

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

**Seventy-Third Session  
April 4, 2005**

The Committee on Education was called to order at 3:48 p.m., on Monday, April 4, 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:**

Assemblywoman Chris Giunchigliani, Assembly District No. 9, Clark County  
Assemblyman Bernie Anderson, Assembly District No. 31, Washoe County  
Assemblyman Rod Sherer, Assembly District No. 36, Esmeralda, Lincoln, Mineral, Nye, and Churchill (part)

**STAFF MEMBERS PRESENT:**

Kristin Roberts, Principal Deputy Legislative Counsel  
Carol Stonefield, Committee Policy Analyst  
Rachel Pilliod, Committee Manager

**OTHERS PRESENT:**

Carolyn A. Stewart, State Certified in Gifted and Talented Education (GATE), Clark County School District, Las Vegas, Nevada  
Robert A. Gerye, Founder and Principal, Spring Valley High School, Las Vegas, Nevada  
Robert Lissner, Former CEO, Lifestyle Homes, Reno, Nevada  
Rhonda Glyman, Co-Chair & Founder, Nevada Partnership for Inclusive Education (PIE), Henderson, Nevada  
Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA)  
Alfredo Alonso, Legislative Advocate, representing the Davidson Group  
Barbara Clark, Member-at-Large, Nevada Parent Teacher Association (PTA), Carson City, Nevada  
Christina Dugan, Director of Government Affairs, Las Vegas Chamber of Commerce, Las Vegas, Nevada  
Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada  
Steve Mulvenon, Ph.D., Director of Communications and Community Outreach, Washoe County School District, Reno, Nevada  
Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development, Sparks, Nevada  
Frank Brusa, Legislative Advocate, representing California Teachers of English to Speakers of Other Languages  
Joyce Haldeman, Executive Director, Community and Government Relations, Clark County School District, Las Vegas, Nevada  
MaryJo Parise-Malloy, Board of Directors, Nevadans for Quality Education (NQE), Las Vegas, Nevada  
Jessica Daniels, Vice Principal, Mark Twain Elementary School, Carson City, Nevada  
Bryce Arbour, Student, Mark Twain Elementary School, Carson City, Nevada  
Kendra Thurman, Student, Mark Twain Elementary School, Carson City, Nevada  
Konnie McGruder, Teacher, Bordewich-Bray Elementary School, Carson City, Nevada

Juanita Y. Jeanney, Director II, Public Policy, Accountability, and Assessment, Washoe County School District, Reno, Nevada

Kyle Zive, Intern to Assemblyman Anderson

Jerry Hughes, Executive Director, Nevada Interscholastic Activities Association (NIAA)

Michael Nolan, Intern to Assemblyman Sherer

Richard Laws, Commander, Disabled American Veterans (DAV) Chapter 15, Las Vegas, Nevada

Lynn Chapman, Legislative Advocate, representing the American Legion Auxiliary, Sparks, Nevada

Janine Hansen, President, Nevada Eagle Forum, Sparks, Nevada

Dr. Dotty Merrill, Assistant Superintendent, Washoe County School District, Reno, Nevada

Anne K. Loring, Legislative Advocate, representing Washoe County School District (WCSD)

**Chairwoman Parnell:**

[Meeting called to order and roll called.] We'll be hearing A.B. 525 first, followed by A.B. 209. Then we will stop and conduct our work session, and then we will follow up with A.B. 399, A.B. 377, A.B. 388, and A.B. 294. At this time, I will turn the gavel over to Mrs. Smith, so that I can introduce A.B. 525.

**Assembly Bill 525: Makes appropriation for innovative educational programs. (BDR S-1352)**

**Assemblywoman Bonnie Parnell, Assembly District No. 40, Carson City and Washoe (part):**

This is the first bill that I've had before the Education Committee. I've very excited about A.B. 525. When I was selected to serve as chair of this Committee, I guess my mind started going crazy and thinking, what do we really need to be doing that we are not doing in our public schools? What's missing? Why does it seem as though we are always a bit stagnant? I started thinking about ways to encourage public education to stray from the status quo and how can we shake things up a bit.

As a former teacher, I know there are wonderful programs out there, and it seems to me, sometimes, it just came as a result of what a teacher had read or seen. It didn't necessarily have to be a district mandate. From a classroom here to a classroom there, often, wonderful things were going on. For some reason,

we never were able to get across the board to get other schools excited. We didn't have a mechanism to really promote new and exciting different kinds of programs in our schools. I think that is a little bit of what A.B. 525 does.

[Assemblywoman Parnell, continued.] This bill will allow schools to apply for available remediation funds to be used for innovative programs. We have presentations today following my comments, and I hope that you will be as excited about the presentations as I have been. I have been able to visit some of these schools; you'll see either the principal or the teacher speak on behalf of them. Presentations today will highlight unique programs that reach students who are, far too often, ignored in our public school system.

A good example: programs for our most gifted and talented students. It's often said that we can't really spend too much time on this population. In most cases when we have a very diverse group of students in a classroom and if we're teaching with a gifted and talented idea in mind—I hate to use the term “trickle down”—but we do have a trickle-down theory. That program, even though we would not consider it to be a remediation program, is going to benefit all of the students in that classroom. You'll also hear about a program designed to use the arts across the curriculum. This addresses something that we don't often discuss, and that is different learning styles. We have a teacher who is going to discuss the success she's had with that.

Another one that I'm excited about: you're going to be hearing from a principal that has a high school—I call it a “school within a school.” For a long time now, we have known—especially in our very overcrowded high schools—that we need to find a way to segregate the students to a degree where students feel like they have an identity in that very large high school. I like to talk about the ninth grade transition, in particular. We have eighth graders leaving the middle school, and we have them going into the high school—a fairly terrifying experience for most. When you are making that transition into a high school that, perhaps, has 3,000 students, it becomes all that much more intimidating. You'll hear from Dr. [Bob] Gerye, who has this program in his high school in Las Vegas. I think if we really were to implement this ninth grade transition school within a school program across our state, we would begin to see our graduation rate increase and our high school dropout rate decrease. With the pressures of NCLB [No Child Left Behind Act of 2001], asking all of the schools to ensure that we are making AYP [Adequate Yearly Progress], it's easy to lose sight of the various needs and learning levels of all of Nevada's students. Assembly Bill 525 will provide flexibility and opportunity to benefit all of the students in the classrooms across this state.

[Assemblywoman Parnell, continued.] If you look at the fiscal note, we are asking that this be part of the available remediation funds that have been proposed by the Governor. That fiscal note might not be anything at all. If you look down in Sections 1(c) and (d), what I really like about this bill is that it asks for standards for evaluation. We want to know the success of programs if, in fact, they are implemented. We want to know best practices so that we can spread those best practices across this state. On page 2, you'll notice, in subsection 4(b), the application process. The school will have to tie the use of this program into their school improvement plan—another form of accountability. In subsection 6, they'll have to report back to the Department of Education. In subsection 7, they will be reporting back to the 2007 Legislature. So, there is a lot of built-in accountability for this program.

If we want to try something and we have success with it, we want to know it. If we attempt to implement a new program and it is not proven successful, we want to know that as well. We want to be doing what's best for the students. We don't want to put ourselves back into the position of status quo, not shaking it up and not changing when necessary. That was the intent of this bill. I look forward to introducing the speakers that will come after me and they will explain. I think, after you hear from them, you'll have an idea as to what this bill really hopes to accomplish.

**Assemblywoman Chris Giunchigliani, Assembly District No. 9, Clark County:**

The issue in here that I actually had in another piece of legislation was the one regarding arts in the curriculum. I'm having handed out to you two articles ([Exhibit B](#)). In my leisure time, I actually search newspapers for ideas on how to do some things differently. I came across this, "Art of Education Success," in the *Las Vegas Review-Journal* before we came up here to session. Let me read a few things from what they found in the Chicago school system.

They had 23 schools that conducted a study of arts integration into the Chicago schools. They showed that test scores rose two times faster than the demographically compared schools. The new economy is going to require higher-order skills, such as creativity, adaptability, and teamwork. Most schools in low-income areas narrowly focus on basic academic skills, testing, and discipline. The students are bored, and then academic failure follows along with that.

The first school that was noted in the study—and others like it—have integrated arts into the core curriculum in the academic program. They are finding that the students and teachers are more engaged and the parents are thrilled. They are doing it through project learning. We saw that we might have an opportunity, with some of this money that had been suggested by the Governor, to maybe

carve off part of it, what I almost call “challenge grants.” I think it is time we have our schools, because there are very creative individuals out there, really look at their population of students and say, “You know what? For this school, this might be a really innovative challenge for us to be able to step to the plate and do something little bit different.”

[Assemblywoman Giunchigliani, continued.] These kids are developing tools of thinking itself and their careful observation of the world, but they are integrating it through project. I’m a middle school teacher of 23 years. Ms. Parnell was as well. These kids need hands on. They need to see the relationship of what they are learning. It works for elementary and it works for high school as well. This is just one area that we might actually be able to do something exciting this year, regarding the ideas of how to help people think out of the box as we are dealing with our kids, so that we are not a cookie-cutter representation of everything. You’ll hear some other dynamic ideas.

Before I left the college, we were actually doing horticulture programs so that the kids were earning dual credit for high school and college at the same time. There is a lot of progressiveness going on out there, but it does take some funding to assist with that. Part of this money, we think, would be better used—not just on remediation, but actually helping kids and teachers integrate a lot of different ways of how to actually learn and teach. As you’ll note, Texas schools are also doing this. I think it’s time that maybe we look for some incentives to be able to help them.

**Assemblyman McCleary:**

I was very excited to see mention in the bill of different learning styles. I remember as a kid, sometimes I could not get it when they were talking to me, but if they let me put my hands on it or if they showed me, then I could do it. It’s my understanding that different people learn in different ways; visually, hearing, and hands on. Is it possible to test students to find out whether they are right brain or left brain, and then place them in classrooms where they are catering to that?

**Assemblywoman Giunchigliani:**

Absolutely. In fact, we used to do a very simple one-page screening that the kids used to do in my class—I don’t know if they did it across the board—to find whether they were more auditory, visual, or tactile. I’m visual; I have to touch it and see it. I actually probably have to mold it. I had some kids who couldn’t learn to spell—granted, I taught special education—but if they could feel the word, if they moved in the air as they spelled it, it is integrating into the brain. I don’t even know that you need to segregate. I think part of what the

RPDPs [Regional Professional Development Programs] are trying to do is teach teachers how to re-teach differently.

[Assemblywoman Giunchigliani, continued.] That is integrating a lot of these different methods. That is why I have always promoted class-size reduction. It makes me work harder as a classroom teacher. I can't get away with pushing paper; I actually have to do projects and orient it with cooperative learning. To me, you should look at every child as an individual and find out what works for them. You can group them within your classroom that way. That is the beauty of it. The problem is that we don't have the time to do it. You can't do it in a 7 hour and 30 minute day that we have and in the same old structure that we have.

We don't have any opportunities to say, "If I worked with that kid another 30 minutes three times a week, they'd be up to par." We don't allow for that flexibility—anything that can allow schools to be creative to deal with their young men and women. Our biggest problem in Clark County, which is also happening in Washoe County, is the size of the schools. You herd kids through school when you are sitting there with 1,000, 2,000, and 3,000 kids on a campus, when elementary should be 300 students, middle school should be 600 students, and high school should not exceed 1,000. We have elementary at 1,000 to 1,200 students, middle school above that, and high schools at 3,000 and 4,000 students.

That is why the school within the school concept could get us there, just in a different way. You are almost forming smaller schools where you are doing it by team, and you can group your kids. I did that when I taught at Swainston Middle School. It was literally the largest middle school in the world the year I was there. We had 3,300 middle school kids, and we created schools within schools. Teams worked together. If that kid needed a little extra math—we had two math, two English, one special education, and so forth—we pulled them out and they still didn't lose any of their other instructional time. They got extra periods. It is a unique way to try and accommodate the growth that we've had to deal with.

**Assemblyman McCleary:**

I'm very excited about this bill. In your opinion, we don't really need to segregate them; we just need to make sure we're covered. We are presenting things multiple ways so that they can absorb it?

**Assemblywoman Giunchigliani:**

Absolutely. It is not different than special education. They talk about cooperative education. I'm sure you have probably heard the terminology. You

also have the special education teacher going into the regular classroom. That is fine, but what we really should be doing is teaching all teachers how to teach to different types of students. If you are teaching social studies, you could be teaching prefixes and suffixes, reinforcing English and spelling rules, and talk about where words came from, whether it was Latin-based or came from continent X. It is all integration.

