

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

**Seventy-Third Session
April 6, 2005**

The Committee on Education was called to order at 3:50 p.m., on Wednesday, April 6, 2005. Chairwoman Bonnie Parnell presided in Room 3142 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4406 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 Marcus Conklin, Assembly District No. 37, Clark County

STAFF MEMBERS PRESENT:

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

Rachel Pilliod, Committee Manager
Paul Partida, Committee Attaché

OTHERS PRESENT:

Anne K. Loring, Legislative Advocate, representing Washoe County School District (WCSD)
Elisabeth Noonan, Ed.D., Superintendent, Elementary Education and Regional Center for Teaching and Learning, Washoe County School District (WCSD)
Nancy Fitzgerald, Kindergarten Teacher, Smithridge Elementary School, Reno, Nevada
Patricia Casarez, Principal, Roger Corbett Elementary School, Reno, Nevada
Barbara Clark, Member-at-Large, Nevada Parent Teacher Association (PTA), Carson City, Nevada
Janine Hansen, President, Nevada Eagle Forum, Sparks, Nevada
Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada
Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA)
Frank Schnorbus, Parent-at-Large, Nevada Homeschool Network, Las Vegas, Nevada
Katherine Bain, Member, Nevada Christian Homeschools
Mark Brewer, Member, Quality Education and Accountability, Gardnerville, Nevada
DeAnna McBrayer, Private Citizen, Las Vegas, Nevada
Kimberly Gilman, Private Citizen, Las Vegas, Nevada
Elissa Wahl, Chair, Nevada Homeschool Network, Las Vegas, Nevada
Allin Chandler, Legislative Advocate, representing Clark County Association of School Administrators and Pro-Tech Employees (CCASAPE)
Betty Johnson, Private Citizen, Homeschooling Parent, Las Vegas, Nevada
Chloie Leavitt, Private Citizen, Homeschooling Parent, Las Vegas, Nevada
Jody Jarvis, Private Citizen, Homeschooling Parent
Lynn Chapman, Vice President, Nevada Eagle Forum, Sparks, Nevada
Lucille Lusk, Chairman, Nevada Concerned Citizens (NCC), Las Vegas, Nevada
Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development, Sparks, Nevada
Dr. Craig Kadlub, Director, Government Affairs, Clark County School District (CCSD), Las Vegas, Nevada

Jane Kadoich, Director, Guidance and Counseling, Clark County School District (CCSD), Las Vegas, Nevada
Kathleen Frosini, Director, Career and Technical Education (CTE), Clark County School District (CCSD), Las Vegas, Nevada
Frank Brusa, Legislative Advocate, representing Clark County Association of School Administrators and Pro-Tech Employees (CCASAPE)
Christina Dugan, Director of Government Affairs, Las Vegas Chamber of Commerce, Las Vegas, Nevada
Michael D. Pennington, Public Policy Director, Reno-Sparks Chamber of Commerce, Reno, Nevada
Dr. Dotty Merrill, Assistant Superintendent, Washoe County School District (WCSD), Reno, Nevada
Joyce Haldeman, Executive Director, Community and Government Relations, Clark County School District (CCSD), Las Vegas, Nevada
Norm Scoggin, School Board Member, Carson City School District, Carson City, Nevada; and President-Elect, Nevada Association of School Boards

Chairwoman Parnell:

[Meeting called to order and roll called.] Before we get into our agenda items, I'd like to bring up a matter previously considered by this Committee. Assembly Bill 206 was brought to us by Dr. Mabey and was voted on by the members of this Committee. However, it has since come to my attention that there is another amendment that we may want to consider. I will ask for a motion to reconsider the action on A.B. 206.

ASSEMBLYWOMAN SMITH MOVED TO RECONSIDER
ASSEMBLY BILL 206.

ASSEMBLYMAN MABEY SECONDED THE MOTION.

THE MOTION CARRIED. (Mrs. Angle, Mr. Atkinson, and Mr. Horne were not present for the vote.)

Assembly Bill 206: Provides for issuance of special license for persons with certain graduate degrees and work experience to teach pupils in public schools. (BDR 34-996)

Chairwoman Parnell:

There were a couple of questions in A.B. 206. We discussed, for a long time, the mentoring aspect with regard to alternative licensure. It has since come to our attention that currently, when the Commission on Professional Standards deals with alternative licensure, they always take into account the need for mentoring. They do that by regulation. For that reason, we would like to delete Section 1 of A.B. 206.

The other question by some members was whether this would be setting new precedents if we put the language for alternative licensure into a bill. I was hoping that Dr. [Keith] Rheault might be here. He is probably still over on the Senate side. He did contact the Chairperson of the Commission, who felt that the language in A.B. 206 was no different than the direction they'd received in other alternative licensure. They were in agreement and comfortable with the language as presented in A.B. 206. It's for those two reasons that we have brought this back to your attention.

At this point in time, we need a motion to amend and do pass A.B. 206 with the amended language that I just described. I want to make sure, before we do that, that Dr. Mabey has no further comments.

Assemblyman Mabey:

I agree with that, but we also need to include the first amendment that we initially passed out.

Chairwoman Parnell:

We will re-amend and do pass A.B. 206. Is there a motion?

ASSEMBLYMAN McCLEARY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 206, INCLUDING THE PREVIOUSLY DISCUSSED
AMENDMENTS AND DELETING SECTION 1.

ASSEMBLYMAN MABEY SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Horne was not present for the vote.)

Chairwoman Parnell:

At this point in time, I'll open the hearing on A.B. 518. I believe the Washoe County folks are here.

Assembly Bill 518: Authorizes school districts to prescribe minimum attendance requirements for pupils in kindergarten and first grade and for pupils in certain remedial programs. (BDR 34-606)

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

We are delighted to be here today to present to you our second bill, A.B. 518. With me today are Lisa Noonan, Barbara McLaury, and Pat Casarez from the WCSD. I'll introduce the bill to you, then turn it over to them for discussion. I'd like to also comment on behalf of the Education Collaborative of Washoe County, which is a private/public partnership of parents, our business community, UNR [University of Nevada, Reno], TMCC [Truckee Meadows Community College], and the school district. The board of the Collaborative has endorsed this bill, specifically the portion we are going to talk about, dealing with remedial students.

You have in front of you an amendment (Exhibit B). It's a friendly amendment, because we're amending our own bill. For those of you who are able to read your email, I emailed you an amendment, but after talking with Ms. Barbara Clark again today, there are two other small amendments. The version you have received on paper today is the correct one, with the underlines being the new pieces as of this morning. I'll briefly describe the purpose of this bill, then I'll walk you through the sections that are being amended.

This relates to attendance of students and gives boards of trustees permission to mandate attendance of students in two different categories. The first category relates to students who are enrolled in public schools at age 5 or 6, prior to the mandatory age of attendance, which is 7 years old. This does not change the mandatory age of attendance, but it says that if parents choose to enroll their children in kindergarten or first grade as 5-year-olds or 6-year-olds, then those children would be subject to the board's policy on attendance.

The reason for this—and our staff may be able to give you some specific examples—is because the mandatory age of attendance is 7. If a younger student is enrolled but is having attendance issues, technically, under the law, you can't mandate that they be there. The law says that you don't even have to be there until you are 7. That is why we're making this amendment to that portion of the bill.

The second one relates to students who are in need of remedial education in the form of afterschool tutoring, Saturday school, intersession classes that we could make available during intersession breaks of year-round schools, or

summer school. Although research indicates that in most cases summer school is not the most effective way to remediate students, our school districts and you, the Legislature, are putting a great deal of money into afterschool, summer tutoring, and remediation of students.

[Anne Loring, continued.] We fund some through the school district through grants. You have remediation funding already, which you approved on Tuesday and sent on to Ways and Means in a bill. Part of the Governor's \$100 million fund may go for this kind of purpose. Yet, having produced the money, we don't have a way to produce the students. Dr. [Dotty] Merrill was talking about an example of remediation funding that is provided through the State for students who have not passed the High School Proficiency Exam (HSPE).

We have hired teachers to come either at lunchtime or after school for certain small groups of students, and the students don't show up. Yet, money is being spent for these programs, and indeed, the students need the programs. The point of these kinds of remedial programs, which we prefer to call "intervention programs," is that not every child can learn what they need to learn for a grade level in 180 days of instruction at the minimum number of minutes that we provide. Some students need more time. We're asking for permissive authority for boards of trustees to adopt a policy that would require attendance of students who need remediation.

Let me walk you through the bill first and then through the amendment. Section 1 is referencing NRS [*Nevada Revised Statutes*] 392.040, which is a general part of the statute that talks about attendance of students. You'll see in subsection 5 that this is talking about the kindergarten or first grade students—the children at age 5 and 6—whose parents choose to enroll them in school. Section 2 is amending NRS 392.122. This is the section that we talked about with you previously in our other bill. It is the part of the statute that says that a school board must set a minimum number of days of attendance for a student to be retained or promoted.

That section of statute would be amended to include, in subsection 1(a), kindergarten or first grade students—those are the 5- and 6-year-olds—and then in (b), students in remedial programs. I want to point out that this is permissive, but we can mandate attendance only if the remedial program is fully funded—including transportation, if necessary. For instance, in our district, there is a charge for summer school students right now. If you are going to charge for it, you cannot mandate attendance. This would only be for a program that a district would fully fund, so there is no charge to the parent at all, including transportation.

[Anne Loring, continued.] With that, the amendments ([Exhibit B](#)) that have been suggested are to the second part of the bill in Section 2. The amendment is clarifying first that, should a district choose to mandate attendance of both of these categories of students, it would have to be through adoption of a policy. It is normal for a school board to adopt a policy that describes what it is that the board is doing. Further—you'll see it down in the highlighted section at the end of that section—for a pupil who is enrolled in a program of remedial education, such a policy must include the criteria for determining that a pupil must be enrolled in remediation. In other words, define what student would be taking this kind of program, the procedure by which parents will be informed of the pupil's progress throughout the year, and an appeal process.

The concept for these amendments was suggested by Barbara Clark. We were delighted to accommodate her. With that, I'd like to turn the microphone over to members of the staff of WCSD, who can give you a much more close-to-the-classroom description of why we believe that this is an important bill.

Elisabeth Noonan, Ed.D., Superintendent, Elementary Education and Regional Center for Teaching and Learning, Washoe County School District (WCSD):

Mrs. Loring did a fine job of going over many of the points that I was going to share, so I won't ask you to let me say them again. I will give you a couple of helpful visuals of where we find these important. The first issue would be that if a family chooses to enroll their kindergartener or their first-grader, then they are going to go to school. We have a problem, sometimes, of children who are not yet at that compulsory age coming in and out of school, and the lapses in attendance can be great. It's creating significant gaps in the child's learning.

Many people will say, "Well, he's only 5," or "She's only 6," but it creates a gap that then comes back to haunt that child as we get into the third, fourth, and fifth grades. Subsequent teachers are definitely trying to figure out what's missing, how they can go back, fill that in, and help this child catch up. As Anne told you, we are just asking for support in saying, "If you choose to come to school before the age of 7, please come to school. We would like to hold you to that same standard of attendance expectations as we hold children age 7 and above."

