRs and get them into Legal as soon as we can. The first one makes various changes concerning innovative education programs. What we hope to do is look at best practices and models in the state that have been effective, as well as looking at the Gifted and Talented programs. What I tried to do is to listen to what some of you have discussed in the first few meetings, issues that I know you care about, and maybe we need to look a little bit deeper into. I know Dr. Mabey had a question about Gifted and Talented, so that will give us a chance to look at that. Is there a motion on the floor to approve this committee BDR?

ASSEMBLYWOMAN SMITH MOVED TO REQUEST A BILL DRAFT  
REGARDING VARIOUS CHANGES CONCERNING INNOVATIVE  
EDUCATIONAL PROGRAMS.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

The second BDR would revise provisions relating to teacher licensing and high school performance. Generally speaking, it would look at alternative licensing for teachers in specific subjects, as well as looking at the current provisions exam and the performance level of our high school students. Is there a motion to approve this committee BDR?

ASSEMBLYMAN HARDY MOVED TO REQUEST A BILL DRAFT  
REGARDING PROVISIONS GOVERNING LICENSURE OF TEACHERS  
AND PERFORMANCE OF PUPILS IN HIGH SCHOOL.

ASSEMBLYMAN ATKINSON SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

The third BDR would provide for an interim study of teacher incentives, so that we can have a long term discussion and look at the policies that would be most effective in getting teachers in hard-to-fill positions, and also look at the area of what we do with teachers in schools that are in need of improvement while giving them an incentive to make the school improve. Is there a motion to approve this committee BDR?

ASSEMBLYMAN McCLEARY MOVED TO REQUEST A BILL DRAFT DIRECTING OF THE LEGISLATIVE COMMISSION TO CONDUCT AN INTERIM STUDY REGARDING TEACHER INCENTIVES.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

The fourth BDR is an additional one that we received from Speaker Perkins that would make various changes concerning public school scheduling. Is there a motion to approve this BDR?

ASSEMBLYMAN MANENDO MOVED TO REQUEST A BILL DRAFT MAKING VARIOUS CHANGES GOVERNING THE COMMENCEMENT OF THE SCHOOL DAY FOR PUBLIC SCHOOLS.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

Next on the agenda, there is a BDR awaiting Committee introduction.

- BDR 34-582—Revises provisions regarding the Millennium Scholarship. (Assembly Bill 153)

**Chairwoman Parnell:**

Please remember that your vote to introduce this BDR does not commit you to any future support of the legislation and this particular BDR is the Treasurer's [Brian K. Krolicki] bill on the Millennium Scholarship. Is there a motion for committee introduction of BDR 34-582?

ASSEMBLYMAN ATKINSON MOVED FOR COMMITTEE INTRODUCTION OF BDR 34-582.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

The next BDR introduction is BDR 34-484.

- BDR 34-484 – Revises provisions governing the statewide system of accountability for school districts and public schools and makes appropriations. (Assembly Bill 154)

**Chairwoman Parnell:**

Please again note that your vote to introduce this BDR does not commit you to any future support of the bill. Is there a motion for Committee introduction of BDR 34-484?

ASSEMBLYMAN ATKINSON MOVED FOR COMMITTEE  
INTRODUCTION OF BDR 34-484.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

**Chairwoman Parnell:**

A couple of announcements—probably the most important one for the Committee members and for the audience both on the Internet and in public—we are going to be hearing A.J.R. 2 this coming Wednesday, March 2, 2005. That meeting will start at 3:15 p.m., because Nancy Becker [Chief Justice of the Nevada Supreme Court] will be speaking at 5 p.m. that evening, and we will be meeting in Room 1214. We will leave a notice on the door here, in case anyone wanders in, letting you know that we have moved downstairs. Also, for everyone's information, the subcommittee on A.B. 110 and A.B. 60, the first meeting of that subcommittee chaired by Mrs. Smith, will be this coming Thursday, March 3, 2005 at 4 p.m., and that subcommittee meeting will be in Room 3161. Is there any additional business to come before this Committee today? Seeing none, we adjourned [at 5:26 p.m.].

RESPECTFULLY SUBMITTED:

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Paul Partida  
Committee Attaché

APPROVED BY:

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Assemblywoman Bonnie Parnell, Chairwoman

DATE: \_\_\_\_\_

## EXHIBITS

**Committee Name:** Education Committee

Date: February 28, 2005 Time of Meeting: 3:49 p.m.

[illegible]



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