[Assemblywoman Giunchigliani, continued.] I've long believed that we should be integrating most of our curriculum so that you don't just teach math or English, you teach children. You teach people, then you happen to teach them in a subject area. You can weave that through a curriculum very well, and I think teachers like it better. It's not different than if I hand out something, I also have it on the overhead, have copies made, and a student who is my captain making notes for the kid that can't keep pace. You have 3 or 4 different things going, but it all accommodates without realizing that you are accommodating just about everybody that is in that class.

**Carolyn A. Stewart, State Certified in Gifted and Talented Education (GATE),  
Clark County School District, Las Vegas, Nevada:**

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

I am speaking in favor of A.B. 525. Gifted and Talented Education (GATE) is permitted by NRS [*Nevada Revised Statutes*] 388.450 to 388.520 and governed by NAC [*Nevada Administrative Code*] 388.043, 388.337, and 388.435 to 388.520. Why should we have special programs to service GATE students? Perhaps the definition of it states it best: "Children who have outstanding intellectual ability or creative talent development of which requires special activities or services not ordinarily provided by local education agencies."

Gifted and Talented children are those identified by professionally qualified persons who, by virtue of outstanding abilities, are capable of high performance. These are children who require differentiated educational programs and/or services beyond those normally provided by the regular school program in order to realize their contribution to self and society.

The following list includes some of the most common examples of myths pertaining to the social development of gifted students. I hope, by briefly discussing these examples, gifted students will be better served, and barriers to their well-beings will be broken.



- “Gifted students should be with students their own age.” Actually, research with Larry Coleman makes it clear that gifted students need opportunities to be together with their intellectual peers no matter what their age difference is.
- “Gifted students are better off if they spend their entire school day amidst same-age heterogeneous classmates.” The claimed research that supports this myth is virtually nonexistent.
- “Being perfectly well-rounded should be the primary goal for gifted student development.” Much of the research on successful gifted adults has revealed that they spent considerable amounts of time, often alone, in their passion areas as children.
- “Being gifted is something with which you are just born.” However, talent is often developed with hard work and some failure.
- “Virtually everybody in the field of gifted education is an expert on the social and emotional development of gifted students.” An extension of this is that every adult—parent, teacher, and school administrator—is an expert on the social and emotional development of gifted students. As the field of gifted studies grows and matures, children would be better served by having the expertise of those who specialize, rather than relying on a model that requires its experts to know a little about everything associated with the field.
- “Adults, parents, teachers, and administrators know what gifted children experience.” If parents would observe classrooms more often and talk with their gifted children, asking for descriptions of their experiences, then a much richer understanding would be possible.
- “Being too smart in school is a problem, especially for girls.” The obvious consequence of this myth is the nurturing of incredibly high percentages of our students who underachieve in school. We must provide support for these children as they navigate the anti-intellectual contexts in which they spend much of their time.
- “All kids are gifted and no kids are gifted.” This myth is most often expressed by administrators and occasionally by teachers.

[Carolyn Stewart, continued.] Another undercurrent to these positions is that being gifted is tied to the assumption that gifted children are better than other students. This is very unfortunate. It encourages adults to hold a position that all kids are gifted or no kids are gifted.

James Gallagher, a wise man in the field of gifted education, once said, "When someone claims that kids are gifted, merely ask them, 'In what?'" Being gifted eventually has to be in something. By saying that all kids are great, terrific, valuable, and depending on your beliefs, perhaps even a gift from God, they are not gifted in the way the term is used in the field. Giftedness is not an anointment of value. A person who shows extraordinary ability for high levels of performance when young and, if provided appropriate opportunities, demonstrates a development of talent that exceeds normal levels of performance, is gifted.

If we challenge these myths with examples of good research, provide appropriate counseling, and create learning environments where students with gifts and talents can thrive, then many of these myths can be eliminated. Let us work to have all students have an appropriate education, including gifted students. In closing, I'd like to close with the excerpts from a letter written to the Nevada Legislature by one of my previous GATE students.

[Read letter from Cailey Gurule, [Exhibit C](#).]

I am a very smart girl. I have been going to GATE since I was in third grade. GATE has helped me out a lot and has taught me about life and its choices. When I learn something in GATE, I try to explain it to the kids in my class. Through the years I've been in GATE, I've learned how to make a camera and develop film from my camera, learned a lot about the solar system, Mayan, and the explorations. Now, have you ever heard of the Mayan?

GATE really helps me express myself. GATE is the only program for kids smarter than the average students. We really need to be challenged and not just sit in the classroom bored. Not having GATE is like getting fired from a job, and you can't find another one. We are very successful, because we have to make our own decisions and do our own thing and not have the teachers tell us the answers. If we couldn't learn at our own level, like we do in GATE, our brains would get very tired and not work well. GATE is

a chance for bright kids to learn more than the average classroom.  
[Signed] Cailey Gurule.

**Robert A. Gerye, Founder and Principal, Spring Valley High School, Las Vegas, Nevada:**

Formerly, I put together another innovative program, the Las Vegas Academy of International Studies, Performing and Visual Arts, which was structured around breaking a large school into smaller schools. I furnished for you the Executive Summary ([Exhibit D](#)) from the National Association of Secondary School Principals, "Breaking Ranks II." That is a national perspective about what must be done to restructure high schools. We know that our high schools in many cases are not working as well as they could. There are some things that we need to do to restructure those.

The second item that I furnished for you is a PowerPoint ([Exhibit E](#)) about what must be done to restructure our high schools. It goes through some of the same information—from my perspective in having put together two innovative programs—about what must be done to restructure our high schools. I'll go through some of the points in that, then I'll go on to how we've restructured Spring Valley High School into a smaller learning communities high school to, perhaps, better serve the needs of the students who go there.

We know that in the old industrial world of 60, 70, 80, or 100 years ago, about 80 percent of our jobs were non-skilled. About 20 percent were skilled. Today, that has flip-flopped. About 80 percent of our graduates are going to be required to go into skilled jobs versus 20 percent going into non-skilled jobs. Why don't they go to school, and why don't they graduate? In a large school, it's very easy to get lost. The adult contact is somewhat limited in the intervention because the schools are so large. In many cases, like Assemblywoman Giunchigliani had said, it's not very engaging and it's not interesting.

That is something that we have to work on as educators. Most of all, I think in the large high schools when kids are that age, there are very few safety nets. They don't know who to go to. They don't have someone who they can touch base with. In making our large schools small, we are trying to provide that safety net for them. We are trying to take a large high school of 3,000 or 2,800 students and break it down into houses of 700 or 800 students. For example, at Spring Valley, we have our students broken down by grade level. The ninth grade is the Harvard House, the tenth grade is the Stanford House, the eleventh grade is the Columbia House, and next year our entering ninth grade house will be named after a major college or university.

[Robert Gerye, continued.] They have their own administrator. They have their own counselor. They are housed in a wing of our building together, where they are teamed together in their core classes. So, the 700 now become 190 students with the same core teachers, much like what was being talked about. Chairwoman Parnell knows that they use this for middle school teaming in the middle schools. Another thing to personalize high school years includes mentorship. Every student needs to have an adult that starts with that student in ninth grade and follows through to twelfth grade. That mentor should be in charge of that child's grades, attendance, and parent contact. The freshman academy transition needs to provide for reading, career choice identification and college choice, study skills and motivation, and for financial skills once they get out of high school.

All students should have to complete a senior project or a portfolio that starts in the freshman year. When they leave, they have something palpable that they can give to an employer, to show that employer, "Here's what I have completed; here is what I have to show for my four years in high school." Personalizing the high school also involves sitting down with the parents and the student as a freshman, with the mentor, and putting together a five-year plan. What's that student going to do for the four years of high school, and what is their specific plan for when they leave high school?

Another program to personalize high schools that we need to look at would be the career academy programs. Sometimes the name "career academy" is a misnomer of what we know as a vocational program. We are looking at career strands that are accessible to all of our students. This is another group that kids can belong to, much like when we were in high school. The band kids all hung together; the theater kids all hung together. There is no reason we can't have a group of the auto shop, wood shop, sports coaching, or sports medicine kids who are involved in a career study program that also provides a place for them to belong.

The real benefits of restructuring our high schools—we all remember the lectures that we sat through, while we were looking at the back of somebody's head in front of us and we were nodding off—would be access to a rigorous curriculum for all. Every child in our school should have access to a challenging curriculum that prepares them for post-secondary training of some type. All of our kids in a restructured high school will have access to college and post-secondary training. Restructured high schools that are personalized will see an increase in attendance and graduation rates. They will see an increase in student engagement. It will force parental involvement. Every student will leave with a five-year plan, knowing exactly what they are going to do when they leave high school.

[Robert Gerye, continued.] Most importantly, restructuring and personalizing our high schools makes sure that no one gets lost along the four years of high school. Unique programs have been put in place at Spring Valley in an attempt to restructure the high school. I've already talked about how our students are housed by grade level in wings of the school. They are teamed together. Their ninth grade principal will stay with them until the day they graduate and will hand them their diploma at graduation. The grade levels provide for smaller groupings of students, so that students can be followed, not only through their academic classes, but can be followed through their career academy classes.

We put in place a program written by our Spring Valley staff, which is a freshman academy transition course. Students have nine weeks of reading improvement. Following the nine weeks of reading improvement, their test results will show whether in tenth grade, in addition to their English class, they will also need to have a structured reading class. They have nine weeks of career identification and college investigation. "What do I think I might like to do, or where do my interests lie, and where would I like to go to college or training when I complete high school?"

They have nine weeks of study skills and motivation. We all struggle with motivation with all of our students. That is something we need to teach kids as ninth graders. They get nine weeks of financial strategies, so that they will know how to write a check, buy a car, rent an apartment, and survive after high school. They have a full mentor program. Every staff member on our campus has 20 students. We meet with them every two weeks for about 50 minutes.

We have a curriculum we go through:

- In ninth grade, we work with character identification.
- In tenth grade, we work with manners.
- In eleventh grade, college choice, ACT®, and SAT® testing.
- In twelfth grade, we'll be financing college and financing life. This is a rehashing of their ninth grade program from their freshman transition program.

Every two weeks, the mentor checks their grades and attendance. We facilitate the activities and we make sure that student knows exactly where to find us if they have an issue. The results of this program in just eight short months have been absolutely amazing. There is not a day that goes by when all of our teachers have at least one of their mentor students come to them for some type of assistance. We'll stay with those kids until they graduate as twelfth graders.

Next year, our career academy program will debut. Students will have a choice not only for their academic classes, but to choose one of the career strands

which they are interested in. They can take expanded course choices. They not only have a team academically, but they will also have a program—such as auto tech, technology, or human services and health careers—where they will be with kids who have the same interest as they have. We hope that we can increase attendance rates and grades through this academy interest. We feel, and research shows, that if a kid has something that they are really interested in, they will come to school every day, because they know that they will be able to participate in that activity.

[Robert Gerye, continued.] Our academic focus and enhanced expectations are in place. We're hoping next year to work with CCSN [Community College of Southern Nevada] to have dual credit academic courses on our campus. The student taking honors composition as a junior or senior will also be receiving English 101 and English 102 credits without having to go to the community college campus, much like what we have done with the tech prep program.

Next year, we'll have a five-year plan and a senior project in place. Every student and parent will be required to meet with a mentor to develop a five-year plan for high school and beyond. The freshmen will begin a senior project that is related to their career academy. They will follow that through and present that to a team of community experts in that field, which culminates in their senior year. Hopefully, by restructuring our high school, we are going to see wonderful graduation rates, increased test scores, and increased attendance throughout.

**Vice Chairwoman Smith:**

Thank you very much for presenting that information. It sounds like you are doing a phenomenal job.

**Robert Lissner, Former CEO, Lifestyle Homes, Reno, Nevada:**

Lifestyle Homes has sent me out to implement Lifestyle's programs in the education field. We have a budget of about \$500,000 this year, which we are spending in Washoe County primarily on kindergarten education. It is very clear to me that there is an immense amount of innovation hiding beneath the surface in the Washoe County School District and, I assume, in all school districts. I've talked to more than a dozen principals, a couple of dozen teachers, and a substantial number of people in the district staff. There is no question that this bill, which I support, would allow people to implement some of the innovation that is there, already waiting for time to do it or money to do it with.

The ideas that Lifestyle Homes are funding this year are not ours. They've come from teachers, principals, and administrators. I sense a great deal of frustration in the people that I talk to. They know what needs to be done in areas, but they don't have the personal time or the money to do it. Everybody I've talked to in

the school district is working as hard as they can already. I've been very impressed by that. Most of what we are doing and most of the opportunity for innovation and intervention is during the summer. During the summer, the same kids that are so focused and scheduled during the school year are available for innovative programs or interventions.