The second area, having to do with additional time in remedial programs or mandatory summer school, is something that I liken to the athlete out on the track who is going to run the race. We have the children who are here at the starting line, and everybody is expected to end up here at the finish line. We say, "Ready, 1, 2, 3, go. Did you get to the finish line and accomplish all of

your learning in the set amount of time?" We often find ourselves with children who are in the race and are certainly most capable of achieving that, but their starting line gets pushed way back. Through NCLB [No Child Left Behind Act of 2001] and all of the standards we set up for students, they're still supposed to cross the finish line at the same time and in the same manner with all of the other students.

[Elisabeth Noonan, continued.] If you were the referee or the coach out on the track, no one would think it was fair to say that this many athletes have to start way down here, but we are all going to cross the line together. We are faced with certain limitations on how to help all of these students start the finish line together in a successful manner. This language is something that allows us to do that in a win-win situation. Children can continue to be educated with their age-level peers and keep up with their academic performance. It gives us an additional way of approaching interventions and extra time. Time is really what we are after here for all of our students.

Assemblyman Mabey:

If this bill passes, what's going to happen to the kindergarten student or the first-grader who doesn't attend the school the way it's prescribed?

Elisabeth Noonan:

They would be subject to the same procedures that we follow now for our older students. We usually involve the principal, counselor, and we try to bring parents in for conferences. Ultimately, it can work its way up to some district level committees, such as our Student Attendance Review Board. It can get pretty intense. We are reminding parents that the law says you must come to school, and we have a 90 percent rule for attendance to try to avoid creating those gaps. Right now, at that age level, we really can't pursue that. There aren't any teeth to it.

Assemblyman Mabey:

Do you think students would then drop out, just so that they wouldn't meet the requirements? Instead of not coming a little bit, they wouldn't come at all?

Elisabeth Noonan:

I think that's going to be a possibility in a very small number of cases.

Chairwoman Parnell:

To remind the Committee, it is Washoe County School District (WCSD) that has the attendance bill—where we have the discussion up to ten, and then not have to go through the appeal process that parents have had to deal with prior to, hopefully, after we get this bill through this Session.

Nancy Fitzgerald, Kindergarten Teacher, Smithridge Elementary School, Reno, Nevada:

I would like to speak in favor of mandatory attendance for the kindergarten and first grade. If you are going to invest all of the money that you are planning to invest in a full-time kindergarten, then please take the time to make it mandatory that the children show up. You are shortchanging yourselves, as well as the children. Like Dr. Noonan said, if those children don't attend every day, their starting line goes further and further back. I have seen it, personally, in my class.

I saw it personally when I was at a school in Assemblywoman Angle's district. A first-grader, whose seventh birthday was in April, was coming to school only two days per week. He did not have to attend the first grade. He is now in the fifth grade in a school in Washoe County, and this child is suffering because he did not get what he needed. He was a very bright little boy. Please think about this when you are looking at the bill.

Patricia Casarez, Principal, Roger Corbett Elementary School, Reno, Nevada:

We have an all-day kindergarten also. I would agree exactly with what Dr. Noonan, Mrs. Loring, and the teacher said, because we are finding that students who are not 7 years old are staying at home. One of the things that I say to kids is that school is your job; you have to come to your job every day. We really are very much in favor of this bill. The other thing is—as far as the students who are below grade level or need interventions—we are a year-round school and intersession when we are off track. In November, we made intersession mandatory for all of the kids who are going to be taking the fourth grade writing test, who are below grade level.

There were a couple of parents who said, "No, I don't want my child going." When I explained to them, "Your child is below grade level; your child really needs to pass the fourth grade Nevada writing test. I really need your child to come," most of them agreed. There wasn't a problem. With students who are below grade level, it is important that we look at what it is they need to ensure that they will be successful in passing these tests.

Assemblywoman Angle:

I don't see where the funding is going to come from. Can you tell me about the funding stream for this? I also want to confirm that the same attendance policy we have in other law will apply to our kindergarteners and first-graders. Is that correct?

Anne Loring:

Yes, that is correct. It would say that the same policy would apply that we have been talking about previously. In terms of where the funding would come from—I apologize, I was not clear on that—this has no fiscal note. This policy, which is permissive for school districts, says that if we are talking about mandatory attendance for students enrolled in remedial programs, that it must be funded by the district at no cost to the parents. If a district has no way to fund it for whatever reason, we use federal grant money, Twenty-First Century Grants for tutoring, grants from the Education Foundation in Washoe County for tutoring, and the State's remedial money—which is available to WCSD, and presumably to most of the school districts. That is the funding we use. If there is no funding to provide this for free—so that there is no cost to the parents—then you could not do this. You could not require it.

Assemblywoman Angle:

Would this only apply to the remedial having to be fully-funded? If you mandated kindergarten and first grade, would it have to be fully-funded? I'm assuming that it is already fully-funded for those two grades; is that correct?

Anne Loring:

Yes, through the DSA [Distributive School Account]. That is right.

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

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

Nevada PTA supports this bill with the amendment. I won't reiterate the reasons why, because they were fully discussed. I do wish to thank the WCSD for taking into consideration our concerns, and working with them in coming up with the amendment. What is important about the amendment is that it gives voice to parents in the development of the process and policy that will impact not only their children, but their family. Remediation, whether it occurs during summer school, after school, or on weekends, has an impact on family life. All parents want their children to be successful.

They will be more successful if parents believe that they are part of the decision making process and that their knowledge of their child, and their family life, is valued and acknowledged. Communication is one of the six parent involvement standards. With this bill we will develop a policy that will address how parents will be informed of their child's progress throughout the school

year, and those issues that lead to their child's attendance at a remediation course. It, hopefully, will provide opportunities for input, shared responsibility, and a sharing of resources available throughout the year—an ongoing partnership toward success. Also important is the appeal process. This allows parents the opportunity to be active participants. Nevada PTA supports the passage of A.B. 518 as amended.

Chairwoman Parnell:

Thank you for being the voice of parents and the dialogue on that.

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

This has been an issue which I have testified on many times, clear back into the 1990s. We have been very concerned about the long-standing push for mandatory kindergarten. This appears as just another stealth form of moving one step closer to mandatory kindergarten. I have serious concerns about that whole issue. I'll only mention a few. Dr. Raymond Moore wrote a book, which I read, called *School Can Wait*. It referenced over 6,000 studies done on the appropriate time for children to go to school.

I was very interested in that because my own mother had put me in school one year late. I didn't go to kindergarten until I was 6 years old. I always found that to be a tremendous advantage, which provided me at the other end a little more opportunity to be more mature when I left high school, as well as its academic advantages. Those studies in *School Can Wait* show that most children who are not put in school until they are 8 years old catch up rapidly—within three months—to children who have been in since they were 5 years old. Later on, they outstrip those children in terms of leadership and other qualities developed.

Oftentimes when children are put in school too early, they develop dependence on peers rather than having a circumstance where they have had positive input from adults. Their self-esteem suffers. We all know the negative things that can go on in school that hurt children and their self-esteem, and the negative things that they learn in school. When they have a little longer time to be with their parents and have more positive opportunities, they turn out to be adults with better self-esteem and more leadership skills. I'm not going to belabor that; I know you all have your own preset philosophy about this, and this bill will be based on that.

I just bring this to your awareness if you are interested in knowing more about 6,000 studies that have looked into this, including such things as the impact on eyesight. We heard earlier today that we have to have this bill because parents keep them at home if they want. They are the children of the parents, I thought.

My son, Zachary, went to private kindergarten. When he was in first grade, he had a very difficult time dealing with that setting. I was away for the weekend at a national conference, and my mother was taking care of my son. She called me and said, "He came home from school today and had huge dollar-sized hives all over his body."

[Janine Hansen, continued.] My son didn't go back to first grade after that. I realized that he was not prepared to be in that regimented circumstance. After that, I put him in first grade one year later. He did much better in a different school, with a different teacher, and being one year older. Later on, I had to take him out of school. He went to Truckee Meadows Community College (TMCC) starting at age 15. I think this is just one more step towards institutionalizing children and mandatory kindergarten—the goals of the teachers' union. I put my voice on record today opposing this bill.

Chairwoman Parnell:

I'll close the hearing on A.B. 518. At this time, I'll open the hearing on A.B. 397. This bill is being brought to you by Assemblywoman Giunchigliani.

Assembly Bill 397: Revises provisions governing diplomas and high school proficiency examination. (BDR 34-131)

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

The first bill before you is A.B. 397. It came back thicker than what it is, because it picks up a different section. There are some errors in drafting, but they did a good job, considering how much time we all had to do this. On the issue of proficiency exams, I've spent two sessions trying to get rid of them and have not been successful. I am persistent and patient.

Last session, we were able to at least roll back the cut score number for a period, and over 600 more students were able to graduate. We got calls from parents thanking us. It was the right thing to do. That aside, I decided to try and approach this from a different venue this time—that is, to create some additional diplomas and tie what the kids do to those diplomas. What this bill is supposed to be suggesting is that we create an advanced diploma, which is awarded to any young person who passes all of the portions of the proficiency exam.

Then, going to your standard, which is currently what we refer to, and it allows the State Board of Education to create a composite score—or what they were calling in the bill, "an average score of the High School Proficiency Exam

(HSPE).” Those kids who pass it on “average” then would be able to be awarded a standard diploma. Then you would continue with your adjusted diploma and your certificate of attendance. For some of the new members, an adjusted diploma is generally awarded to a student who is in special education.

[Assemblywoman Giunchigliani, continued.] I had the privilege that if my student did the best job they could, but by twelfth grade they just had not passed all portions of the exam, I could reconvene the IEP [Individualized Education Program] with them and their parents, and then make a decision to go to an adjusted diploma. Then, they could go to any university with that diploma; it’s accepted. The sad part is—for your general education population student—if they’ve passed every class, every test given by the teacher, done everything else we’ve asked for four years, but they were not able to pass all portions of the HSPE, they get a certificate of attendance. That is an insult. They were not just sitting there vegetating for four years. They can’t go into a university with a certificate of attendance.

I’m trying to figure out a way that is flexible and maintains our standards, but recognizes that not everybody is a test-taker. We still only have about 20 states that have high-stakes tests as the only way to get your diploma. Many states have a high-stakes exam, but they don’t prohibit a young person from getting their diploma. That is the key component of the bill, but as usual, I always include a little something else. You’ll notice on the amendment ([Exhibit D](#)) that they had “advanced” in the wrong place and “standard” in the wrong place. They left some language out, so that is really just trying to clear that part of it up.

In addition to that, on Section 6, subsection 5, which is on page 15, I’m suggesting an amendment after talking to the State Board of Education. The testimony from the students last session was overwhelming. We had the young woman who was in the National Guard, and she was in her advanced math courses and still could not pass that exam. She had to leave the Guard. You have to have an adjusted or a regular diploma. She was incredible and an awesome student. It was just one of those unfortunate things. You should retake only the portion you missed, because your test-taking stress comes into play and you actually do worse the more times you take the exam.