[Robert Lissner, continued.] The entire machine of education, the engine of education, is mostly idling. There are maybe 10 or 15 percent of those same people working. A substantial portion of the remaining 85 percent would like some work if it were available. Whatever you do during the summer offers a great deal of flexibility in terms of what you do, because you don't have to be on page 218 of everyday math on March 23, as you do during the school year. I'm going to give you one example to show you how it is easier during the summer. The other thing with the summer is that you are not taking the kid out of a class to be involved in this innovative program. The kid is there, perhaps quite bored, willing to come to your school if you have something interesting or helpful to involve that child.

We are working right now on intervention for non-English speaking students before they start kindergarten. That will be taking the form of summer school. What is really nice about this is that there are bilingual teachers available to teach these courses; they are very hard to find during the school year. There are high school students that are bilingual, looking for jobs during the summer. There are even seventh and eighth grade kids that, if you can find a way to hire them, are looking for some way to help. The classified highly qualified aides that are required in classrooms are also available during the summer.

We are doing a number of different programs that are focused around kindergarten intervention, and it's come from the various principals and the staff people at the school district to identify these programs. To figure out how to make them work—and they are able to do it at a time that they are not bogged down with everything else—I would encourage two things. First, make sure that this is available during the summer. Second, I see a lot of good ideas down where “the rubber meets the road,” down with the teachers and the principals. Individual schools should be allowed to come up, through their district—with district approval—with individual programs that they want to do at their school. In addition to having districtwide innovation, small pilot programs where one or three schools are trying something innovative are not very expensive to see if they work before you go districtwide.

**Rhonda Glyman, Co-Chair & Founder, Nevada Partnership for Inclusive Education (PIE), Henderson, Nevada:**

I'd like to focus my discussion on four additional initiatives that I am very excited about to try again to enhance the learning and performance of all students in our schools. We are, by the way, in the second year of a five-year plan. The first project that I'd like to discuss today ([Exhibit F](#)) is TIP [The Inclusive Partnership]. TIP is based on the simple idea that UNLV [University of Nevada, Las Vegas] could create a class in which college students were trained in inclusive practices and then allowed to apply that knowledge in the real world of the regular classroom, helping all students in that classroom to learn and perform their best.

It began last year at Green Valley High School, with 20 UNLV students and 20 Green Valley High teachers, who were also receiving advanced professional development in inclusive practices. The university students were in regular classrooms every week helping, for example, in science, math, or English classes. The results were spectacular. The teachers noticed an increase in the performance, not only of the students with special needs, but all of the students in those classrooms. As a result, we've moved forward this year. The project is currently in three schools, all at the secondary level. We've added Del Sol High School and Thurman White Middle School. We have completed plans to expand into seven schools total for next year. In addition, I'm excited to share that we have expanded to CCSN. NSC [Nevada State College] will also be training their students and placing them in the classrooms of Clark County schools in this effort, which is moving ahead very well.

Secondly, I'd like to focus on the ISP [Inclusive Schools Project]. Currently, the ISP is in 37 schools within Clark County at all levels—elementary, middle, and high school—with plans to expand to 62 schools next year. We are adding 25 schools per year, 5 per region. Inclusive schools in the project receive additional resources for advanced professional development in areas of co-teaching, differentiation of instruction, how to present information in a variety of ways—what Assemblywoman Giunchigliani was speaking of earlier is exactly what we are bringing in terms of training to the schools—and positive behavioral support so that the teachers are capable of teaching all students in their classrooms.

We are bringing funding for cognitive coaching, where teachers can observe each others' classrooms, give each other feedback, and really help each other to deepen their practice of teaching of all students. There is funding for additional planning and collaboration time for teachers in these schools. This planning and collaboration is focused at many different levels:



- The student level, regarding their IEPs [Individualized Education Programs]
- Department level
- Schoolwide, creating a culture schoolwide of inclusive practices, welcoming all students

[Rhonda Glyman, continued.] There is funding for additional tools for teaching, so that each school can focus on areas that are of need within that school. For example, they might need software to reach students with diverse learning styles. They might need additional textbooks to help train their teachers, or CDs for students or teachers. There is a flexible fund so that they can place those resources where they are needed to promote inclusive practices.

I'd like to talk about learning centers, which is another one of our major initiatives. That is a place within schools where all students may go for additional help in the core content areas. There is not a label of special education, regular education, or honor student. All students are welcome. It is manned by licensed teachers throughout the day, and it is also staffed with university students, parent volunteers, peer tutors who may do very well in those subjects for certain periods, and also members of the community. This brings all students together to be able to learn and perform their best.

I'm excited to share with you a new initiative this year: our advanced training summits. This idea grew out of the panel discussion we held last December. I'll briefly touch on that so that you can see how it grew into this idea. The panel discussion was titled "Inclusive Education: From Benevolence to Belonging." It was facilitated by Glenn Schaeffer, President of Mandalay Resort Group. We brought six nationally recognized scholars, school reformers, and educators to the table to discuss the topic in trying to meet the needs of more students in the regular classroom. Carlos Garcia participated, along with professors from Harvard, UCLA [University of California, Los Angeles], and several other leading universities.

It was considered a huge success. We had about 500 people attend from the inclusive schools, from the community, and from the universities. Of these 500 people in attendance; we received over 90 percent approval rating. At the same time, we noticed in our surveys of the attendees that there was an overwhelming request to provide training at the school sites to meet their unique needs at each school. Of course, an elementary school that is far along the continuum of providing education in an inclusive manner has needs that would be very different from a high school that is beginning to look at more inclusive practices. As a result, we responded this year, rather than holding a districtwide large event, by targeting our funding to bring quality speakers to

each of the 62 participating schools, to be able to address their unique needs at each school.

[Rhonda Glyman, continued.] I'm also excited to tell you that the Nevada PIE will be receiving an award—on May 5, in Washington, D.C.—from the National Institute for Urban School Improvement. They've selected our comprehensive plan as a role model for the other largest school districts in the nation to follow. They've asked us to help explain to the other school districts—New York, Washington, D.C., Chicago, Houston, Miami, and many others—what we are doing so that they can learn from our best practices and implement what might work for them.

These initiatives taken together, we believe strongly, will increase the learning and performance of all students in our schools and will expand the opportunities for each child to fulfill his or her potential.

**Vice Chairwoman Smith:**

I'm so impressed with the amount that your organization has accomplished in such a short period of time. We hope that you will continue the good work.

**Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA):**

NSEA is in support of this bill.

**Alfredo Alonso, Legislative Advocate, representing the Davidson Group:**

The purpose of my being here is, first of all, is to support the bill. I think that innovative education programs are the lifeblood of any system. I think, obviously, the more you put into this, the more that you will get out. That is why I would like to discuss a proposal that we would like to bring forth as an amendment. We are in the middle of completing the drafting of the amendment. Hopefully, we will have it to the Chair by morning. Essentially, what we are trying to do is create a school for profoundly gifted children. It will be self-funded. The purpose of this program and the reason that it is appropriate in this bill is because it is as innovative as it is. It would sit under the University of Nevada, Reno (UNR), with supervision by both the State and the university.

We are talking about children in the ninety-ninth percentile. One in 10,000 are considered a profoundly gifted child. We are talking about a group of children that, I think, fall into the cracks of education—not only in Nevada, but in any state. We believe that this, through the Davidson support, can be an extremely innovative and effective way of taking care of these children, educating them, and keeping them here in Nevada—which I think will simply benefit the whole state. We're giving our drafters an opportunity to make some changes, some

suggestions that were given to us. Hopefully, we'll have that language here to you shortly.

**Barbara Clark, Member-at-Large, Nevada Parent Teacher Association (PTA),  
Carson City, Nevada:**

We support this bill.

**Vice Chairwoman Smith:**

We'll close the hearing on A.B. 525. [Chairwoman Parnell opened the hearing on A.B. 209.]

**Assembly Bill 209: Provides for establishment and implementation of pilot programs for prekindergarten children with limited proficiency in English language. (BDR S-827)**

**Assemblywoman Debbie Smith, Assembly District No. 30, Washoe County:**  
[Read from prepared testimony, Exhibit G.]

Assembly Bill 209 addresses the needs of pre-kindergarten children with limited proficiency in the English language. The bill will provide funding to school districts to establish pilot programs for kindergarten students prior to the fall of their kindergarten year. The Department of Education shall prescribe a form for districts to use for application and shall develop a uniform method for evaluation of the pilot programs that provides longitudinal information.

Districts shall present a plan that will provide the number of children who may be enrolled in the program, set forth the screening manner for the children, and ensure that there will be one teacher and one paraprofessional in each classroom, at least one of whom must speak, read, and write both the English language and the primary language of the children enrolled in the class.

Madam Chairwoman, what makes this bill different is that the program requires partnership between the State, school district, and a private funding source. The district must obtain private matching funds, as well as commit to providing building and maintenance costs to utilize the program. The bill also provides up

to \$1,000 for each school to utilize, to promote parent involvement with the parents of the students enrolled in the summer program.

[Assemblywoman Smith, continued.] It is my hope that these programs will be able to demonstrate success, and then the schools could be eligible to apply for remediation grants to continue or expand their programs in future years. As we all know, the number of English Language Learners (ELLs) is growing exponentially. According to a Department of Education report, the number in Nevada has risen from 5,173 in 1989 to 14,296 in 1994; 40,469 in 1999; and 69,896 students in 2003-04.

Assembly Bill 209 is a small step in identifying programs that will work to give our students the opportunities they need to be comfortable in a learning environment and to be on par with their peers. If we give these kids the chance at the beginning of their education, imagine what their experiences can be like, and then begin to envision a world where we spend more money on enrichment and expansion than on remediation.

With me today is Mr. [Robert] Lissner, who you heard from a few moments ago. He's a tremendous supporter of public education in Washoe County and does more than give money. He gives of his considerable knowledge and his time. Mr. Lissner has already offered to be the matching funds contributor for the pilot program in Washoe County, so I would like to invite him to provide testimony, if he would like, regarding this bill.

The bill was actually his concept, that we would take kids who need help with the English language and spend the summer with them. When he found out that I was interested in crafting some legislation to help ELLs, we partnered up and came up with this idea.

**Robert Lissner, Former CEO, Lifestyle Homes, Reno, Nevada:**

I've seen that, in the first grade and in quite a few classrooms—kindergarten classrooms, in particular—there are children who don't understand what is being said in that classroom, because they don't speak English. There is no question in my mind, and I'm sure that most people would agree with me, that what they get out of kindergarten is the ability to speak English, not the material that is taught in kindergarten. They certainly don't get as much kindergarten material as those children who are English only. To some considerable extent, by the end of kindergarten, the children that learned English in kindergarten are really not ready for the first grade because they haven't learned kindergarten yet.

[Robert Lissner, continued.] As you well know from the literature, this continues on until, by the twelfth grade, they are four years behind. That is nationwide. Our goal is to try and get rid of the blank looks that are there. We felt that the best thing that we could do was a summer school program that teaches English or actually teaches kindergarten bilingually. I'm quite aware that, in at least the Washoe County School district—I don't know if it's state law—schools are taught in English. It is our goal to teach these classes in English. There are educators that are trained to do that, but they also have a bilingual person in there to deal with the five-year-old crises that come along for kids. It is their first time in school, in many cases the first time away from their mother, and what is going on in that classroom is not being taught in their native language.

Our hope with a pilot program is that, by getting them more ready for kindergarten, they will do better in kindergarten, and they'll, in fact, do better for the next twelve years. We are going to put into place testing that demonstrates the effectiveness of this program, so that we will know if it works or not. It's a pilot. We are hoping that if it does work—which we are almost certain that it will—that these types of programs will be adopted districtwide and eventually statewide to try and get a more homogeneous group of children coming into kindergarten. The whole group of children will do better, because the language problem has been partially eliminated.

Finally, I believe that this will save a great deal of money if children are ready for kindergarten. We believe that they will progress through the system and will require less intervention later. I think it is a well-accepted theory that the earlier that you intervene, the less it costs, the more effective it is, and the better it is for the child and the schools.

**Chairwoman Parnell:**

Thank you for all that you are doing and for going out there on your own and trying to find ways to improve the status and get a jumpstart—really a great relationship with Washoe County School District. I know our Vice Chairwoman is very pleased to have you working in Washoe County schools.

**Robert Lissner:**

Did you know that our program is called "Jump Start?"

**Chairwoman Parnell:**

No, I didn't.

**Assemblywoman Smith:**

I know this Committee doesn't deal with the money side of things, but the program does provide a total of \$175,000 between the three school districts,

and again, they do have to have matching funds from a private source. Between what the school district offers, as far as building and maintenance goes, and then what this bill would bring and what the private donor brings, you could fund a lot of schools. We figure with the amount of money Washoe County would get, we would be able to fund about 14 schools for a summer program, in addition to giving the \$1,000 stipend for some parent involvement. It's a great time to get parents into the picture and try to get them involved from the very beginning.

**Assemblyman Horne:**

I like the program, and I'm a firm believer in "the earlier, the better." I'm questioning on how you anticipate how much participation will be at this. Just knowing some of the neighborhoods and areas in Clark County and this group that you are targeting, a lot of them don't attend any type of pre-kindergarten education programs. How do you get them there?

**Robert Lissner:**

That is a question that we have tried to figure out how to deal with. There are several ways that we are going to try to find them. First of all, children are "required" to register for kindergarten in May. In some schools, they are pretty good about showing up, and in some other schools—particularly the neighborhoods that we're going to be focused on—they don't show up. Maybe only 25 or 30 percent of them show up. One of the principals told me that she could find those children by asking their siblings who are already in her school. One of the principals said that she would go door to door looking for them. I'm not sure that's a good use of her time, but I do believe that these are pretty compact neighborhoods, in most cases, that we are looking at. I think that the older children do know where the younger children are—it's their little brother. That is part of why this has to be a pilot program, because we are not sure that is going to work. That is our goal.

**Assemblywoman Smith:**

I think I would rely on the expertise and the connection that the principals and the teachers have to the community. They always have ways of reaching out to the families, and this will be such a valuable program for parents to know that their children have this jumpstart and that they will have some help throughout the summer that, I really do believe, when the word gets out, we aren't going to have trouble enrolling the students. Maybe it's the "if you build it, they will come" kind of theory. I'm an optimist, and I think if we put a good program in place, we'll find those students and that it will grow year to year.

**Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA):**

We support this bill as well.

**Barbara Clark, Member-at-Large, Nevada Parent Teacher Association (PTA), Carson City, Nevada:**

From a personal experience, being involved in PTA: in the fall of this year, we went to a school that had a majority of Hispanic families. They had requested for us to come to help get them started with a PTA or a parent organization. They indicated that they had numerous problems in trying to communicate to the parents and getting parents involved. We went in and got everything translated, put up flyers all over the school, it was talked about, we had some tools that they could use, and we had two meetings.

These meetings were at 4:00 p.m. and 6:00 p.m., and we had over 50 parents at each one—all of them Hispanic. We had it translated, and as I was presenting, talking about how they could get involved with their school and interact with their principal about what their concerns were, I was thinking that I would get them to say that they wanted more parent-teacher conferences, et cetera, and had a list of what I think they ought to be advocating for. Their number one issue was how to help their children learn English so that they, themselves, could help with the homework.

How were they going to get help for their children in homework at the school? Their only issue, across 100 parents, was that their children needed to learn to speak English and needed help in doing that so that they could be successful at school. The desire is out there, and the desire to be involved is out there, when you apply the right techniques, and that \$1,000 for parent involvement would be helpful. Flyers, translations, earphones, or whatever the mechanisms are that you can use, you will be successful. I believe that it will help more children be successful in school.

**Christina Dugan, Director of Government Affairs, Las Vegas Chamber of Commerce, Las Vegas, Nevada:**

We are here today in support of the bill, primarily because we feel that it's very important that English as Second Language (ESL) students have the opportunity to learn English before they are put into the educational system, so that they are not left behind while other classes and instruction are going on and moving forward. We certainly think that moving forward with a pilot program of this sort is a very good and important step to achieve those aims. Clark County has one of the largest growing Hispanic populations in the country. As a result, it's very important that these students not be left behind as we move forward for them and come into the job market.

[Christina Dugan, continued.] I would add, however, that the Las Vegas Chamber of Commerce is always concerned that programs of this sort have the appropriate accountability measures and studies that go behind them to ensure that they are, in fact, worthwhile and producing the needed and adequate results. I would ask the Committee to certainly keep that policy goal in mind as they review this bill. Additionally, we are certainly supportive of the concept of providing private dollars to match the public funds. We believe that those issues certainly encourage businesses and various organizations to become involved and take an important look at how our education system is functioning.

**Chairwoman Parnell:**

Just to point out to everyone, as we started the day wanting the evaluations and expecting the accountability in it, you'll find that in Section 2, subsection (c): "Uniform method for evaluation of the pilot program..." I see Mrs. Smith took care of that.

**Christina Dugan:**

We appreciate that. We did a review of the bill and saw that section of it. We wanted to make sure that those comments are on the record.

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

We are here to support the bill, and if funding is provided, we'll happily administer the grant program.

**Steve Mulvenon, Ph.D., Director of Communications and Community Outreach, Washoe County School District, Reno, Nevada:**

[Distributed [Exhibit H](#).] I'll let you know that we think this is good public policy. It's a sound investment of taxpayer dollars. We urge your support.

**Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development, Sparks, Nevada:**

We are very much in favor of this bill. I'm very happy to see that the district is looking at it and has the support to put something so innovative together. As you may be aware, Mariposa Academy [of Language and Learning] is a dual emergent bilingual school for K through 6 students. They are very successful, and I was especially pleased to hear that the pre-kindergarteners will be learning bilingually so that they can accommodate the acquisition of their new language easier in material as well. Thank you for adding that; this is a great bill.



**Frank Brusa, Legislative Advocate, representing California Teachers of English to Speakers of Other Languages:**

We want you to know that we support A.B. 209. The sooner you get limited English speaking students into quality programs, the better those programs are. We all know that the research says that it takes six years to get a student qualified in English. The sooner you do that, the better.

**Joyce Haldeman, Executive Director, Community and Government Relations, Clark County School District, Las Vegas, Nevada:**

I wanted to be on the record for wholehearted support of this bill.

**MaryJo Parise-Malloy, Board of Directors, Nevadans for Quality Education (NQE), Las Vegas, Nevada:**

I, too, am in support of the bill.

**Chairwoman Parnell:**

At this time, I will close the hearing on A.B. 209.

ASSEMBLYMAN MANENDO MOVED TO DO PASS  
ASSEMBLY BILL 209.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**Chairwoman Parnell:**

At this time, I'll open the hearing on A.B. 154. This was an Interim Committee bill.

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

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

I was the primary policy analyst with the Legislative Committee on Education, and it is in that role, as the staff person to that Committee, that I bring A.B. 154 to your attention. There should be a section outline ([Exhibit I](#)) that provides a breakdown of the 22 sections of this bill. I know it sounds like a lot, but this is actually a bill that proposes changes to Nevada's system of testing and accountability. Most of these proposals were brought to the Committee by the Department of Education or one or more of the school districts. As with any

new program—after a year or so of implementation—there are some adjustments that are needed to some of the provisions that were included in S.B. 1 of the 19th Special Session, which, as you know, was our NCLB [No Child Left Behind Act of 2001] compliance legislation.

[Carol Stonefield, continued.] I will try to link some of these sections for you. They are not necessarily in order in the bill. Sections 2, 3, and 4 relate to the accountability reports. They are related to Section 21, which is a transitory at the end of the bill. Between NCLB and NERA [Nevada Education Reform Act of 1997], a number of indicators must be reported annually by the State Board, the district board of trustees, and each building's principals. These report cards are to be made available to the Governor, the Legislative Committee on Education, the Department of Education, the parents of the pupils in the district, and others as the case may be. For example, the State Board's report card must be provided to the Board of Regents.

Due to the large volume of information and the expense of disseminating the information, the bill proposes that the State Board and the districts would be able to comply through a summary report card. The full report must be made available on the entity's website or upon request. The contents of the school summary report are specified in the bill. Section 21 is a transitory section requiring the Department of Education to prescribe the forms for the summary of accountability reports by August 1, 2005.

Sections 5 and 6 relate to school designations. The NRS [*Nevada Revised Statutes*] provides school designations of "exemplary achievement," "high achievement," "adequate achievement," and "needs improvement." To these would be added the designation of "significantly improved" for any school that has been designated as demonstrating need for improvement and within three consecutive school years is designated as demonstrating exemplary or high achievement. Section 6 would provide similar designations for districts. To these would be added the designation of "significantly improved."

Sections 7 and 8 are technical changes. Sections 9 and 10 relate to reporting remediation programs purchased with State funds. Section 11 relates to testing and designations for schools on a year-round multi-track schedule. The current date for all designations is June 15. If the statute were revised to allow the Department to make preliminary AYP [Adequate Yearly Progress] determinations by June 30, pupils in the multi-track, year-round schools would not be disadvantaged in their testing.

The Committee heard testimony that this change would only affect the date for preliminary designations, and there would not be an attempt to change the final

designation of August 1, because parents need to be provided this valid information in order to make school choice decisions. Section 11 also relates to reporting test scores when a report of a test irregularity occurs. It's related to Sections 16 and 18.

[Carol Stonefield, continued.] The Committee received testimony that the current provisions may be somewhat ambiguous, given the provisions of Nevada's Federal Accountability Plan, which was approved by the U.S. Department of Education. I think there is someone here from the Department who will be able to provide additional information on that provision.

Section 18 repeals NRS 385.3621, which provides that if the number of pupils tested on the CRTs [Criterion Reference Tests] is less than 95 percent of the pupils enrolled in the school, the school must retest in the same school year at its own expense. This provision was originally enacted under NERA when the testing percentage was 90 percent, and it applied to fall NRT [Norm-Referenced Test] testing. Because we have moved to spring test administrations, the subsequent scoring occurs very close to the end of the school year.

The schools are unable to retest students within the same school year. Retesting the same students in the following year would be difficult due to transiency and also the transitions from elementary to middle school and middle school to high school. The Committee heard testimony that repealing this section will not weaken the accountability system, because schools are now designated as failing to make AYP if too few pupils are tested.

Section 16 repeals a reference to the retesting in the same school year, which was Section 18. Sections 13 and 14 relate to issuing preliminary school designations. Currently, schools and districts must be designated by July 1 of each year. Final designations must be made by August 1 following any appeal made by a school or a district, because the designations of high and exemplary achievement can only be given to schools and districts that are not designated as "demonstrating need for improvement." The district or the department must wait for the appeals process to be completed. Because that is August 1, some of these schools that could be designated as exemplary or high achieving after the appeal process are not designated for that school year. Changing this would allow those designations to occur.

Section 15 moves the writing exam from grade four to grade five. The Committee heard testimony that grade four spends a great deal of time testing, and also that the test is used for accountability and diagnostic purposes, and for that reason, it is better placed in grades five and eight, like the science portion.

[Carol Stonefield, continued.] Section 17 provides a transitory section relating to the first administration of the science portion of the HSPE [High School Proficiency Examination]. Under S.B. 1 of the 19th Special Session, the science portion is to be administered to pupils in grade eleven in the 2007-08 school year. They must pass it as of the class of 2009. That would give them only the eleventh and twelfth grades to pass the science portion. It has been suggested to the Committee that if they have their first exposure to the science portion in tenth grade, and that it's applied to the class of 2010, they would have more opportunities.

Section 19 provides for a continuation of the \$10.2 million appropriation for remediation funding. This is the same level of funding that was provided in the 2003-05 biennium. Section 20 provides for an appropriation of \$1.5 million in each fiscal year for tutoring and supplemental services for "at risk" pupils and low-performing, non-Title I schools. This is a continuation from this current biennium. I understand that both of these provisions, in approximately the same amount, are included in the Governor's budget proposal. There is also the Governor's proposal for the \$100 million trust fund that is before the money committees. Section 22 provides various effective dates. Those are the provisions of this bill. It is lengthy, but it is actually tweaking of provisions that currently exist.

**Assemblyman McCleary:**

On a couple of the appropriations that you mentioned, you said that they were the same as the last biennium. Why weren't they raised proportionately to the rise in the student population? Do you know?

**Carol Stonefield:**

These were, of course, adopted by the Committee on Education at its work session at the end of August. There were a variety of proposals made at that time. It was a decision made by the Committee to recommend that. Actually, I think that there is a slight increase in the tutoring and supplemental services for students in the non-Title I schools. I think the first year was \$1 million, and it was \$1.5 million for the current year. These are both \$1.5 million. That was a decision made by the Committee.

**Assemblyman McCleary:**

I was there too. I couldn't remember why we kept it at the same level. I was hoping that we would have increased it with growth, and I should know that too; I apologize. I was hoping that you did.

**Chairwoman Parnell:**

As you could hear from Ms. Stonefield's wonderful description of this bill, there is one section—Section 15—which I know a lot of schoolteachers throughout the state feel very strongly about, and that is moving the fourth grade writing test to the fifth grade.

**Jessica Daniels, Vice Principal, Mark Twain Elementary School, Carson City, Nevada:**

In the essence of time, I'm going to refer to the voices that are most powerful—the students.

**Bryce Arbour, Student, Mark Twain Elementary School, Carson City, Nevada:**

[Read from [Exhibit J](#).]

**Kendra Thurman, Student, Mark Twain Elementary School, Carson City, Nevada:**

[Read from [Exhibit J](#).]