Hopefully, we’ll redo the test because they have to reproduce them every so often. If we can get them to reproduce them so they can apportion them, so to speak—so that your calculus is in one area, your algebra is in another area, and your trigonometry is another area—then if that young man or woman only flunks that one portion, they could go in and retake that. The intent is that they

would negotiate with the testing firm to develop the next set of tests in that manner. I'm doing a two-step approach, if that makes some sense.

[Assemblywoman Giunchigliani, continued.] In Sections 8 and 9, the language did not come back correctly. It's probably my error, because I think I had lifted something from an old bill. Section 9 should not be there. I was not trying to mandate that homeschool students take every achievement test and all of that, simply—for the purposes of getting a high school diploma from Nevada—that they would at least have to submit to the proficiency exam, the same as any other student. It really is discriminatory to have kids going through the general population that have to take the proficiency exam in order to get a diploma.

Homeschool students do not have to take the exam at all. They can still get a diploma. It's trying to fix that piece. I was not intending to pick up all of the other exams. I'm suggesting the deletion of Section 9 in total and simply reference in Section 8, because that is the section the HSPE is located. Just have them take the exam. That is in compliance with NCLB [No Child Left Behind Act of 2001]. There is no problem, legally, with having them take that portion of the HSPE.

I might even suggest, if young people at home are used to a different atmosphere, we may want the State Board of Education, by regulation, to establish the means for them to be able to take those exams so that it is in a comfortable setting for those young people. I don't have any objection to that, because anybody who takes tests understands that you have that type of a situation. I handed out some articles ([Exhibit D](#)) on high-stakes exams, which discuss some of the pros and cons, gender differences, and language barriers. If we really want to know what young people are testing in, we should not dismiss four years of school, classes, and credits that they've earned simply for one exam.

Chairwoman Parnell:

I see one additional area. That is on page 23, the Millennium Scholarship.

Assemblywoman Giunchigliani:

Yes. That was picked up from an old bill. I did not catch it in drafting.

Chairwoman Parnell:

So that's deleted out?

Assemblywoman Giunchigliani:

It does say in my amendments ([Exhibit D](#)), in Section 10, page 23, delete those lines.

Chairwoman Parnell:

For the members who are following, lines 33 through 36 would be deleted.

Assemblywoman Angle:

You mentioned NCLB. I'm wondering, if we do the HSPE for the homeschoolers, will that have any significant effect on the funding that we get from NCLB?

Assemblywoman Giunchigliani:

That is an excellent question. No, it would not. There is no impact. You are allowed to test the homeschoolers. It does not matter if it's an exempt child under NCLB. In addition to that, they don't get counted for the AYP [Adequate Yearly Progress] purposes. They would still not be in that category. The only part under NCLB where we cannot affect them is to make them be counted in your AYP. This would not intend to capture that part of it.

Assemblyman McCleary:

Thank you so much for deleting Section 9. I had trouble keeping up with deleting the emails I was getting. I must have gotten about 300 emails on that. To those of you that send me emails, I try to respond to many of them. Once I got to about 300 of them, I started deleting them. I hope that the Section 9 deletion resolves most of the concerns on that.

I'm hearing that on the HSPE, there are a lot of questions on that exam that aren't even in the required curriculum. First of all, is that true? That is a rumor I keep hearing. Secondly, is there some way we can address that? I know that there is curriculum that we are supposed to teach these students. Could we make the test so that it reflects that?

Assemblywoman Giunchigliani:

Yes and no. Unfortunately, in education you have that kind of an answer. Actually, Assemblywoman Smith knows better than I. I just joined the Standards Council last year. I'm thrilled with the changes that they have made. I think, finally, everything will be aligned. When we first put in the requirements, the curriculum did not parallel the exam. Math is still a problem area. That is an internal debate on what you do. Clark County just mandated algebra, for example, as one of the required courses for graduation. I think that makes 11 of the 17 districts that do.

We have to recognize that on balance, all of our youth should be taught to the standards, but not every youth is going to go on to college. It used to be close to about 73 percent that would not go on to college. We are re-trending to almost assume that everybody will, instead of assuming that they will go into the trades and different service career areas. We are not on balance, in that

manner, with the testing. There still needs to be a standard for the curriculum that they have to meet. I think that having algebra required, at least in high school, will start to get them to that portion.

[Assemblywoman Giunchigliani, continued.] They showed us some of the test questions in Ways and Means this morning, and none of us knew the answer to the first math question. It was for the HSPE. That is still a dilemma. Yet, Mr. [Keith] Rheault can better explain who writes the exam and where they derive their questions from. I don't quite know exactly where they come from. I don't know if that one is done through a council of teachers or if that is a standardized test that is adopted, that we don't have the flexibility to change.

Assemblyman McCleary:

I don't think calculus is a required course, yet there are calculus problems in that test. I don't understand that. The reason I'm asking you is because this pertains to testing, and I think it is relevant to the subject. The CRTs [Criterion Reference Tests] are supposed to be given on the one hundred twentieth day, ideally, and they are to reflect the 150 days of curriculum. If I'm wrong on this, someone can correct me. That is the way it was explained to me. I understand—because of the different tracks that we have—we have some students taking that test on the eightieth day, the ninetieth day, and the hundredth day. I wanted to know if there is some way we could standardize it. Instead of saying it has to be the same day every year for everybody who is on different tracks, could we say, on your one hundred twentieth day of your track, you will take this test so that we can get an accurate gauge as to where your students are.

Assemblywoman Giunchigliani:

With regard to CRTs, I think the State Board of Education can better answer that. I know it's an issue that was recently discussed. I believe that they have actually resolved that problem. I'll let Keith [Rheault] come up, or whoever is here, to explain that. CRTs, which we long pushed, truly judge the effectiveness of my teaching and the curriculum. To me, it was always a more useful tool for judging whether or not I was instructing the kid on the curriculum at that time. What we used to call "objectives" in the old days are "standards" now. It's a much more relevant test. You are absolutely correct; it's cheating the teachers, students, and the parents if you give the test before you have even covered the information. I think because of the tracks that the year-round schools have, we would have to give them the Terra Novas when we had them in middle school. My kids, who'd been out for the first track break, would come back and I would have to test them. They hadn't even acclimated themselves to how school worked.

Assemblyman McCleary:

It doesn't do a city any good to try to gauge the situation when we have 40 days worth of curriculum that hasn't been taught.

Assemblywoman Giunchigliani:

Exactly. Testing should be for a purpose, not for simply testing.

Assemblywoman Smith:

Mr. McCleary, one of the things that happened in the past—and why I think the decision was made to go with changing the cut score—is that it's so important to make sure the kids have had the opportunity to learn the information. The standards were first implemented in 1998, and the test started changing after that. There has to be a balance in making sure that you've allowed enough time for the kids to have the opportunity to learn. That was a big issue. We are moving toward that point now.

I'm going to go back to my original testimony, Chris. There is a section in here that requires the district to allow the student to participate in a completion ceremony, correct?

Assemblywoman Giunchigliani:

Correct.

Assemblywoman Smith:

Even if they just have a certificate of attendance.

Assemblywoman Giunchigliani:

I thought I had picked that up in a bill last session, and somehow, it went away. Yes. Absolutely, I don't think any young person who has gone through their entire high school career should be barred from walking with their class just because they didn't get the full high school diploma. That's the parents', the kids', and the grandparents' time. Don't embarrass them any more than they are, knowing that they hadn't passed that exam. Unfortunately, we have a district here that chooses not to allow them to walk. That is contained within the bill.

Assemblywoman Smith:

It's on page 14, line 16. I thought that was important.

Assemblywoman Giunchigliani:

Right. There is transitory language on page 24 that also picks it up as well.

Assemblywoman Angle:

This seems like an inconsistency to me; maybe you could explain. We are going to require the homeschoolers to take the HSPE, but we don't want to require all of the public schoolers to take the HSPE as much? I'm not understanding what we are doing here. I know when we got the first homeschooling bill, we did require a lot of testing to be done on homeschoolers. It was found that they never failed their tests; that was why that requirement was removed. I'm wondering what the real purpose is to put them back into a testing situation.

Assemblywoman Giunchigliani:

The real purpose is that we have a standard. The standard in the state of Nevada and in 26 or 27 other states is now you have a HSPE that is a requirement to earn a high school diploma. It is not fair that one small group of individuals does not have to take the HSPE in order to be awarded a diploma. It's equalizing. My bill in no way says that you don't have to take the HSPE. It makes it mandatory for everybody. In fact, if you'll note, on the "An Act" portion of the first page, it says "removing." My bill does not remove the proficiency exam. It simply creates a different tiering. Advanced means you passed all of it; standard means you passed the exams through an average or a composite score. That same application would work for the homeschool youth as well.

Chairwoman Parnell:

In A.B. 335, which we are taking up today, it also has language for a task force on the HSPE. I think, as we've seen, there is a lot of discussion going on.

Assemblyman Mabey:

There will be an advanced high school diploma. That would be the person who passed the HSPE?

Assemblywoman Giunchigliani:

Both exams.

Assemblyman Mabey:

Then, for those who didn't, as long as they passed a composite score, they would then get a standard high school diploma. How are you going to decide what the high school composite score will be?

Assemblywoman Giunchigliani:

That will be up to the State Board of Education to determine. They could determine the cut scores anyway. Maybe Keith [Rheault] could comment further on that.

Assemblyman Mabey:

Okay, I'll hear from him, but that makes sense to me. Then subsection 5, line 22, of page 14, "The State Board shall adopt regulations that prescribe alternative criteria for receipt of a..." You want to change that to, "a standard high school diploma, including, without limitation, administration of an oral examination..." Can they then get a regular, standard diploma just by taking an oral exam?

Assemblywoman Giunchigliani:

Thanks for pointing that part out. I did not go into depth. Yes, the intent would be what some states have done—Wyoming being one, and I can get the other state. What their state boards of education decided is that because not all kids are paper and pencil test-takers, they allowed for portfolios and oral exams, like you do in college. There could still be a combination of written and oral. That was for those kids who were found to be non-test-takers. Let's give them a different shot to show the measurement of whether they learned the content. It would still have to be judged on the same type of material, but it would be another alternative that the State Board of Education could establish. They would not be the advanced; you are absolutely correct. That would just be for the standard.

Chairwoman Parnell:

To go along with that, Carson High School—as an example—has the senior project that they work on. It's a written document, and then they do an oral presentation. They have their portfolios, GPA [grade point average], attendance record, and then they have their score on the HSPE. I think a lot of us have wondered for some time, if we have all of these different kinds of indicators, is there a way we could score each one as worth so many points, and you can graduate if you get so many points, rather than just looking at the single indicator of the HSPE?

Assemblywoman Giunchigliani:

If this were to be adopted, the same would apply for the homeschool students. I'm not intending to segregate them or affect them any differently. I would point out that Section 5 removes the age requirements so that someone in adult education could continue to go back and try to retake the HSPE. I had a request from an adult who is the mother of special education student. He's 23, and he finally passed it. He almost was at that borderline time. If they still want to go back and continue to try and get it when they were issued a certificate of attendance, let's let them do it. That is the intent of Section 5.

Assemblyman Hardy:

Page 19, lines 14 through 16: is there a limit to how many times we can take a portion of the exam?

Assemblywoman Giunchigliani:

Not in this legislation. That would be for the State Board of Education to establish, especially if they were going to enter into an agreement with the testmaker on how to design the test. They would then need to set how many times you could retake that portion. I did not put that into the amendment, but you have two sections where that language appears that you would need to pick it up.

Assemblywoman Angle:

You mentioned an age requirement. I know that some homeschoolers will be wanting to graduate way before their eighteenth birthday. I am wondering if they can take that proficiency test, say, at age 10 or 12. I'm also wondering if there is going to be an additional cost to administering proficiency tests to the homeschoolers.

Assemblywoman Giunchigliani:

I don't think age 10 or 12, unless they were in a profoundly defined definition of gifted, then an accommodation would have to go based on whatever is currently in regulation. However, they are allowed to start taking the exam at tenth grade. I don't think that will be a problem. If they were able to pass it then, they are done with it as far as meeting that standard piece of it. In addition to the cost, we don't have that many young men and women who are in homeschooling.

We have a bill in Ways and Means that will be looking at creating a new proficiency test that, I hope, we can negotiate to get the portion anyway. That way, it will be released so that parents know what the old tests look like, so that they have a comfort level with it. I don't know if this bill came to this Committee or if it just came to Ways and Means because it was about money. The dollar amount would not be a great deal of cost. We do allow homeschool students to participate in extracurricular, and that is a cost to the districts as well. I think the least that could be done is to have them take the same exam to get the same diploma.

Assemblywoman Angle:

The soonest that you would be able to take the proficiency test would be tenth grade, or age 15?

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

With current regulations—and keep in mind this changes a lot of what we are doing right now, or would change—it says you are only allowed to take it starting with tenth grade. They would have to be classified as a tenth-grader somewhere before we allow them to take it currently. It doesn't go by age.

Assemblywoman Angle:

It would be based on the grade?

Keith Rheault:

It would be based on the grade level that student is in. For example, in public schools, we had a qualification that you're considered a tenth-grader after you earn your first five credits toward the high school diploma.

Assemblyman Munford:

I want to commend Ms. Giunchigliani for her efforts to try to find some way to develop some type of alternatives and safety nets out there for those students taking the proficiency exam. Most of my years of tenure were spent teaching twelfth-graders. After the second and third time having to take that, they are devastated, especially when they are seniors and it is approaching graduation time. If this is an alternative and a way to ease that tension and stress, I hope that these things do get some legs. It would be so great for these seniors.

Keith Rheault:

I initially came up just to clarify Mr. McCleary's question, but while I'm up here, I will commend Assemblywoman Giunchigliani for always pushing the envelope. I think some of these items—for example, the portions involving coming up with a redesigned HSPE—can be done, but we are not there yet. Our tests are all one piece, currently. I'm not saying it can't be done, but it will take some time. In our fiscal note, we said that if you passed it effective July 1, 2005, it's not going to happen.

If we could look at it and phase it in as we have to redesign and redevelop tests, then that would be a possibility—particularly if the Legislature tells us to do so. We would have to negotiate that with the contractor. We would also make sure it's allowable. We'd have to get it reapproved by the U.S. Department of Education as acceptable. That should be the least of the problem; it should cover the same curricular content that we require in standards. That would be a part. Logistically, it would be something that we'd have to work out.

[Keith Rheault, continued.] For example, we have a lot of difficulty just getting the full math test to everyone in the right place, to the right seat, and to the right student. If the math test was broken into two or three portions, then we'd have to make sure just that portion got to the kids. Logistically, there are a number of things that I have to look at also. In regard to Assemblyman McCleary's questions, that was a big problem, regarding when students took the test. It was more of a problem at the elementary and middle schools that have the year-round programs.

I think it came up in the Legislative Committee and it was a problem. Our previous requirement was that it be at 150 days, and I think we gave them 15 days either way. While at the one-hundred-fiftieth day of a normal year, it may have been 80 or 90 days for the year-round schools. We believe that we have that problem resolved. As a result of the inquiry at the Legislative Committee, the Superintendents' Association and Department staff worked for about 9 months this last year, looking at the problem.

We did agree, and it's been put in place, that everyone will test at 120 days. We had to move it back to accommodate some of the year-round schedules, 15 days either way. When we negotiated the new contract with our test vendor, instead of just having one test window—which was the problem previously, that everyone had to take it during that week—they did agree, and it's built into the contract, that now year-round schools take it at a different time. That equates to the 120 days, and the regular schools take it at the 120 days. They do two separate scorings and two different administrations. It was agreed upon by all of the school districts and the Department. We built that in. That is currently happening now. That problem, I think, has been resolved.

Assemblyman McCleary:

I appreciate the fact that the CRTs are getting lined up. I appreciate the fact that the future HSPEs are going to actually reflect the curriculum that we are teaching. It doesn't, currently, correct? But we are going to be there soon.

Keith Rheault:

I would argue that we've had three full studies of our math exam, as an example. It was a Legislative Committee, an independent review, and one through the American Diploma Project. In all cases, we've independently looked at what the standards require, versus what the questions are on the test. In all three cases, there is almost a 100 percent match. I think the question we are hearing is, "Are they given the opportunity through coursework at the high school to meet all of the standards?"

[Keith Rheault, continued.] Even though they are required, it says, "You will learn all of these math standards by the time you reach twelfth grade." I think the problem is making sure the students take the appropriate math course in high school. Currently, we just say, "You need three math credits to graduate." It may boil down to being more specific: "You are going to have to take this type of course." On some of the questions, if members haven't seen it, I think legislators are authorized to take a look at the test. We always hear there's calculus, algebra II, and all of these, but they are at the very lower end of that course. It's really things you pick up in some of the lower level math courses. It's nothing that you would need even a semester of calculus, algebra II, or any of those, in order to pass.

Assemblywoman Angle:

I have an email that I would like you to address. It has to do with the proficiency test. I won't read the whole thing, but I'll give you the essence. Clark County School District senior high school students trying to pass the math proficiency test, in order to receive their diploma in June, do not have their results from their February 8 exam yet. They take the test again on April 5 if they've failed. As of March 28, they still didn't have their exam results back, and they are not getting enough time to do any remediation. They say that we need to correct this inefficiency now. This whole discussion seems to be going around this math proficiency test and getting these tests back. How will this bill affect the efficiency of getting those test results back? Also, could you answer the email? I need to answer this email back and tell him why he hasn't gotten his results back.

Keith Rheault:

The only piece in this bill that would address any faster return on the test results might apply to whether the requirement for portfolios and those types of things came, or whether they were allowed to take it after their fourth attempt in passing the test. We contract with the test vendor for a three-week turnaround, which is the least amount of days for turnaround of any state in the country. That is, by the time you collect them, send to the vendor, run them through, score them, and then validate it to make sure everything is accurate. Then it comes back to the Department of Education.

There is one week for us to validate, put it in our system, and then get it to the school district. There are days you are not going to speed it up. I got the same email that was provided through a legislator. My response to that is that there are a couple of options. We try to be accommodating to seniors who haven't passed the test yet. We provide a test in February, April, near the end of May, and one in July. There are a couple of options, which we don't like. We could eliminate the April test so that there is more time to get the test results back.

[Keith Rheault, continued.] Two, the way that we score the May test, so that we have the results back by graduation for most of the students, we only allow seniors to take it in May. Because the statutes say that we must use an outside vendor to score the test, we at the Department can't just take them, run them through, and then get the results back. We have to negotiate with the test vendor to be on-site. In this case, we have them in Clark County, collect all of the results, and can get them back—at least the preliminary results—in about a week or ten days.

That is only because it is only seniors. In the April testing, we allow tenth, eleventh, and twelfth graders. If we could isolate the test for seniors in April—for example, have the test vendor come to Nevada and do the scoring here—we might be able to speed it up. Those are things that we'd have to negotiate. I did tell at least a couple of legislators that I would look into working on that for next year with the test vendors to see if that is a possibility.

Assemblywoman Angle:

We are talking about breaking the math portion apart and the logistics of that. What would that do to the efficiency of the return on these test scores? Should we, as legislators, be contemplating not going to the outside vendor, but actually scoring those here in the state?

Keith Rheault:

It's going to add to the complexity of scoring. Right now, there is only one booklet for each student. Any time you add pieces to that—and there are three parts to the math test, and the student only needs one more portion that they have to pass—that gets funneled in and has to get aligned with previous testing results to make sure all three portions were passed. To me, it's going to add to the complexity. It may actually cause it to be slowed down a little bit. They might have passed the first portion as a tenth grader, but can't pass that last portion until the third testing as a senior. All of those databases then have to be lined up to make sure that same student who passed that portion as a senior is lined up with the tenth grade pieces. That is going to add to the complexity of this. It can be done, I think, but it's not going to speed things up.

Assemblyman Mabey:

What is your opinion on this oral exam? It seems to me that we are going to get rid of the HSPE by doing this.

Keith Rheault:

I think this concept has been talked about in previous legislative sessions. It's a much more expensive way to test. I know the costs are always of concern. We've never gotten into too much detail, but for example, would there be a set

of individuals in a school district that would be trained and could do an oral test? I don't think that you could allow just any teacher at a school to say, "Here are some questions and if they sound good, they pass." It would have to be a pretty structured system. I think with staffing, financially and logistically, we could do it. It actually is a good idea because a lot of states have tried that, and at least a few of them have included that as a way to pass or meet the high school requirements.

[Keith Rheault, continued.] The problem that we've had is that it is much more expensive to train everyone so that the person doing the oral exam in Elko would pass the student at the same rate in Clark or Eureka. Logistically, how do you get everyone with the same standards so that we are not having it lower in one district and higher in another? Overall, if we could do it, it would be a good system.

Julie Whitacre, Director of Government Relations, Nevada State Education Association (NSEA):
NSEA is in favor of this bill.

Chairwoman Parnell:

Before we start, and I have a couple of comments to make just to go over the key parts of this bill so that there is no misunderstanding.

- The addition of an advanced diploma in current statute
- To consider retaking only the portion of the HSPE which the student failed
- Consideration that anyone, including homeschool children, who wanted to have a Nevada high school diploma would have to take the HSPE, but all other tests that were referenced in the original language of the bill have been deleted by the sponsor

Frank Schnorbus, Parent-at-Large, Nevada Homeschool Network, Las Vegas, Nevada:

[Submitted [Exhibit E](#).] I think I'm happy, but we do have a concern. The question that I have for Assemblywoman Giunchigliani is that currently, homeschool children are not allowed to obtain, that we are aware of anyway, any kind of public school diploma. Is it as you stated, Madam Chair, that if you wanted one, you would then be allowed to take this proficiency exam? Or is this bill requiring that all homeschool children, regardless of whether they want the diploma or not, take the HSPE?