**Konnie McGruder, Teacher, Bordewich-Bray Elementary School, Carson City, Nevada:**

I'm in support of moving this writing test from fourth grade to fifth grade, now that it has become a high-stakes test. I feel that children at fifth grade have had time to grow, as the children so aptly showed us, and they have so much more schemata. Their use of syntax, as they also displayed, is just so much better at fifth grade than it is at fourth. Developmentally, this test needs to belong at fifth grade.

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

The Department is here to support the bill. In general, we suggested many of the pieces in the bill to the Legislative Committee. We did suggest that we move the writing to the fifth grade instead of the fourth. We did it primarily to alleviate some of the testing requirements at the fourth grade. For example, the National Assessment of Education Progress is also required in the fourth grade. This would move it to fifth grade and free up a little overburden of testing on fourth during fifth.

We made a lot of other technical corrections that Ms. [Carol] Stonefield has already mentioned, so I won't have to go through those. It is really to clean up some of the statutes that we found didn't work during the first year. In regard to this, we do have a couple of very minor concerns with the wordings. I've provided a copy of what I'll be suggesting for minor revisions ([Exhibit K](#)).

[Keith Rheault, continued.] There are three amendments to the bill. The first one has to do with the very first sections on Section 2, in that it is clear that we support putting all of the information on the Accountability Report on the website and have that available. What we are not clear on is the way it is written, that “the State Board shall prepare a written summary...” We think the way it is worded, it could be interpreted differently. We are proposing for Section 2, 3, and 4, which have this same wording in it—where we are required to do a report—that we move the summary information. As an example, look on Section 2 of page 2. It says, “The State Board shall prepare a written summary on the annual report of accountability prepared by NRS that includes, without limitation...”

We would like to put a comma there and say that is where we would like a “summary of,” so it is clear that we are summarizing all of these pieces of it. We think it will be cleaner. We also are asking that the front part of the section will make it clear that the State Board of Education will prepare a comprehensive annual report that will be on the website, and we are talking about 700 pages of the full report just for Clark County. All of that information would be available. We’ve passed this on to the U.S. Department of Education representative to see if this wording would be fine, providing a summary report to parents, guardians, and the public at large, along with having the full report on the Web. We got word back that it would be perfectly appropriate if we did it that way.

The second amendment has to do with a very minor one. It is in Section 19, subsection 2. It lists three conditions for a school to apply for remediation funds. The second condition is listed as subsection 5. That subsection 5 has to do with the school that has been named “in need of improvement” because they didn’t test their required number of students. We think that one actually should be referenced to subsection 4. The reason I say that is that if you go back to Section 12, it prohibits subsection 5 schools from getting remediation funds. I have this in my notes ([Exhibit K](#)) too. We think it was when they adjusted the language; they just didn’t get the right subsection tied to the required schools that are eligible for funding.

The third piece that I have for a change is in Section 10, subsection 7(b). This one requires the school district to submit a technology report to the Technology Commission. During the biennium, we had a lot of calls saying, “Why do we need to do that? It has already been provided in the technology report that the Commission had already received way before this.” Half of the districts didn’t know they were to provide it, and when they did, it was the same information that we had already given the Commission. What we are asking is that

subsection 7(b) of Section 10 be deleted, because it is duplicating what the Commission already gets.

[Keith Rheault, continued.] Those would be the three minor amendments, and we would be happy to work with staff to clean it up if need be. The only other thing I would add, as I recall during the Legislative Committee and Assemblyman McCleary's question, I think it came up that the people presenting said, "We would like the remediation funds to make sure they continue." I don't think we talked money and it continued, but it was at the same amount that we asked for previously.

**Juanita Y. Jeanney, Director II, Public Policy, Accountability, and Assessment,  
Washoe County School District, Reno, Nevada**

[Read from [Exhibit L](#).]

One of my jobs is overseeing the Reports of Accountability. Additionally, I served on a Nevada Department of Education (NDOE) subcommittee for the Reports of Accountability. In reviewing A.B. 154, I was quite surprised because some areas looked very different from what was proposed by the NDOE's Accountability subcommittee.

Washoe County School District (WCSD) concurs with the NDOE's support to grade changes to the writing and science assessments. We are also very supportive of the distribution of the accountability information through the use of the Internet and the current website known as the Nevada Annual Reports of Accountability, also known as the Report Card website.

The addition of specific terminology—like preliminary and final—for school designations is also a welcome point of clarification. The revised designation includes a recognition of "significantly improved" for a school that was "in need of improvement" and then designated as "high achieving" or "exemplary." With this, definitely, WCSD could easily comply. We do, however, suggest that instead of "significantly improved," the recognition of such a school be called "exemplary turnaround school," to emphasize the remarkable achievement that this represents.

With all of the year-round calendars, WCSD believes that the June 30 date, as an alternative scheduled schools deadline for designation, is quite reasonable. Having listed those sections or

areas of A.B. 154 for which we can support, WCSD has the following concerns:

- We are concerned about the September 7 deadline for the school summary reports to parents. The White Paper that was signed by all of the district superintendents during the 2003 Legislative Session listed that parents would be notified by September 30. For WCSD, September 30 is a more reasonable deadline.
- Assembly Bill 154 requires that if the parent or guardian requests a written copy of the State Board's summary, the local school district is responsible for providing said copy. WCSD believes that providing the State Board's summary, if requested, should be the responsibility of the NDOE.
- As mentioned by Dr. Rheault, WCSD also has some concerns regarding the length of the district and summary reports as described in A.B. 154. As written, these would be extremely lengthy reports. Several individuals from the various school districts have served on the NDOE subcommittee for the improvement of the templates for the district and school accountability reports, both comprehensive and summary reports. WCSD suggests that the templates created by these subcommittees be used for the purpose of accountability reporting. It should be noted that if the report is the length as described in A.B. 154, the September 7 deadline would not be possible. Additionally, the printing and distribution costs would be cost prohibitive.
- Assembly Bill 154 requires districts to distribute district and school summary reports to all residents in the school district. The distribution of school-level reports to parents and guardians only has previously been the only requirement. WCSD requests that this remain the case, that only the school summary report be distributed to parents and guardians of WCSD students. WCSD requests that A.B. 154 be amended so that district summary reports be posted on the website, and if requested by a parent, section printed per the parent's request.
- Assembly Bill 154 lists two new requirements for the documentation of remedial programs funded by the State and documentation of special programs. We request that LCB [Legislative Counsel Bureau] and the NDOE specify what sources districts should use to acquire this information and



where these two new subjects should be included in the accountability reports.

**Assemblywoman Smith:**

I think it goes back to your second suggestion. I wanted to clarify if I heard it correctly. Why would you want it to be the Department's responsibility to respond to the parent, rather than the district's?

**Juanita Jeanney:**

This is for the State Board of Education's summary.

**Assemblywoman Smith:**

Okay, I missed that. Thank you. I have an amendment to offer ([Exhibit M](#)), which will require school districts to provide information in the accountability report about substitute teachers. I've been doing a lot of research, trying to correlate proficiency test scores with, for example, highly qualified teachers and lack thereof. I really found that one of the things we're missing is that we can't correlate to whether we have substitutes in those classrooms. I discovered, in searching, that information isn't available to us. I would like to require, for the reports, that we be provided that information. I've offered that amendment.

**Chairwoman Parnell:**

This will go to work session, and we will take under consideration the amendments proposed by the State Department of Education, the WCSD, and those proposed by Assemblywoman Smith. At this time, I will close the hearing on A.B. 154, but I do want to assure the teachers and the students that no matter what happens to this bill, I'll make sure that the fourth grade testing will be switched to the fifth grade testing. I am now going to take a couple of things out of order, but we do have a bill here on behalf of Assemblyman Anderson. That is A.B. 377.

**Assembly Bill 377: Revises provisions governing association for interscholastic activities. (BDR 34-735)**

**Kyle Zive, Intern to Assemblyman Anderson:**

[Read from prepared testimony, [Exhibit N](#).]

Assembly Bill 377 simply revises Section 386.420 of the *Nevada Revised Statutes* to formally name the association that governs interscholastic activities as the Nevada Interscholastic Activities Association (NIAA). In 1973, the Legislature enacted provisions to

set up an association to govern all interscholastic activities in the state. What came of that legislation was the NIAA, which every school district must be a member of to conduct interscholastic athletic programs within the county schools and between county schools, whether public or private. The NIAA has been the governing body since then in all 17 counties, and this bill simply names them as the formal body. I have with me Paul Anderson of Walther, Key Law Firm and Jerry Hughes, the Executive Director of the NIAA, to provide more details as necessary.

**Assemblyman Mabey:**

I have a daughter that is in cheerleading. I had some concerns about her cheerleading program. Will this organization oversee the cheerleading as it does other sports?

**Jerry Hughes, Executive Director, Nevada Interscholastic Activities Association (NIAA):**

Yes. Cheerleading is a recognized activity within our association.

**Chairwoman Parnell:**

This really is as simple as it appears on paper. I will close the hearing on A.B. 377.

ASSEMBLYMAN McCLEARY MOVED TO DO PASS  
ASSEMBLY BILL 377.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**Chairwoman Parnell:**

I will now open the hearing on A.B. 399.

**Assembly Bill 399: Requires instruction in flag etiquette in public schools.  
(BDR 34-500)**

**Michael Nolan, Intern to Assemblyman Rod Sherer:**

I'm introducing A.B. 399, which I am in support of. I think that the proper respect and handling of the United States flag should be the responsibility of every American to begin with. Every day that I used to start school, they showed their respect by pledging their allegiance to the flag. However, they are

not shown in our public schools how to properly handle the United States flag, with respect to the retirement of the colors and so forth. Throughout history, every great country and/or organization has had colors to represent themselves. With that, they show great care, loyalty, respect, and honor in the care of those colors. The education of flag etiquette in our public schools is extremely important to carry on that great tradition. I would like to turn the rest of the presentation to Richard Laws in Las Vegas.

**Richard Laws, Commander, Disabled American Veterans (DAV) Chapter 15,  
Las Vegas, Nevada:**

In 1996, I rode in the Harvest Festival Parade, as Commander of the Disabled American Veterans, with the commanders of the VFW [Veterans of Foreign Wars] and the American Legion, behind our national flag at the front of the parade. Out of curiosity, I wanted to see how many individuals paid the proper respect to our nation's flag by standing and respecting the flag as it passed by. I only counted 17 people on the entire parade route that respected the flag. I think this is a very sad comment on what has happened to this country over the years. I can remember a time when everyone stood up, took off their hats, and put their hands over their hearts.

After the parade, I wrote to my representatives and talked to some people in the Nye County School District about teaching flag etiquette in the schools. To my dismay, no one was interested. Recently, I decided to work on the idea again. I talked to current Nye County School Superintendent Rob Roberts, and he was very supportive of the idea. I then talked to Assemblyman Rod Sherer, who has since submitted a bill request to teach etiquette statewide in the state of Nevada. I spoke to the state DAV commander and suggested that he talk to the national commander about this and see if he would like to encourage all of the other state commanders to work on teaching flag etiquette in all of the other states too. Maybe we can get it going nationwide. I think it should be taught nationwide.

In closing, I would like to say to all Americans: the next time you are at a parade and that lead flag comes by, stand up, take your hat off, put your hand over your heart, and think for a moment about all of those young men and women who have been killed or wounded defending what that flag stands for and be proud to be an American. Once again, thank you for allowing me to address you; I hope that you will give this bill serious consideration.

**Lynn Chapman, Legislative Advocate, representing the American Legion  
Auxiliary, Sparks, Nevada:**

We are definitely in favor of A.B. 399. I homeschooled my daughter. I had a book that had all of the words and all of the stanzas to "The Star Spangled

Banner." In reading that, it really is amazing. It's a beautiful song, and the words also really get to you. I encourage you to do that; it'll make you very patriotic. When my daughter was in Brownies, I would go to the school at 3:00 p.m. and drop her off for Brownies. She was asked, because she had her full uniform, if she would do a flag ceremony for the Girl Scouts program that they were going to have. We brought our daughter. My husband and I were there—all of these parents and the children—and they had the flag ceremony.

[Lynn Chapman, continued.] The lady that was in charge of the ceremony did not say for everybody to stand when the flags were brought in. Of course, I knew to stand and I stood up and put my hand on my heart, and my husband, of course, followed and did whatever I did. There were maybe two other people that stood up and put their hands on their hearts. Everybody else just sat there. When the flags were retired, the same thing happened. Afterwards, I was making a comment to my husband about the colors. When they bring the colors in and when they take the colors out, they should be standing and saluting. This lady turned to me and said, "Colors? What's that?" I said, "Our flags." She said, "That's a funny name." I thought, my goodness, this is an adult that doesn't even know. That is a problem. How can they teach our children about flags?