Chairwoman Parnell:

I can partially answer that. I think the intent was that if you wanted a Nevada high school diploma, then you would come under the same regulation as anyone else given that high school diploma. If you did not care as to whether or not you had that diploma, then you certainly would not be affected by this legislation.

Frank Schnorbus:

That certainly makes us happy also. That would be very much appreciated, actually, because some people are concerned about getting a diploma. You can get them through correspondence courses and various other ways. That would be a very nice gesture.

Assemblywoman Smith:

Along those lines, for a homeschool student to be accepted into the military, an apprenticeship program, or college, how do they currently do that?

Frank Schnorbus:

In past years, it had been a lot more difficult because of the unknown of homeschooling. Currently, the majority of colleges will accept homeschoolers as is. Usually, they will require ACT® or SAT® scores. In my case, my daughter is currently going for her doctoral thesis down at USC [University of Southern California]. She's in the thesis process right now. In her case, she had to go and take all of the SAT2® exams. It's quite rigorous. Currently, Nevada high schoolers—if they want to qualify for the Millennium Scholarship—are required to take the HSPE, and I understand that there are quite a number of homeschoolers who have done that.

Chairwoman Parnell:

Thank you for pointing that out too, because then they would be eligible to gain that. We want to work with everyone in our deliberation to try to find what works for the majority. We never have the intent of hurting anyone or cutting anyone out of the dialogue.

Katherine Bain, Member, Nevada Christian Homeschools:

I want to commend you for not having the testing before the final proficiency included. That is just amazing. Many of us homeschool because our children do have problems and can't do that particular thing. I also would encourage the oral testing because many children—especially FAS [Fetal Alcohol Syndrome] children—find it extremely difficult to test. It's not that they don't know it. It is that they can't get it down in writing.

I also commend the different levels of diplomas and the fact that we would not be able to receive a diploma through Washoe County. The child I have, who is

just finishing up at TMCC [Truckee Meadows Community College], could not do that. He passed all the proficiencies at 16 years old, but couldn't get any piece of paper. This is a great addition to what we do with our homeschoolers.

Mark Brewer, Member, Quality Education and Accountability, Gardnerville, Nevada:

At first, the idea of the State being able to issue a diploma to homeschoolers sounds very exciting. At first, I too was excited by that. I also know that there are many areas other than correspondence courses that do issue diplomas. There are many high schools throughout the state and throughout the nation that issue diplomas. These high schools are not accredited. If it comes down to a point of accreditation, a homeschool family is just as accreditable as a great percentage of the nation's high schools, which technically are not accredited.

Another issue that I have with this bill is that it dumbs down the children of the state of Nevada. Offering three different tiers of high school diplomas—an advanced, a standard, and a certification of attendance, which can be better defined as “I warmed a seat”—really takes away from the students who excel and rewards students who decide that they don't want to excel. As a businessman, I've had to interview many young people in the state of Nevada. When I ask them the question, “How do you determine a monthly payment by using an interest only formula?” they look at me with a blank stare. I find that I'm teaching math to my employees.

Additionally, allowing three different tiers of diplomas can give a false statistical positive to the reporting of the federal NCLB from the state of Nevada that says we have X amount of people who have received diplomas. It doesn't break down the fact that there is now an advanced, a standard, and a certificate of attendance, or “I warmed a chair.” That is what really concerns me, Madam Chair.

Additionally, what caught my attention is that if we were to take a look at Section 6, paragraph 4 of the bill, it discusses that you can pass a proficiency exam if you are within the twenty-sixth percentile. In other words, there are approximately 74 people who did better than you, and you still passed. That really is not a good measure of a person's proficiency. Yes, they might be able to operate a cash register at McDonald's and still not be able to give change manually using what they should have been taught.

The state of Nevada, unfortunately, has a very poor reputation—as reported in the media—as far as their ability to educate children. Nevada, at this point in time, is being reported anywhere from forty-fifth to fiftieth, as far as how well we educate our children. What I would encourage the Committee to do is not

allow for three different diplomas here, but to set the standard for the diploma by also encouraging the university regents not to accept any students who haven't shown a proficiency.

[Mark Brewer, continued.] That doesn't speed up a child who needs a little extra help here. If you keep the standard of a diploma where it should be for those who are proficient in the language arts and mathematical arts, those are the children who should be going to university. Additionally, those who haven't come up to speed should get a GED [General Equivalency Diploma], and when they pass it, the superintendent of the school districts involved should automatically issue a diploma. That diploma reflects that they are now proficient.

Chairwoman Parnell:

I might add that currently, that is the way it does work. You have to pass the HSPE before you can get into our university system and before you can even get a diploma. What I hear you saying is that you are very opposed to the section in the bill before you, dealing with alternative kinds of diploma.

Mark Brewer:

What concerns me is that even last week, the *Nevada Appeal* was reporting that there are several students at UNR [University of Nevada, Reno] who need remedial courses. The proficiency in the language arts and mathematics going into the university at this point in time still isn't high enough. There should be no reason why there should be a remedial course at UNR or UNLV [University of Nevada, Las Vegas], but there is. It is coming through the flow of the high school system.

Assemblyman Horne:

It seems that you leave behind some students in the schemes of the various diploma tiers. You don't leave any room for those students, who are average students, but who do more than just keep a seat warm through their high school career; they work their butts off. My daughter is getting ready to graduate from high school this year. I would get so angry with her when she would come home with a C+ or a B. It took her a while to understand that if I saw her leave blood, sweat, and tears on her desk and she got a C, she gets a hug from me. I'm happy for her. But if I see her dragging her feet and getting a B or a B+, I'm not happy.

It's the effort that you put forth. If you put everything out there and you achieve that C, I think that is a definition of excelling. When you drag your feet and get a B or a B+, I don't think that is excelling. I think that is what this tries to address. We do have students who will put everything out there that they

can and still are not going to get that B or A in a certain subject; it's not going to happen. I got an A in algebra, and I struggled to get a C in geometry; I was happy to get the C.

[Assemblyman Horne, continued.] In college, I took Japanese for a year, got a C+ in both semesters, and did back flips for that C+. In law school, where you have a forced curve, there are people who say, "Thanks, but no thanks." It's not that they don't know the subject matter of the topics that are being taught, it's just that some people knew it better, and they end up leaving. Then when you take the Bar exam—this is for licensing, but I'm trying to lay out a picture for you—which I took multiple times, all of my professors said that I know this stuff backwards and forwards, but when it came to the writing portion of it, I kept coming up short. It wasn't that I didn't know it; it was just a different form.

I think that your suggestion may leave good students behind. If we take your standard on who gets to go to college and who doesn't, I think we leave a lot of people behind who would make good doctors, lawyers, and accountants. They may have to work harder than others, but they may do it.

Mark Brewer:

I'm in agreement that a good employee and a good student is one who puts forth great amounts of effort. A C grade, by definition, just means average. You tied that into excelling, counselor. A C grade is not, necessarily, excelling. It means that they have an average idea of the subject material. In my case, I was a C+ average in high school, B+ average in college, and I had a low SAT® score. Yes, I understand what it takes to excel. The problem is—and this is what I'm seeing out in the industry—that the students are being given diplomas and they've been given grades that they shouldn't be receiving, just because everybody was able to try to make them feel good. I appreciate the desire to make your child feel good to excel, but let's be realistic. What we are getting out in the business field is not what Nevada should be producing.

Chairwoman Parnell:

I need to say this to everyone. I think that the legislators have been very respectful of the concerns that you all had regarding Section 9. I would like to see that respect given in turn to those of us on this Committee, and to our system of public education in this state.

DeAnna McBrayer, Private Citizen, Las Vegas, Nevada:

I was here for the homeschooling section of Section 9. My testimony is no longer needed because it has been deleted.

Kimberly Gilman, Private Citizen, Las Vegas, Nevada:

I thank you for removing Section 9 from this bill. That was of concern to me as a long time homeschooler. I'd also like to comment on the relationship between the proficiency exam and the Millennium Scholarship. I know that right now, our students are allowed to take the proficiency exam, and some homeschoolers have taken it exclusively for the purpose of obtaining Millennium Scholarship money. I am concerned about establishing a minimum age limit for children who take this exam. I'm the parent of a highly gifted youngster. My son is 12 years old, and he is already doing algebra.

If he continues at the rate he is going, I anticipate that he may well be ready to take his proficiency exam and apply for Millennium Scholarship money by the time he's 15 years old, which would be before he is ready to take a driver's license exam. I know that this is not standard, but I would hate to see a "tenth grade level" or an age level assigned to students taking the Millennium exam. It was because of my son's highly gifted status that we opted to homeschool him and not send him to public or private schools.

Chairwoman Parnell:

I'm glad that you bring that up. I would guess that might be worth a good discussion before the State Board of Education. They deal with a lot of those regulations. The homeschool group, or any group—especially parents of those who are very gifted and talented—might want to have that discussion with the State Board sometime.

Elissa Wahl, Chair, Nevada Homeschool Network, Las Vegas, Nevada:

I want to encourage the Committee to clarify the language to specifically not mandate the proficiency test and to include language, if that is the intent, to allow for diplomas. There is no current language, in any regulation, to allow for high school homeschool diplomas, or to not include this current homeschool language in this bill. That is the option that I would lean toward, and I represent over 600 families statewide in Nevada who homeschool. I would lean toward not including any homeschool language in this bill.

Chairwoman Parnell:

Since you didn't get a copy of the amendment, I will read Section 8, amended by addition to require a homeschool child who is exempt from compulsory attendance to take the proficiency exam for the purpose of securing a Nevada high school diploma. If that was not a concern, and if that was not something you desired for your child, then you would be exempt from that requirement, according to the amendment to the bill.

Elissa Wahl:

Will there be future language allowing us to get that diploma? There is no language allowing that now.

Chairwoman Parnell:

No, that will now be part of this bill. If this bill passes, you'll have that language.

Allin Chandler, Legislative Advocate, representing Clark County Association of School Administrators and Pro-Tech Employees (CCASAPE), Las Vegas, Nevada:

I wanted to make the point that we are generally in support of the contents of this bill. We did have some concerns relating to the alternative criteria. I need to make the point that we are not opposed to any alternative criteria, but there are some concerns, primarily that the alternatives are going to have to be very clear in their development, both for the assessment of the portfolios, as well as the oral exam. In order to administer the portfolio assessment or the oral exam, it's going to require some additional staffing and some additional funding. These will be both time- and labor-intensive, and we just wanted to point that out in the event that this is passed.

Betty Johnson, Private Citizen, Homeschooling Parent, Las Vegas, Nevada:

[Submitted [Exhibit F](#).] It doesn't seem everyone else in homeschooling has the same concern that I do about the word "require." I become concerned when the State wants to require me to test my child to receive anything, including a diploma. The reason for that is simply this: I am withdrawing my children from Ruthe Deskin Elementary School, because my children are no longer allowed to read for enjoyment during their class time. They are no longer allowed to put emphasis on science, because it is not tested. They are no longer allowed to put emphasis on social studies, because it is not tested. When you require me to test my child, I become concerned about what you are going to require of me next, and what this test is going to be testing.