Also, my daughter participated at Girls State. She had a great time, and they always had a flag ceremony. It was really interesting. She did learn a little bit more about flags, et cetera, but she said that there were so many girls there that had no idea or anything about the flags, that they really learned a lot. I think it is really important that our children understand what the flag is for, the dedication of people who have fought for that flag, and I think it is very important. We are definitely in support of A.B. 399.

**Janine Hansen, President, Nevada Eagle Forum, Sparks, Nevada:**

My dad was a scout leader in the Boy Scouts for over 65 years. In fact, he got an award for being the oldest, longest-serving scout in this area. I have three brothers and a son who are Eagle Scouts, and I learned about the etiquette for the flag from them. I think it's unfortunate that our children who aren't involved in special programs—like the Boy Scouts—don't have the opportunity to have this experience and know what they should do, as Americans, to honor the flag. I hope you'll support this bill.

**Assemblyman Horne:**

At first, I wasn't going to say anything. This is very difficult for me, because of my history. I still have the flag that draped my father's casket. He died after two tours in Vietnam—leukemia, I believe it was—he was handling Agent Orange. I was a Cub Scout, Webelos, Boy Scout, Junior ROTC [Reserve Officer Training Corps] in high school, Civil Air Patrol, ROTC in college—right into the

advanced program, was 227th Armored Battalion in Las Vegas, and Officer Advanced Camp, Fort Lewis, Washington. While this is difficult for me to say, I have to say it. We cannot legislate loyalty to our colors. We cannot legislate respect to our colors.

[Assemblyman Horne, continued.] The testimony you heard today, people do not gain these things because of laws we write in our books. It's because of the life that we live in this country. I will defend any man, woman, or child who wants to stand up, burn the flag, or not salute the flag, because our ideals that our colors represent are what makes me proud to be an American. That is why I will not support the legislation that is going to be demanding that we have somebody to respect and to be loyal to our colors, because I don't want it if they can't get it on their own.

**Assemblywoman Smith:**

Dr. Rheault, I was going to look at the standards to see if anywhere that's addressed. I didn't have a chance to do that. Did you look at them? It's probably something we should do.

**Assemblyman Holcomb:**

Did I misunderstand the bill? Is it describing just the etiquette of how you handle? I, personally, would gain from learning how to handle the American flag. It's not, basically, dictating the respect, but just how to handle the American flag.

**Chairwoman Parnell:**

To answer your question, Mr. Holcomb, if you look in Section 1, subsection 2, line 12, it does specify respect for the flag—not only use of the flag, storage, folding, cleaning, mending, et cetera. It was probably that line.

**Assemblyman Holcomb:**

Could that be amended?

**Chairwoman Parnell:**

To let everyone know what I'm thinking, it goes back to the question from Mrs. Smith to Dr. Rheault. This Committee and the Legislature really do not like to dictate curriculum. That is why we have the wonderful Council to Establish Academic Standards, chaired by Vice Chairwoman Smith. We have two or three curriculum-based bills before this Committee. It is my hope that in a work session, we can all come to agreement on whether or not a letter or directive needs to go to the Council or if we want to send a resolution, but it needs to go through that.

[Chairwoman Parnell, continued.] That is the appropriate way to get curriculum added, deleted, or modified at this point in time, based on the legislation that has been passed prior to this session. We will certainly look at it in that fashion and do what we can to appease everyone in this situation. I know it is a sensitive one for many. We'll see if there is a place where it would fit appropriately and handle it. We'll probably take this one in work session along with the others. I will close the hearing on A.B. 399.

A few things left to consider. First, I'd like to readdress A.B. 526.

**Assembly Bill 526: Revises provisions governing class-size reduction program and National School Lunch Program. (BDR 34-377)**

**Chairwoman Parnell:**

That was a BDR that the Committee introduced last week. I'm going to ask for a motion to re-refer A.B. 526 to Ways and Means without a recommendation from this Committee. Because of the fiscal note, I'm looking to get it to Ways and Means to streamline the process and to free us up to hear bills that we already have scheduled.

ASSEMBLYWOMAN ANGLE MOVED TO RE-REFER  
ASSEMBLY BILL 526 TO THE ASSEMBLY COMMITTEE ON WAYS  
AND MEANS WITHOUT RECOMMENDATION.

ASSEMBLYMAN MABEY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Holcomb was not present  
for the vote.)

**Chairwoman Parnell:**

Next, we are going to have the subcommittee report ([Exhibit O](#)) on A.B. 110. We took A.B. 60 and A.B. 110 together into a subcommittee, and we have already passed A.B. 60 out of this Committee. It was actually amended on the Floor today, and Mrs. Smith would like to give the subcommittee report on the remaining bill, A.B. 110.

**Assembly Bill 110: Revises provisions governing incentives for teachers for teaching in certain subject areas and schools. (BDR 34-376)**

**Assemblywoman Debbie Smith, Assembly District No. 30, Washoe County:**

Assembly Bill 110 took into consideration the various issues of attracting teachers and retaining teachers at "at risk" schools, and also hard-to-fill positions. We held a meeting on March 15 to consider A.B. 110 and had a large group of people there that gave input and helped work on this bill. The recommendations:

- Expand the eligible participants to include all licensed personnel at hard-to-staff schools or in a hard to fill position.
- Maintain the definition of hard-to-fill positions to include math, science, special education, English as a Second Language (ESL), and school psychologists.
- Define hard-to-staff schools as "at risk." I will address that issue at the end of the report.
- Eliminate provisions relating to employment at schools designated as demonstrating "need for improvement." The feeling is that our numbers of schools that are designated as "need for improvement" will be going way up. It was the feeling of those who testified and of the subcommittee that we should eliminate that as one of the criteria and move strictly to "at risk."
- Include the stipends relating to isolated schools in remote or rural areas as provided in A.B. 60.
- Provide that eligible personnel would only get one stipend per year, regardless of whether they qualified in more than one area.
- Delete specific incentives, previously mentioned in A.B. 60 and A.B. 110, that we would have a menu of options that the district could utilize. The district could dip into that "bucket" of money for certain items. We selected \$2,500 per year as a stipend amount. That was based on some information that we gathered from the districts about what certain things cost, as in some credits for continuing education and looking at housing stipends. We felt that there are a variety of things that could be used to retain teachers and attract teachers to those positions. There should be some flexibility allowed as to what might best provide that incentive.
- We would also continue the one-fifth year of retirement credit.
- Eliminate the two-year period of employment that was previously required for that person to be in that area.
- Require the districts to report on their success, using these incentives. Right now, we feel that we don't have a real good handle on what works and what doesn't. There are a lot of good ideas out there, and the districts have been using some good things. Dr. George Ann Rice provided a great deal of information about some innovative things that

they've been using in the district. We want to know what works and what doesn't.

[Assemblywoman Smith, continued.] When we made the motion to eliminate the "need for improvement" and move strictly to "at risk," we knew that there was a bit of a dilemma there. In the elementary schools, there is a clear "at risk" definition: 65 percent free and reduced lunches. In middle and high schools, that is a little more difficult, because there are a lot of the schools that don't have the numbers, and some of them don't even have the free and reduced lunch program. We had asked for somebody to come forward with a recommendation for the consideration of the full Education Committee. You have that amendment ([Exhibit P](#)).

The subcommittee on A.B. 110 would recommend the written recommendations that we put forth for you, would hope that the Committee would adopt these, and also hope that you would consider the "at risk" definition to be given to the Department to define. There are some suggestions that they could use in that discussion. Our recommendation is strictly on the written report and the other amendment before you ([Exhibit P](#)).

**Chairwoman Parnell:**

I have a question on the fourth bullet down (on [Exhibit O](#)). Since we currently have that in statute, and people probably are expecting, to some degree, to have that continue next year, did you consider grandfathering in or phasing that out while you are phasing in a replacement incentive? How did you plan on dealing with that narrow population?

**Assemblywoman Smith:**

There has been some discussion that, perhaps legally, we are bound to that designation for those teachers. Ultimately, I felt that it would be best to move this bill on, and that could be defined in the Ways and Means Committee if the bill goes there. It appears that legally, those teachers are probably entitled to that, because we have offered it to them originally. We had discussion, because there had been an offer of an amendment to eliminate the vesting. We understood that is a much bigger issue and much more difficult to undertake. The subcommittee chose to not toy with the vesting provision, but to allow elimination of the two-year requirement, because you may have someone who is already vested who comes in and would be entitled to partake of that one-fifth retirement provision or could take the \$2,500 stipend.

**Chairwoman Parnell:**

Are there any additional questions? I've been reading through bills over the weekend, and I think it's important for the members of the Education



Committee to know that both A.B. 110 and A.B. 60 are two of about four or five bills floating out there dealing with teacher incentives. I think, as Mrs. Smith said, maybe it's best to get this out, and eventually, they are all going to probably meld into one. I know Ms. Giunchigliani has, I think, A.B. 461 that has a big section on incentives. We have a recommendation for a study to take place during the interim. I don't know if that clarifies.

**Assemblywoman Smith:**

I think that is, indeed, the case that we will be looking at all of these bills, and since I am on Ways and Means, that is something that I will be watching very closely when we get to the point of looking at the various options that are out there. I think our best bet is to get everything there, so that we can have it in one place and start looking across the board at these bills.

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

The subcommittee further recommended that the Committee consider the authority of the local board of trustees to determine which incentives to offer to its eligible licensed personnel. Has that issue been resolved?

**Assemblywoman Smith:**

That issue hasn't been resolved. Actually, I saw that as another one of those items that we move forward, because all of this is going to come up when we talk about all of these incentive issues. I think that we can deal with all of those when we look at the bills in Ways and Means.

**Assemblyman Hardy:**

Could you indulge me on the draft definition of "at risk" high schools? I'm looking at the suggestion on the email that we have ([Exhibit P](#)). I'm looking at the five: (a) through (e). We already know that we can do a free and reduced lunch program for the school that has it, if it is over 65 percent. That leaves us with four. If you had a combination of two out of the four, then you would probably capture the "at risk" schools if you had any two of the four remaining. That's just one idea.

**Assemblywoman Smith:**

The way this is written, the Department will actually draft those criteria with our authority, if this passes. I would suggest to you that would be on the record as a recommendation that you have for the Department to consider.

**Kristin Roberts, Principal Deputy Legislative Counsel, Legislative Counsel Bureau:**

One more point of clarification. If the Department is going to draft a regulation defining "at risk" schools, when will that become effective? I was thinking of

the July 1 contract dates for teachers. When did you envision the teachers being eligible for this?

**Assemblywoman Smith:**

I think we do envision that they would be eligible for that this school year. We would need an appropriate effective date for that.

**Kristin Roberts:**

I'll make it "passage and approval," and then the State Board and Department can work that out.

**Assemblyman Hardy:**

I penciled in, with ink, on those four remaining:

- If you had a school that had a 20 percent transience
- A school that had 20 percent ELLs [English Language Learners]
- If you had a school that had 20 percent IEPs [Individualized Education Programs]
- If you had a school that had 20 percent in the lower two-quarters

If you had some kind of percentage that would be just a starting point, it would make sense to me to give something for the Department to consider and work from instead of coming to no vote, if that helps any legislative intent.

**Assemblywoman Smith:**

That might be something for Dr. Rheault to address. I think when we looked at, for example, what Clark County had brought to the table—that they use for their "at risk" designation—I know that one of the important things was that you have to figure out what your cut point is. If you use something that is set, you don't know where that is going to put you with the number of schools, which could get you right back into the same dilemma that you have with the "needs of improvement." I'm thinking that we're going to have to let the Department work that out and then see what numbers of schools fall into certain categories, so that you know what is reasonable. Dr. Rheault, does that make sense?

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

I think that when we proposed this, we knew that the criteria says that students have trouble if you have a high transiency rate, if they do poorly on the test, or if they have high LEP [Limited English Proficient] student numbers. We didn't talk about numbers specifically, but what I can do is go back and look at some of the transiency rates. What we were looking at was that we were going

to plug in all four of those categories and have a weighted percentage. If you have transience as a big piece, that is 25 percent of the weight.

[Keith Rheault, continued.] When you end up over the weighting system for all of the high schools, that would kind of have a priority list, and whether it is fair or not, we were going to look for a break, but maybe it's specified that no more than one-quarter of the high schools would qualify. Use that as a point. We hadn't run all of the statistics on these to get a good feel yet. It could be as high as a 70 percent transiency rate. Sixty percent would be one of the criteria, added with all of the other pieces. We wanted a little flexibility. If we put them in regulation, there is adequate discussion in workshops and public hearings that the board has to go through to get input from the school districts and individual teachers or staff that might be benefiting from this.

**Chairwoman Parnell:**

I need your advice. On the fourth bullet down—the “eliminate provisions relating to schools designated as demonstrating need for improvement”—do we need to get rid of that in this Committee this early, or do you think it would be more prudent to send it on to Ways and Means with that language in it and begin the dialogue there? I need some direction on that.