I would prefer that you not require homeschoolers to pass the proficiency exam. I think that testing proves that the students in homeschooling do very well, and I don't see where this benefits my student in any way to receive a state diploma. The next thing to happen will be that we will be required to receive a state diploma. I really believe that will happen. I will prefer you not require me to take the proficiency exam to receive something from the State for homeschoolers. Our students are very well accepted and sought after by colleges. We really don't need a state diploma.

Chloie Leavitt, Private Citizen, Homeschooling Parent, Las Vegas, Nevada:

[Submitted prepared testimony, [Exhibit G](#).] I would like to speak in support of what Betty Johnson just said. I'm a mother of four. My 16-year-old and 17-year-old are both in their second year of college. They are both honor roll students. They had to get their GEDs at 16 years old. We didn't mess with the diploma because we were so ostracized. I'm in favor of this new proficiency—these new levels, the oral testing. I would like to say that I think the portfolio idea is a good idea. I think that would prevent this from turning into some situation where we just have another door where we can pass through students who can't read or write. We have enough of that going on as it is today with receiving our diplomas.

I would like to thank Mrs. Angle, Mr. McCleary, and Mr. Manendo. They responded to my emails and concerns very promptly and very earnestly, and I appreciate them very much and thank you for allowing us to speak today.

Assemblyman Horne:

I appreciate that everyone emailed us, as you heard from Mr. McCleary, the tons and tons of email. A lot of them came from the same person multiple times. It's not effective when we get the phone calls demanding that we vote a certain way. This is to help you, because there will be other legislation that will come forward that you are interested in. That wasn't very effective to me, nor to many of my other Committee members. That is something that you should note.

Chairwoman Parnell:

That is good advice for everyone, I think.

Jody Jarvis, Private Citizen, Homeschooling Parent:

I want to say ditto to many of the things that were said tonight, especially to what Elissa Wahl said and the woman who was speaking about the required wording in there. I'd like to again encourage that if it does get put in, that the diplomas are available and that the testing is mandatory for that; that it is very clear that this is an option to homeschoolers. The wording that you read to us a few moments ago could be construed as, "You are required to take this in order to receive a diploma," not, "You are allowed to take this if you wish to receive a diploma." I wanted to share with you a few ideas.

You asked some questions about what else can homeschoolers do to get into college, since they can't receive diplomas now. They can start out with junior college as early as age 14, and they can take the SAT® and ACT®. I personally got into Brigham Young University by a class that I took in junior college, even though I graduated at the top of my class. You don't have to have a diploma to

get into that. You can take correspondence courses to receive diplomas. Parents can actually make their own transcripts and diplomas, and colleges will accept those. They can put together portfolios to show what the child has done.

[Jody Jarvis, continued.] Some schools actually reserve spots specifically for homeschoolers. They seek them out, because they are often more energetic about education. They are actually seeking homeschoolers out and don't require that diploma. There are also alternatives besides college for kids who have finished their education in their youth to become entrepreneurs. They can go to trade schools and those sorts of things.

I just want to thank you for your time and encourage you—if that wording does get put in—to make sure it is very clear that it is not a requirement to get a diploma or to take that test; that no one can construe it as, "Now you must take a test."

Chairwoman Parnell:

To clarify that again, only to get a standard Nevada high school diploma—any other kind of diploma or any other direction into college would not be mandated, required, or forced upon you by the State.

Jody Jarvis:

Yes. I understand that, but the wording that you read to us a few moments ago—I could see how someone could take it, twist it, and say that homeschoolers are required to take a test in order to do this.

Chairwoman Parnell:

Be very careful when we finish perfecting the language?

Jody Jarvis:

Be very careful in your wording and how that is put.

Chairwoman Parnell:

Thank you for that recommendation.

Lynn Chapman, Vice President, Nevada Eagle Forum, Sparks, Nevada:

I want to address one spot in the bill. On page 23, lines 33 through 36, it says "Eligibility for the Millennium Scholarship must not be conditioned upon passage of the HSPE."

Chairwoman Parnell:

Let me stop you; you were not in the room. That has been deleted from the bill.

Lynn Chapman:

I was concerned, because I wanted to make sure that if that was the case, why not go by the SAT®?

Lucille Lusk, Chairman, Nevada Concerned Citizens, Las Vegas, Nevada:

If I have understood Chris's amendments correctly, most of our concerns have been resolved. I would like to speak briefly in support of a couple provisions. The allowing of a person to retake the portions of the exam as many times as necessary is a good skill to learn; a very valuable skill.

I do want to bring up something that no one seems to want to talk about. We call this a "proficiency exam," but in fact, we must recognize that it is a "minimum competency exam," because every single student must pass it in order to get a diploma. That is a minimum competency exam. If we recognize what it truly is, then it makes more sense for us to make some adjustments to recognize that. An advanced diploma would utilize a proficiency exam, whereas a minimum competency exam would be more appropriate for another purpose.

Chairwoman Parnell:

It is very nice to hear you say that. A lot of people have been trying to communicate that information for a long time.

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

I wanted to thank Ms. Giunchigliani, and also this Committee, for taking into consideration what we all know has been a very difficult thing for educators: watching especially high-risk kids who struggle so hard to just complete school. They are attending school and working very diligently to pass, and then have the frustration of potentially failing the opportunity to acquire a high school diploma. I really appreciate the recognition of that. Also, the provisions that provide for the accountability are very important so that we all recognize that. I can certainly empathize with your situation, and I think that is broadly based.

Charter schools, in particular, work with a great deal of high-risk students. It has been a source of frustration for schools that work with these populations to see the students working so hard and then run up against that barrier. I appreciate that. As a former homeschooling mom, I appreciate the new opportunities that are afforded to homeschooling students that this bill provides with the amendments.

Chairwoman Parnell:

With that, I will close the hearing on A.B. 397. At this time, I'll open the hearing on A.B. 279.

Assembly Bill 279: Revises provisions governing education. (BDR 34-864)

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

The bill before you is A.B. 279. You should have a list ([Exhibit H](#)) that tends to try to itemize by sections, and then some suggested changes or corrections for your consideration. Part of this bill is so large because a lot of it deals with the name change, and because the name change goes throughout the statutes, it actually picks it up.

The purpose of this bill is to rename the State Board for Occupational Education to what is currently used, and that is the Career and Technical Board. The State Board of Education actually wears two hats. They are the State Board of Education, and then they can reconvene as the Occupational Board. That is an antiquated term, and we don't use it any longer within coursework or anything else. The intent was to change it to Career and Technical. In addition to that—and I believe the Chamber of Commerce has a suggested amendment, which is fine with me if the Committee wants to add some business members—this parallels the other bill that you heard.

If you are going to move into Career and Technical, or start recognizing that many of our youth will go into a career area, we may want to create Career and Technical diplomas to recognize that. One would be an advanced diploma, one would be a standard, and they would exactly mirror what you heard on the proficiency bill. If they did Career and Technical advanced, that means that they passed all parts of the proficiency exam. The standard diploma will apply if they pass the composite score of the proficiency exam. I actually started writing the Clark County School Board 14 years ago with research and documentation about the issue of starting times for high school students.

I know that Senator Beers has a similar piece of legislation in the Senate. Mine took a different tact. Our high school students start school too early, and it is directly tied to their attendance and tardy situation. Most kids will tell you that maybe by second period, they have finally woken up and paid attention. First period is lost on them, unfortunately. This takes a little bit of a different approach. I call it an incentive; the districts might call it a disincentive. It says that, however you might want to coordinate it, just make sure that high school starts later, elementary starts first, and middle school follows elementary. If you don't do that in the next year, you lose 5 percent on your per-pupil.

Maybe I can give them 1 percent if they do it within the year; I don't know. I think that they are smart enough and they know how to do it, but transportation tends to drive the school schedules, not school policy or the

needs of the kids. In both the urban areas, especially, I didn't mandate a necessary time. I tried to have them come up with some flexibility. There are a variety of ways that they could do this. Six or eight years ago, we passed a law allowing them to use their transportation dollars to also purchase bus passes. The CAT [Citizens Area Transit] buses are now pretty much throughout the Las Vegas Valley, and the RTC [Regional Transportation Commission] is up in the northern part of the state.

[Assemblywoman Giunchigliani, continued.] You cannot establish a bus stop for a high school student—or any student—just because it is a school. They lose some grant funding. Most of the stops are now within two blocks of most high schools and middle schools. My thought was, as they try to put this into place, by reversing it, they could actually eliminate high school busing. At one time there had been a study where we found that a great deal of the kids were actually riding it. They were doing one region; it was two schools. They were piloting it. It's time to find out how many kids really still need the bus.

If you could divert them to the buses, you could actually have your elementary kids have a longer three-mile period. You could add more buses on their route, instead of the two-mile cutoff. There might be some tradeoffs that could come into play if you begin to massage and change that. We'll see what they have to say, but I think they can be creative enough to do this. Will some parents be upset? Absolutely. Will some kids be upset? Yes. This is about their quality of education. I have attached some documentation ([Exhibit H](#)) for you—some articles on sleep and the impact on young men and women.

The little kids are up and rocking and rolling early in the mornings. Some school districts in the United States actually have their elementary schools go from 7:30 a.m. to 2:00 p.m., and the kids go home way earlier than anybody else. They have a latchkey program for them, in case parents are working. They are dragging by 2:00 p.m. That is why most of the curriculum—the reading and math—used to be in the morning, because the kids were wide awake, and by the afternoon they were into more of their hands-on learning—music and art. That is how their time clock winds down.

Section 7 recreates an internship program for high school students similar to the one I created in 1993; I have attached the old legislation ([Exhibit H](#)). I forgot it was a pilot. If you wanted to entertain this concept, it is called a work experience program, rather than an internship. I wanted to try and get young men and women working with the apprenticeship councils and into the trades a lot earlier. We decided that they can't be paid and they are not subject to workers' compensation. If they do go in and work with the employer, there is

not a liability that comes into play. That is just another suggestion in the career and technical field.

Vice Chairwoman Smith:

I wanted to remind the Committee that we heard a bill regarding a similar issue on Monday, and that is where the discussion came up that paid or unpaid can be a work experience versus an internship, which is only unpaid.

Assemblywoman Giunchigliani:

Parts of this mirror what Mr. Holcomb has in his bill, and I think you have another Committee bill that deals with career and technical. I'm thrilled that we are starting to recognize that we've lost one piece of our educational process, and at least through the dialogue we may make some changes this session.

Section 8 specifies how the advanced and standard diploma would work, similar to the other bill that you heard. Section 9 allows the district to assist with teaching in the career and technical areas. My thought was that as you move into a lot of these technical areas, the teachers may not have as much experience. I was trying to think of a way that, maybe, some people who work in the field could come in and help participate in the classroom. That is kind of loose, but I tried to get something captured there in Section 9. They weren't a full-fledged employee and thus not subject to all of this, but if they want, they could also come in and volunteer. I have no objections to that. This is just a way to get some expertise in the classroom in some of the career and technical fields that you may not be able to tap. That was the intent of Section 9.