**Keith Rheault:**

This would just be my opinion. I would eliminate it right now and let them discuss it. I looked at it as a one-shot. If the Legislature doesn't reauthorize the funding, it's gone anyway. You should have the authority to say who the new funding would go to and let them hash that out when the fiscal costs come up. It may or may not be legal; I'm not sure of that. It would raise the issue. I think we argued that if you picked just “at risk,” it's a much more stable base. I think we changed one different school for “at risk,” but the numbers of “needs improvement” schools are going to continue to increase. There is currently about a 60 percent overlap between “needs improvement” schools and the “at risk” schools. A lot of them are already qualified by being “at risk” and “needs improvement.”

**Chairwoman Parnell:**

Julie, on behalf of NSEA, do you have any comments concerning that language, on the schools “at risk” versus “needs improvement”? I hate to put you on the spot, but I'm still a little bit uncomfortable with just doing that when teachers are expecting that next year.

**Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA):**

We definitely do have some concerns with the bill as it goes forward. We are working with Chris Giunchigliani and feel that we can amend it in Ways and Means. We are comfortable letting it go out of this Committee, knowing that we might be able to address some of these concerns later on down the line.

ASSEMBLYWOMAN SMITH MOVED TO ADOPT THE REPORT OF  
THE SUBCOMMITTEE ON ASSEMBLY BILL 110.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

**Kristin Roberts:**

What are we doing with the "needs improvements?" Are we keeping them in for now?

**Assemblywoman Smith:**

No. If we adopt the report, we would not be keeping them in.

**Chairwoman Parnell:**

We would use the language as was presented with all of the bullets.

**Assemblywoman Angle:**

I have some deep concerns about this bill, so I'm going to reserve my right to vote "no" on this.

THE MOTION CARRIED. (Assemblywoman Angle abstained from the vote.)

**Chairwoman Parnell:**

The report from the subcommittee has been adopted. Now, we'll take action on A.B. 110 as amended by the subcommittee recommendations.

ASSEMBLYWOMAN SMITH MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 110 AS AMENDED BY THE SUBCOMMITTEE  
RECOMMENDATIONS.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

**Assemblywoman Angle:**

I'm going to reserve my right to vote "no."

THE MOTION CARRIED. (Assemblywoman Angle abstained from the vote.)

**Chairwoman Parnell:**

We are going to go quickly to the work session ([Exhibit Q](#)). We only have two bills to discuss in the work session. [Opened the hearing on [A.B. 76](#).]

**[Assembly Bill 76:](#) Authorizes boards of trustees of school districts to accommodate medical absences in policy for attendance of pupils at school. (BDR 34-607)**

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

[Assembly Bill 76](#) authorizes boards of trustees of school districts to accommodate medical absences in policy for attendance of pupils at school. Currently, a pupil may be absent with approval for up to ten days in a school year without jeopardizing credit or promotion to the next grade if the pupil has completed the coursework. Absences in excess of the ten-day limitation, for whatever reason, trigger an appeal process. [Assembly Bill 76](#) would allow the board of trustees of a school district to adopt a policy to exempt pupils who are physically or mentally unable to attend school from the ten-day limitation on absences. The pupil would still be required to comply with the minimum number of days of attendance, but the days that the pupil is absent for physical or mental health reasons must be credited toward the required days of attendance, if the pupil has completed the coursework.

The proponents suggested that the existing process has dramatically increased the number of appeals, because health-related absences are now counted toward the total absences even if the student makes up the coursework. The opponents say that the proposal is not necessary. The process put in place in some districts was not required. There was no fiscal impact. There was an amendment submitted by the sponsor. The sponsor proposes to delete provisions in the proposed language. The provisions are that "the board shall prescribe a manner to grant exemptions" and "the board shall propose a form." The sponsor indicated that they intend to reduce the paperwork required with this proposal. In subsection 2, the sponsor proposes to make the act effective upon passage.

**Chairwoman Parnell:**

Are there any questions to [A.B. 76](#) or the proposed amendment to it? I think you will all remember the discussion about what happens to our chronically ill

children who have to miss more than ten days, and they then have to go through the appeal process with our local school districts.

**Assemblyman Horne:**

Do I remember correctly that Washoe County said it was different from them than in Clark or others? Is that what the testimony was? I know the bill is primarily addressing their concerns, but does the amendment undo in any way?

**Chairwoman Parnell:**

To let you know, I've not been contacted by anyone. I think it helps clarify what happened as a result of the legislation in 2003. I think what happened is that different school districts went back and interpreted what had been passed a little bit differently. You had some situations where an appeal process had to take place with anyone, and others had a different viewpoint of when that was necessary.

ASSEMBLYWOMAN SMITH MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 76.

ASSEMBLYMAN MABEY SECONDED THE MOTION.

**Assemblyman Hardy:**

I have in my notes something about Smith Valley wanting medical included. It would help them be in support. Has that been addressed in the amendment?

**Chairwoman Parnell:**

Yes. I think we did take care of their concerns.

THE MOTION CARRIED UNANIMOUSLY.

**Chairwoman Parnell:**

We have one more in the work session, A.B. 180.

Assembly Bill 180:      Revises provisions governing charter schools.  
(BDR 34-1034)

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

Assembly Bill 180 relates to charter schools. Currently, the local board of trustees has the discretion to approve or disapprove an application to form a charter school. If the board disapproves, the charter committee may apply to the State Board of Education, which must approve the application if it complies

with certain statutory requirements. The bill gives the State Board the discretion to deny an application even if certain statutory requirements are met. Existing law allows a person to serve on the governing body of a charter school only if he or she submits an affidavit indicating that he or she has not been convicted of certain felonies or other offenses.

[Carol Stonefield, continued.] The bill creates an additional requirement that a person serving on a governing body of a charter school must submit an affidavit that he or she has read and understands the materials concerning the role and responsibilities of governing bodies. Currently, a charter school must employ a licensed teacher to teach pupils in grades kindergarten through five. If instruction is offered in grades six to twelve, the charter school must employ a licensed teacher to teach in certain subjects. The bill requires the charter school to hire licensed teachers to teach in grades 6, 7, and 8 and in certain core subjects. Charter school teachers who teach in Title I schools or certain subjects must meet the definition of "highly qualified," pursuant to the federal No Child Left Behind Act of 2001 (NCLB).

Proponents feel that the State Board of Education should have the discretion to deny an application. It has occurred that charter governing board members do not know their responsibilities, which leads to a weaker governing body and provisions relating to instructional staff qualifications and compliance with NCLB. There were no opponents. There is no fiscal impact. There are a number of amendments, however, and there is an attached table in your work session document ([Exhibit Q](#)).

**Chairwoman Parnell:**

I think most of the amendments are agreed upon by everybody, and if you look back in the comments, too, there was no opposition. I don't remember if there was particular opposition to any one of the proposed amendments.

**Carol Stonefield:**

I don't remember any particular opposition. The first, second, and fourth ones amend the bill before us. The others are all suggestions pulling in current statutes that relate to charter schools, but they are new to the bill.

**Chairwoman Parnell:**

I would ask that everybody take note of the fourth one down (of [Exhibit Q](#)): "Expand qualifications to include individuals with administration endorsements on Nevada teaching license"—the master's degree may be in Curriculum and Instruction, Special Education, et cetera. That really expands the language as to who can currently be a school administrator. I would hate to pass this off

without anyone making note of that. Julie [Whitacre], are you aware of the language proposed?

**Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA):**

I don't have it yet.

**Chairwoman Parnell:**

It might help if I read current NAC [*Nevada Administrative Code*]: "To receive an endorsement as professional administrator of a school, an applicant must hold a master's degree; hold a valid license to teach in elementary, secondary, or special schools, excluding a business and industry endorsement; have and submit to the department evidence of three years of teaching experience in kindergarten or grades 1 through 12 in schools approved by the State; and have completed at least 24 semester hours of graduate courses in the administration of a school." This would expand qualifications to include individuals with administration endorsements. I'm not really sure how that changes.

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

I think the amendment you are looking at was proposed by Frank Brusa, but it was actually at the request of Craig Butz of Odyssey Charter School. If you read the current language on page 6, it says, "A charter school may employ such administrators for school as it deems necessary." Then it says, "A person employed as an administrator must possess..." There are only two options right now. I think the amendment was to allow licensed administrators that hold a Nevada Administrator's License to be a third option. There are some licensed administrators that didn't get a master's degree in school administration, but they took the courses and have it right now, even though they held a Nevada Administrator's License. They wouldn't technically be qualified to be an administrator. Yet, if you had five years of experience and no license, you can be. It was to give that third option for administrators.

**Chairwoman Parnell:**

Are you comfortable with the language?

**Keith Rheault:**

Yes.

**Assemblyman Hardy:**

Would this preclude anybody who is currently or who has been, in essence, grandfathered in from being an administrator now, which they weren't able to do before? Or they wouldn't be able to do it now?



**Keith Rheault:**

No, because the (a) and (b) will still remain. I think what the amendment was adding a (c), licensed administrator, even though they may not have the master's degree. Anyone that qualified before will still be qualified. It will just add a new category.

**Chairwoman Parnell:**

The question has to do with the leaves of absences. I thought we had tackled that in A.B. 162. We had another bill where we changed the language. It was A.B. 162 where we clarified if you are a public school teacher and went to a charter school, how long you'd be bound by that collective bargaining agreement. Does that play into this at all?

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

It's our impression that is a different issue. This issue is related to leaves of absences that teachers can take to go teach at the charter schools. Having passed the other issue about the bargaining unit and the negotiated agreement applying three years, there would be uniformity here between only three years for a leave of absence. Our intention was different from the negotiated agreement. Our intention here was to provide more stability at our schools, because it's very difficult to hire a teacher into a position when the teacher knows it's a one-year only contract. They know at the end of that year, there is the possibility that specific position will no longer be open. We are making this suggestion for your consideration for purposes of continuity and stability, and to reduce the instability by extending it for six years.

**Assemblyman Horne:**

I think I remember asking if we are creating an instability at the charter school. If you do that, and you say it's only three years, do you end up with a high turnover rate in the charter schools now? Are we robbing Peter to pay Paul?

**Dotty Merrill:**

From the school district perspective, we are looking for stability in the schools that our teachers leave. I can't speak to the issue of instability on the charter school side.

**Assemblywoman Smith:**

Wouldn't it also create some level of stability within the charter schools? If teachers can't go back and forth, then it would let the charter school know as well that there is not the opportunity for this. Am I seeing that wrong?

**Dotty Merrill:**

I think, yes, that is a sensible view. Who's to say how things really work? There is the opportunity for a teacher to make a decision at the end of the third year at a charter school: "Am I going to go back to the district, or am I going to stay with the charter school?" It brings about that decision making earlier, by the logic that you suggested, then it would increase the stability. It's possible that it would increase the stability both ways, looking at it from that perspective.

**Kristin Roberts, Principal Deputy Legislative Counsel, Legislative Counsel Bureau:**

Could I clarify what you are proposing to amend the existing language to read? Currently, after the third school year, the employee submits a request to return to his or her teaching position. Then, after the sixth school year, he or she has to make a decision to return or resign from the district. How will the language in the proposed amendment be changed?

**Dotty Merrill:**

I think we provided that already. We've suggested how that might work. We'd be glad to work with your staff on that further, if it needs more attention.

**Chairwoman Parnell:**

I'm not feeling comfortable about taking action on this one tonight. You have the yellow sheet that has all of the proposals ([Exhibit Q](#)), and I think stapled to that there is also more detailed information to go along with each of the sections of content. If it's all right with the Committee, we'll delay the action on A.B. 180 until we've all had a chance to look at this and ponder the suggestions given. We'll either get to work session Wednesday or next Monday. If any Committee members have questions, don't hesitate to contact me, Ms. Stonefield, or Ms. Roberts. Hopefully, we can know where we are going with this by the time we bring it up again. Is there any objection to my making that decision? I don't see any. We'll close the work session on A.B. 180 and come back to that.

**Assembly Bill 294: Requires Clark County School District to construct vocational-technical high school. (BDR S-1125)**

**Assemblyman Harvey J. Munford, Assembly District No. 6, Clark County:**

I am very excited and delighted to have this opportunity to present it because of my close association with District 6, having lived there for 33 or 34 years. The bill that I have before me brings to light the concerns that were addressed by Assemblyman Brooks Holcomb's bill last week, regarding Career and Technical

Education (CTE). This bill, however, specifically addresses the needs of students and families in Assembly District 6 in Clark County. As you know, the benefits of CTE were made clear by the numerous presenters and testimonies last week. One advantage that may not have been made clear last week is the impact that CTE could have on graduation and dropout rates of the students in my district.

[Assemblyman Munford read from [Exhibit R.](#)]

Charles I. West Middle School, in District 6, has a student population of 1,215 students. The student population is primarily made up of students of color—62.1 percent of the student population is black, 30.5 percent is Latino, and there are a few Native Americans and Asians who represent a small portion of the population. The students of this middle school represent the student pipeline that could feed into the neighborhood high school in District 6, if one were to exist. Currently, students in my district are bused to high schools outside of the neighborhood, just as they have been doing since the 1960s.

Statewide, two of the most significant concerns in Nevada education are dropout rates and graduation rates—particularly, in regard to black and Latino students:

- In the 2002-03 school year, the statewide annual dropout rate was 8.6 percent for Latino students and 7.9 percent for black students. In Clark County School District (CCSD), 9.8 percent of Latino students and 8.4 percent of black students dropped out that school year.
- In 2002-03, the statewide graduation rate for Latino students was 62.8 percent, and for black students it was 59.6 percent. The CCSD graduation rate was not any better, with 62.1 percent for Latinos and 59.1 percent for blacks.

The reason that I mention these statistics is to highlight the fact that, collectively, we need to be doing more for these students. We can do more. By identifying ways to engage students and to give their communities something to invest in, we can start providing a brighter future for our students. This bill is the only way to start addressing these needs. On a most basic level, providing a school in this neighborhood is one of the most effective ways that the State could help to give this specific community something to be proud of and take pride in. In addition to parks, churches, and retail businesses, placing schools in neighborhoods has been known to increase civic participation and community engagement.

[Assemblyman Munford, continued.] Additionally, data suggests that if the schools were modeled after comprehensive CTE high schools in the state, it would lead to a lower dropout rate and a higher percentage of students graduating with a standard or advanced diploma, particularly among students of color. In my district, this would significantly impact the professional trajectory of students, given that at the moment, one out of four of their peers either drop out of school or do not receive a standard degree. To make this investment would be a testament of our belief in the potential of these students.

Having said that, I realize the best way for my bill is not at the state level but rather at the district level. I want to bring this to your attention as we consider the different needs of all of Nevada's students and the various opportunities that they have. I have to move forward with this idea on a local level with the representatives from the CCSD, rather than asking for movement on A.B. 294 with the Committee. I'd like to thank the CCSD officials for their willingness and wish that I could have the opportunity to work with the CCSD officials on their desire to support this bill.

**Chairwoman Parnell:**

Thank you. I think that is a wonderful example of knowing where the jurisdiction should be in this case. I applaud you for working with Ms. [Joyce] Haldeman and everyone in Clark County.

**Assemblyman Munford:**

One thing I want to mention: as you see in the bill and the way it is written, some of the language I wanted to address and change says, "requires," and that word is a little too harsh and too strong. I want to remove that word. It's more like getting the Committee or Legislature to look at it in a way of blessing and support, standing behind it.

**Chairwoman Parnell:**

We'll certainly take that under consideration. I think it could be a letter to the CCSD from the Education Committee, a resolution, or some form where we have communicated the importance to Clark County. They would then be charged with or asked to consider building a high school in this district. I agree with you. It's certainly a very worthy suggestion, and it would be very helpful.

**Joyce Haldeman, Executive Director, Community and Government Relations,  
Clark County School District, Las Vegas, Nevada:**

It's my pleasure to sit at the table with Mr. Munford and express support from the CCSD for this bill and for the concept of this bill. We have already been moving in this direction. As you heard me testify last week when we were listening to Assemblyman Holcomb's bill, we believe in Clark County that CTE

programs are especially essential. They help a lot of students and they increase the number of students who graduate—particularly students who are usually prone to drop out and to not having a good experience in school. The CCSD is already looking for a site in west Las Vegas. We have a couple of locations in mind that we are checking on, and we're hoping that we can secure the property. We are well under way with this project, so we are delighted to add our support to the intent of this bill. We, again, hope that it won't be a mandate, because that helps increase the cost of property as we are looking for property in the area. We hope that we can have a strong suggestion.

**Chairwoman Parnell:**

Thank you for bringing this to our attention, and thanks for working together. We will take care of it in work session. I will close the hearing on A.B. 294, and I will open the hearing on A.B. 388.

**Assembly Bill 388:   Revises provisions regarding occupational education.**  
**(BDR 34-935)**

**Assemblywoman Bonnie Parnell, Assembly District No. 40, Carson City and Washoe (part):**

Both last week through Mr. Holcomb's bill—which was so great—and hearing from Mr. Munford, I think we can all agree that there is a newfound recognition of the importance of CTE in our schools. My bill looks small in comparison, but there were a couple of reasons that I wanted to format legislation in this style. As a former tech prep coordinator for the Washoe County School District (WCSD) and Truckee Meadows Community College (TMCC), I can enthusiastically support everything that we heard last week and this evening regarding this.

Assembly Bill 388 addresses two issues. It's a relatively short bill. It aligns the term "Career and Technical Education" into our statutes. Currently, when you read through the statutes, you'll see "Occupational Education" used. This would simply take "Career and Technical Education" and replace wherever you see "Occupational Education" with the new current term. The most important part of this bill, and one that I was excited about, was setting up some kind of a system in our school districts where we had a very close working relationship between public schools and community business and industry. So often, you see business and industry on one side and public education on the other side. This, to me, is an area where they can come together. One can complement the other.

[Assemblywoman Parnell, continued.] An example I heard when I was doing the tech prep work: years ago, if you took auto in high school, you could probably learn to become a good auto mechanic. You probably had in that high school facility anything you needed to have to learn how to be a good auto mechanic. That is no longer the case. If any of you have tried to look on your own car in the last few years, we've now converted into everything being computerized and on some kind of signal or something. Certainly, we do not have those tools on our high school campuses. A good example of how this bill might help is if we have an advisory council in each of our 17 school districts, where we had business and industry representatives sitting on that advisory council.

We might have somebody that owns an auto shop say, "You know what? Students at your high school aren't really able to get everything they need to leave school and go out and work in an auto shop, because you no longer can have access to all of that information. Why don't we have that student come to my shop 2, 4, or 6 hours per week, and really complete that experience and learn that skill off campus, as many of the students in many of the skilled areas would now have to do?" This bill creates 17 advisory councils, one in each of our school districts, with representation from those involved in the business and industry in that community.

**Vice Chairwoman Smith:**

I'm assuming that there are already a couple of councils out there in districts? They would all be brought into the same structure or membership, but there are already some in place?

**Assemblywoman Parnell:**

It has no fiscal impact. It could be effective upon approval and would create working advisory councils before the start of the next school year. I think that is exciting, something that we could get going. It's not going to have a battle on the road ahead, I wouldn't think, especially without a fiscal impact. I think it's time that we get moving. Hopefully, other things will come along in the meantime, but at least ensure that we all are ready to work and do what we can on behalf of our students that want to stay involved in CTE.

**Assemblyman Holcomb:**

I can see, knowing some of the members of the business community are actually funding a lot of these programs, it's a real possibility. They are doing this now on the community college level, but I can see where they could get involved at the high school level.

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

On March 30, we did provide amendments to the sponsor, who is also the Chair. Our concern is related to the number of these committees that would be need to be organized. There would be a fiscal impact on providing staffing for these committees if there is one needed for each career area—metalworking, EMT [Emergency Medical Technician], and so forth. Our first proposed amendment ([Exhibit S](#)) for your consideration is that these committees focus on the six program areas. There can certainly be other committees below that, as those might be needed. We were endeavoring to reduce the fiscal impact by this suggestion. There would still be six advisory technical skills committees for each of the program areas.

**Anne K. Loring, Legislative Advocate, representing Washoe County School District (WCSD):**

I believe in the presentation that the Chair just gave, if I heard her right, it was one per school district, which is not what the bill says, nor is it what our amendment ([Exhibit S](#)) says. You may want to strike the words "for each career area" and just say, "shall appoint an advisory technical skills..." if the intention is to have only one.

**Vice Chairwoman Smith:**

The way that the bill is written, you would have to have one for each career area in each county?

**Anne Loring:**

Yes. That is a lot of committees.

**Vice Chairwoman Smith:**

Ms. Loring, would you like to restate that suggestion?

**Anne Loring:**

In Section 3, subsection 1, on page 2, strike the words in line 28: "for each career area..." You just have one.

**Assemblywoman Parnell:**

That really was my intent. If you read the rest of it, it appears as though there is just one committee.

**Vice Chairwoman Smith:**

Your first amendment would address that, and then your other amendments change from "career" to "program?"

**Dotty Merrill:**

If the wording is changed, as has just been discussed, then we don't need our first amendment. That would make the number of committees down to one in each school district. Our first amendment would go away.

**Vice Chairwoman Smith:**

I notice that it said "program." I thought that you actually had it in your first amendment.

**Dotty Merrill:**

There would be other subsequent changes in the bill, if it's just one committee. Our second amendment for your consideration is to strike "internships" and replace that with "work-based experiences." We've provided for you, as an attachment ([Exhibit S](#)), existing regulations that cover work-based experiences. Students cannot be paid for internships, yet they can be paid for work-based experiences. That is a small distinction, but we believe that it's an important distinction for the students who would be involved. We provide that for your consideration; it's just in this one section.

**Assemblywoman Parnell:**

With the work-based experience, it means they could be paid, but they don't necessarily have to be paid. In some cases, you couldn't be paid if you were doing it for school credit. Is that correct?

**Dotty Merrill:**

The opportunity is there. There is no opportunity to be paid with internships.

**Vice Chairwoman Smith:**

I want to be really clear that they wouldn't have to be paid. Should it say "internships or?" Or, if we just go with "work-based experiences," that's very clear.



**Dotty Merrill:**

The recommendation from our staff is to go with "work-based experiences," because the regulation already clearly states what's covered and what those responsibilities are for CTE.

**Assemblyman Hardy:**

As I look at that particular issue, it's conceivable that you could have a work-based experience that would be an internship, in which you would learn. The person that is having you intern in their business likes you and says, "By the way, do you need a job after school for 2 to 3 hours?" Thus, you would be doing an internship for credit and you would have the opportunity to work for hire. If we preclude the work-based experience or change it, then the person who is training you doesn't have the option to hire you.

**Dotty Merrill:**

I believe that Dr. Hardy is absolutely correct.

**Vice Chairwoman Smith:**

Thank you for that clarification. The sponsor has indicated that those amendments are acceptable to her.

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

I was going to say that we supported the bill before the changes and we support it after the changes. I like the "work-based experience." It gives you a little more flexibility for programs that will include internships. The clarification of the number of committees, I think, will be helpful. We have found the ones that do have them utilizing business have really been successful. They have programs that are up-to-date, and they've eliminated curriculum that should have been eliminated 10 years ago and provided equipment, so they've been really helpful.

**Vice Chairwoman Smith:**

Are there any other questions or comments? Seeing none, I will close the hearing on A.B. 388.

ASSEMBLYMAN HORNE MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 388.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

**Assembly Bill 85:** Revises provisions governing eligibility for millennium scholarship. (BDR 34-804)

Not heard.

**Chairwoman Parnell:**

Is there any other matter to come before this Committee? I think we got through everything except completing the work session on A.B. 180. The meeting is adjourned [at 7:12 p.m.].

RESPECTFULLY SUBMITTED:

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Paul Partida  
Transcribing Attaché

APPROVED BY:

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Assemblywoman Bonnie Parnell, Chairwoman

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

## EXHIBITS

**Committee Name:** Committee on Education

**Date:** April 4, 2005

**Time of Meeting:** 3:48 p.m.

Bill	Exhibit	Witness / Agency	Description
	A	*****	Agenda
	B	Assemblywoman Giunchigliani	Information packet
	C	Carolyn Ann Stewart / GATE	Prepared testimony and information
	D	Bob Gerye / Spring Valley High School	Executive summary and additional information
	E	Bob Gerye / Spring Valley High School	PowerPoint presentation
	F	Rhonda Glyman / Nevada PIE	Information packet
	G	Assemblywoman Smith	Prepared testimony
	H	Steve Mulvenon / WCSD	Prepared testimony
	I	Carol Stonefield / LCB	Section outline
	J	Bryce Arbour and Kendra Thurman / Mark Twain Elementary School	Prepared script
	K	Keith Rheault / NDOE	Testimony on A.B. 154
	L	Juanita Jeanney / WCSD	Prepared testimony
	M	Assemblywoman Smith	Proposed amendment to A.B. 154
	N	Kyle Zive / Assemblyman Anderson's Intern	Prepared testimony
	O	Assemblywoman Smith	Report of the Subcommittee on A.B. 110
	P	Assemblywoman Smith	Proposed amendment to A.B. 110
	Q	Carol Stonefield / LCB	Work session document
	R	Assemblyman Munford	Prepared report for A.B. 294
	S	Dotty Merrill and Anne Loring / WCSD	Proposed amendments to A.B. 388