Section 25 deals with dual credit. You'll see it in a bill you hear next week for the colleges. In my brief tenure at the community college, I was working on establishing dual credits for high school students, so that they get the best bang for their buck. You find out in college that there is a lot of turf. Unless the dean of that particular class said, "Yes, that high school teacher is capable of teaching the same curriculum, and that curriculum will count," then I couldn't get a dual credit program going. We were having difficulty. For example, you heard from the principal from Spring Valley High School the other day when we were trying to set up the horticulture program.

Some deans are very flexible, and some aren't. I had asked them what their standard was. Generally, the standard is that if you have a master's degree in your subject area, you can be deemed a dual-credit instructor. This way, you can still be on the high school campus. You offer the coursework for that young man or woman, and they are actually getting credit for high school and college at the same time. They have a restriction: the college class is one-half of a credit, versus three credits for the high school class. This will make it very

clear. In this bill, we'll say that if the teachers have a master's degree in the subject area, the credits will count, and then in the bill you'll hear next week, we'll say the university has to recognize that experience so that they can have the dual-credit class count.

[Assemblywoman Giunchigliani, continued.] In addition to that, Section 26—years ago, students helped me write this, where we created community service as an elective credit for high school, which would count towards graduation. I'm suggesting that we review it. The school board makes the decisions as far as the number of elective credits, but the hours got a little bit high. I scaled them back.

I know Washoe County does a little bit higher number, as does Clark County. As we are dealing with the kids having to do more and more credits to be able to get an actual credit for community service, it seemed to me to be reasonable for 120 hours for one-half of a credit of 240 hours. If you computed how much time they spend just in math, science, or reading, they are not even up to those numbers of hours. I was trying to scale that back.

I also suggest that if this Body chooses to move Assemblywoman Gansert's bill on community service for Millennium Scholarship—I put in my amendments just for suggestion—make sure that this community service, or any community service offered in a classroom or required by an instructor, could count towards that community service. I was trying to anticipate that and blend them.

Section 27 allows teachers to submit principal evaluations. When I first started teaching, teachers did a confidential evaluation of their administration. That was used by the zone director or the area zone for input as to how to craft that principal's evaluation. I have had that request from many teachers because it went away. There has been no input at all from the faculty on whether an administrator is successful or not. It's not meant to be a negative. I have an example of one that could be done on Scantron ([Exhibit I](#)), which I used many years ago. It focuses on school climate and consistency of management. It's trying to get a picture of how that school functions. If you have a good, strong leader at the front end and you have good faculty, they will work hand in glove. It could be more challenging. You could walk into a campus and know when things are clicking and when they aren't. You get the feel for the atmosphere. This is in no way intended to be a negative. It is intended to at least let the faculty have some input. Right now, they have none.

Section 28 is for discussion. It will be curious to see what happens. Years ago, this was the number one issue for middle school teachers. We were sick and tired of kids being able to flunk. Literally, they could flunk all three years of

middle school and still be promoted to high school. I brought forth a bill to say, either establish a credit structure, or go with deeming what courses had to be passed in order for those kids to move up in grades and into high school. Kids are very bright. As soon as the information was posted of what classes they had to pass in sixth grade, they said, "Ms. G, that means I could flunk math, physical education, et cetera..." They only had to pass a few classes and didn't have to worry about some of the others. That was part one.

[Assemblywoman Giunchigliani, continued.] As we deal with credits and transitioning young kids from middle school to high school, my thought is maybe it is time to go back and do the credit structure for middle school as well. At least they are learning that they have to earn credits and every class counts. Math is as important as art, in many instances. We don't devalue a class. Also, they're earning credits so that they are in the habit of it by the time they get to high school. That is part of their world, of being responsible and making sure that they've earned a certain amount.

It's pretty flexible. It lets the State Board of Education establish what classes count for what. You can have half courses, and you can have makeup. I think that may get us past a lot of kids flunking classes. A lot of kids just say, "I don't have to perform in these, as long as I pass this group." That was never my intent. I know it wasn't the legislators' intent. I still applaud us for making that step, because at least there was some standard for getting into high school. I'm throwing that out there as a policy discussion for the Committee to take a look at.

In addition to that, Section 31 is parallel to the dual credit language. Section 35 is transitory language for the internship or the work experience language. I have a fiscal note in here to consider. It's \$250,000 to allow students to pay for those classes. They actually go to the college campus to take their dual-credit class, or at their high school, if they are enrolled in it. The key piece is for the textbooks. I'm suggesting that we at least cover that cost. The college textbooks are extremely expensive. Many young people in high school could not afford that.

In the community college high school program in the Clark County School District, they will pay up to a certain portion, but it is a hit on their budget. They still have to pay the college and the university no matter what. I was trying to get a pool of dollars set up so that we can assist those young people who want to take a dual credit class. If you want to process any part, I have no objection. You have your Committee bill. If you want to take the career stuff out and put it into another bill, that is fine with me as well. Maybe, leave this as more the policy discussion. I'll throw that out to you.

Assemblyman Horne:

Regarding Section 28 and the junior high students earning their credit, are we just going to keep them in if they don't pass?

Assemblywoman Giunchigliani:

No. The remediation dollars that are in there currently would remain.

Assemblyman Horne:

You were saying that the junior high school students need to earn the credit in order to advance to high school.

Assemblywoman Giunchigliani:

Correct.

Assemblyman Horne:

If they don't earn the credits to advance to high school, are we going to keep them in junior high?

Assemblywoman Giunchigliani:

No, because age does kick in at a point. I still remember that I had 11-year-olds and a 16-year-old at the same time, in the same class. It was not a good situation for him or for the younger ones. I think that forces us to do what we do currently. We have pull-out programs for helping them to pass the class, we have intercessions if you are on a year-round track, we had summer school programs, and we had tutoring. We can't abandon them. Flunking them does not do any good.

I try to look at this more in the perspective of young kids taking responsibility—starting to think ahead. I don't care if it is flexible, but by the time you need to graduate, you need to get this total number so it is not such a barrier. Right now, you have a lot of eighth grade kids who are not making it. I think that is shameful. The same dollars that the districts have could be used in this case. They are already using them for those eighth graders who did not pass the three classes they are required to pass to get on to high school.

Vice Chairwoman Smith:

To clarify for the record, the diploma structure in this bill mirrors the diploma structure in A.B. 397?

Assemblywoman Giunchigliani:

Yes. You could say advanced, career advanced, standard, career standard, adjusted, and certificate of attendance, and handle it that way.

Assemblyman Holcomb:

Did you consult with the Department of Education Career and Technical when you were drafting this bill?

Assemblywoman Giunchigliani:

No.

Assemblyman Holcomb:

Did you consult with somebody on it?

Assemblywoman Giunchigliani:

No. It's long term. I've always believed that careers should never have been lost in the school system and in the curriculum. In our rush to increase standards, we lost sight of some of the curricular needs for the majority of our students. It is still very frustrating. As a middle school teacher, we had wonderful career and technology programs. They threw the equipment away and bulldozed half of the classrooms down, and it was so wasteful in this trend to move from one pendulum to the next. I can't blame the districts. They were told to do it and figure out how to do it. I have long believed that so many of our young people are very bright, but they need to touch, feel, and see how things connect. Not everybody is going to go on and get a bachelor's degree in science or something along those lines. We shouldn't ignore that.

Assemblyman Holcomb:

You have here "advanced career diploma," which I also have in my bill that was passed through here. Mine says, "...maintain a 3.0 cumulative grade point average (GPA)." Yours doesn't say that. How do we actually resolve them?

Assemblywoman Giunchigliani:

That will be up to this Committee to decide how you want to massage that. I didn't put it in. I don't know that you make a mandatory GPA for one group and not for the other, if that is the case. I didn't think that was the direction to go. I wanted to create the tiering of the degrees, so that we begin to get the curriculum reentered into the schools for the young people.

Assemblyman Holcomb:

I want to add how we came up with that. Clark County has an advanced diploma. Their requirement is a 3.0 GPA, and that is why we came up with the 3.0 GPA.

Assemblywoman Giunchigliani:

Based on their AP [Advanced Placement] class, that's right.

Assemblyman Holcomb:

In other words, they are up at the same level.

Assemblywoman Giunchigliani:

That is your decision to make. I have no problem with that, if you are focusing on young people who take AP. I was trying to look more at the proficiency test.

Assemblyman Holcomb:

We were trying to raise the standards. They are doing very well, the ones who are enrolled.

Assemblyman Hardy:

On page 16, Section 6, I was intrigued by your statement, "After the first period, then their brains woke up..." I wrote down that maybe you should start earlier, and then you will be ready earlier. Also, your quote, "We also teach reading and math in the morning when they are wide awake and their brains are going..." I really do have a problem with waiting until 8:00 a.m. to start classes. I'm not sure that I've seen the science that convinces me otherwise. I would be amenable to look at that science from both sides. I think there are probably some conflicting studies which look at that.

I am also concerned with the word "each" in Section 7: "...the board of trustees of each school district..." I am concerned with the resources that some of our school districts may have and probably would want some input from the school districts before I put a burden on them that I don't know if they will be able to meet. The other things that you have done with the amendments, I like. I like the intent of looking at training junior high children to not be left behind and get their credits in.

Assemblywoman Giunchigliani:

In Section 7, I wouldn't have an objection. I lifted that from the original bill in 1993. It could be a "may," because not everybody would need to work with the apprenticeship council in that manner. In Section 6, I understand, but the elementary kids are awake. I wouldn't mind if they started at 7:30 a.m. With regard to the high school kids, absolutely all of the testing shows that they are far more in tune, more successful, and need more sleep than they think that they need. It was an attempt to try to get there.

My main intent, though, is A, B, and C. Elementary starts first, middle school starts second, and high school starts later—whatever that time may be could be negotiated. I put in 8:00 a.m. to have the discussion. We've been having that discussion for quite some time. I understand the frustration, but transportation

drives it, and that is not the way it should be established if we are going to do the best job for those kids.

Assemblyman Munford:

The time element—I've seen it fluctuate. It used to be 8:00 a.m. for high school. I really enjoyed that. The bill that Senator Beers is going to present was going to be my bill, but he beat me to the punch. I wanted that all the time. I always had a problem with punctuality and being on time. I wanted that extra hour or so of sleep. Teachers have discussed that for many years. I can remember starting at 7:00 a.m., 7:05 a.m., 7:20 a.m., and 8:00 a.m. When Bonanza first opened, we started at 8:00 a.m. I think the growth and all of this led to various times adjusting, because of the availability of the buses and so forth.

I do concur with you 100 percent. Kids do not get responsive, alert, tuned in, participate, or get involved until about the third period. I'm serious; I know. Sleep is one of the biggest problems. They don't hesitate to put their heads down on their desks. We always had to remind them of this, to the point that we almost had to give them some type of penalty. We'd take points off their grades. We told them that they need to wake up and stay awake. That is one of the biggest problems—that sleep thing. Some student might think that if we go to 8:00 a.m., they could stay up later at night, too. I would like to see an adjustment on that time.

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

We support changing the name for CTE [Career and Technical Education]. That was in Mr. Holcomb's bill. Our board of trustees, since the passing of the Nevada Education Format, has gone on record as supporting the requirement that students pass each of the sections of the HSPE [High School Proficiency Examination] to get a diploma. We have a concern about not doing that or averaging. That is our board's position and has been for a number of years.

On Section 6, regarding the start times, as the sponsor noted, there is a bill on the Senate side for starting high schools. The original bill was going to start them at 8:00 a.m. Apparently, that bill's sponsor is moving that to 7:35 a.m. We have worked with him on that with some amendments, which we expect will be moving forward. That part works for us, in terms of the elementary starting before middle and high school.

Currently, our middle and high schools start at roughly the same time—around 8:00 a.m. Our elementary schools start at 9:00 a.m. We feel that on a change like this, we really need to work with our parents. It may vary from community to community in terms of whether parents are willing to have their students—

their little children—start at 7:00 a.m. We are thinking here of getting to school in the dark and then getting home earlier in the day. We think that is something that we need to talk to our students about. We do understand the research about little kids being more alert in the morning.

[Anne Loring, continued.] Regarding Section 7, the bill sponsor has talked with you about the similarity to the bill that you heard on Monday, the Chair's bill. We are really talking here about work-based experience. We think that is a great idea, and we support her suggestion that the language probably ought to be "may," if there are districts that are not in a position to do this. We think it is a great idea to allow young people to get experience in the fields that they are interested in.

Regarding Section 26 and the community service requirement, as the sponsor noted, in Washoe we already have the opportunity for community service for our students. Our requirement, in terms of hours, is a bit higher than this. We don't have a problem if this bill is processed with the lower numbers. We'll make that change.

Regarding Section 27 and teacher input into the evaluation, we had a great conversation with the sponsor. In Washoe County School District, that already happens. We were talking with her about how formalized she was envisioning. She is quite open to what that looks like. In WCSD, as part of the principal's evaluation, the supervisor of that principal contacts the teachers of the school and gives a variety of opportunities to have input, either setting up an appointment or sending in comments without meeting with them personally. We are already doing that in our district. We appreciate her flexibility on how formalized that has to be.

On Section 28, regarding the middle schools, we want to point out in WCSD, our middle schools are currently two-year middle schools. Obviously, there will need to be the flexibility if the intent is to pass five classes per year, which would be 10 for us instead of 15. In our District, we do not have registrars at our middle schools; we do at our high schools. We don't have middle school transcripts. The students get report cards, but their report card is just that year's or that semester's list of classes. It is not cumulative. It doesn't show how much they have accumulated in 2, 3, or 4 semesters. That would take some phasing in for us, and also some realignment of resources. Currently, we have a principal, a vice principal, and then maybe a single secretary at a middle school. That would be an issue for us.

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

There are portions of A.B. 279 that we support and portions that raise some concerns. I've spoken only very briefly with Assemblywoman Giunchigliani about the bill. If the chance exists to work with her to find some common ground on any of the issues we have concerns about, we would appreciate the opportunity to do so. My first comment deals with Section 6 of the bill, which mandates school start time. On behalf of our board, I want to be on record stating that the District is not in opposition to changing start times, but trustees would prefer to get input from families before implementing a change.

We transport about 150,000 students per day. In order to change start times without incurring any costs, the bill commits us to 8:00 a.m., 9:00 a.m., and 10:00 a.m. school start times. We believe families should be considered in the decision. For example, if the community would rather do 7:30 a.m., 8:30 a.m., and 9:30 a.m., we'd like to have the flexibility to accommodate them. I believe in her remarks, Ms. Giunchigliani indicated that she was open to some flexible arrangement, but adamant about the elementary, middle, and high school sequence.

Also, at this time, if anybody on the Committee has questions about that CAT bus experiment that we engaged in, Ms. [Joyce] Haldeman has some knowledge of that and could address that issue. If not, I'll jump to Section 27 of the bill on page 31, which authorizes teachers to evaluate administrators. We believe that the official evaluation of a principal should remain the responsibility of the principal's supervisor. We agree that it is appropriate for a principal to have input from the teachers prior to writing the principal's evaluation. We would support the development of an evaluation process, and would like the opportunity to see what WCSD is doing and perhaps model a comparable effort after theirs. We also appreciate the sponsor's flexibility in that area.

Jane Kadoich, Director, Guidance and Counseling, Clark County School District (CCSD), Las Vegas, Nevada:

We'd like to go through the bill and clarify some points that have been discussed, share some things that we've actually learned in the CCSD, and give you some food for thought. The first thing that I'd like to talk about is in Section 2, and it also comes up throughout the rest of the bill, regarding the different naming of some of the diplomas and to create some additional diplomas.

I want to ask a clarification question first. In Section 2, if I understand correctly, what has been discussed is an additional two diplomas—a standard career technical diploma. Is that correct?

Vice Chairwoman Smith:

That is correct.

Jane Kadoich:

Then a standard diploma, and another diploma would be the advanced career and technical education diploma; is that correct?

Assemblywoman Giunchigliani:

Yes. It is creating a 5-tiered diploma between this bill and the other bill. It could be a regular advanced or an advanced career and technical. You'd have a standard or a standard career and technical. Then you'd have your adjusted diploma and your certificate of attendance.

Jane Kadoich:

Thank you for the clarification on that. As far as exit documents go, we also have the adult standard diploma as an option and the GED in the state. At the local level, we have the honors diploma. One of the things I wanted to clarify that was said earlier was that our honors diploma minimum GPA requirement is a 3.50 weighted GPA. That puts a considerable number of additional diplomas and exit documents on the table for students to choose from. I have a concern about that, as far as trying to identify which diploma each of the students would qualify for in such a short period of time, especially with the May administration of proficiency—the last-chance proficiency exam. There is a little concern about the vast number of diplomas—now on the table for discussion—for our students to choose from.

I want to jump to Section 7, and I'm going to turn it over to Kathleen to discuss some of the issues with that in the internship.

Kathleen Frosini, Director, Career and Technical Education (CTE), Clark County School District (CCSD), Las Vegas, Nevada:

In Section 7, I appreciated Chris Giunchigliani's support of changing the language to permissive under line 20, subsection 2: "the internship must" to "may." We actually do have a number of opportunities for students to earn work experience credit. I wanted to clarify for the Committee that the age to enter those apprenticeship programs is typically 18, and many times, it is much older than that. They are willing to work with us for pre-apprenticeship-type programs.

I think the intent, which I applaud, is to open opportunities for students to actually earn credit in a nontraditional way through work experience. In Clark County, we had over 1,200 students this fall alone in paid work experience programs, earning more than \$2.6 million. We see it as a very

valuable learning experience for students, but I was concerned that perhaps this language is a little bit more prescriptive than what might be needed in order to further that effort. I would appreciate the permissive language, if that was agreeable to the author.

Jane Kadoich:

We currently do offer an internship program course in our school district for elective credit. I appreciate the author of the bill being open to that, and would like to see a change from "academic credit offered," in subsection 2(b) of Section 7, to "elective credit." In Section 8, I'm a little concerned about the narrow focus of the diploma titles "career and technical education," as opposed to "occupational education." I have a few concerns regarding that narrow focus.

I'm wondering whether universities and colleges will understand that is the higher level of our diplomas with the career and technical label in the title of the diploma. I'm also wondering about our arts, humanities, and social studies areas, when we don't have diplomas that identify those areas. In Clark County, for example, we have an incredibly huge arts and humanities program; I'm just concerned about the narrow focus of that.

Assemblywoman Giunchigliani:

Some states have started to have the advanced, standard, adjusted, and certificate, then they had endorsements that were added on, depending on the type. That might get you to where you are going. You get an advanced, then you get the endorsement piece: it is an AP class, an honors class, or Career and Technical. That might be an alternative direction to go in order to lessen some of the paperwork. That could be handled by regulation.

Jane Kadoich:

That is possible. At this point, in our district, we would now have nine options for exit documents on the table if we were to pass this in its present state. For us, that is quite a bit of shuffling to determine which diploma each of those students would qualify for. The next concern was in Section 8, line 2(b), on the top of page 17. I'm concerned about the average score prescribed. I think it would probably be better if we could identify that, or be somewhat more specific about that in the language.

On the average—and I believe someone referred to it as a composite score—the questions that come to my mind are:

- Is it an annual, average score?
- Is it the subtest annual average score?

- Is it the average score based on each of the five administrations throughout the school year?
- Is it based on grade level?
- Do we want to establish different standards for different groups of students?

[Jane Kadoich, continued.] I think that we would be somewhat remiss if we didn't specify a little bit more about that average score.

Kathleen Frosini:

In Section 9, the bill talks about the opportunity for a district to hire an individual from industry to teach in the classroom. I wanted to clarify that we actually have the opportunity to do that through our business and industry endorsement, where an individual has five years of experience in a technical field. This language would allow us some flexibility, if we wanted to bring somebody in on a part-time basis if there was some content that the teacher wasn't familiar with. However, I really don't know whether we could fiscally afford to have two individuals in the classroom at the same time. I wanted to share with the Committee that we do have a provision in the law now for licensing individuals who come to us from the fields—for example, the fields of automotive, nursing, and accounting—with five years of industry experience. That is available at the current time.

Jane Kadoich:

In Section 16, on page 20, subsection 2(c), I was concerned about the internship. Would that be a requirement that would be part of that career and technical skill program? That, of course, is an issue for us in Clark County because currently, we have 27,000 juniors and seniors in our school district. If an internship program was required as part of a Career and Technical Education diploma, there could be a problem as far as getting placements in another industry. That was an issue that I was concerned about.

Kathleen Frosini:

Number 3, on page 30, says that the district may request that the University Board of Regents grant permission for a licensed teacher employed by the district or a charter school to provide instruction for dual credit. I've had the pleasure of working with Chris Giunchigliani on a number of initiatives that relate to this. I wanted to clarify for the Committee that we have in place an opportunity for a high school teacher who teaches a course that is articulated with the community college to allow students in that course, if they get an A or a B, to apply for the credit and to receive college credit. It's the opposite. Dual credit is where an individual is taking a course at the community college that they also may receive high school credit for.

[Kathleen Frosini, continued.] Typically, that has been a college instructor at the high school level for those courses that are articulated. We have over 80 of those courses, and some 1,300 students this last year earned Tech Prep credit. We do have that opportunity, and this might expand it to some degree. There may be some unique situations where this might be helpful, but I did want to clarify that that option exists at this time.

Jane Kadoich:

Continuing on Section 25, line 3, we also have dual credit in place and NRS [*Nevada Revised Statutes*] regulates that. We currently have, in our district, over 400 of the courses that are offered at the community college, Nevada State College, or UNLV [University of Nevada, Las Vegas] that are approved for dual credit. I appreciate the author's fiscal note. It would be very nice to be able to help students who are in our comprehensive high schools take dual-credit courses at the universities. The average per-semester cost of college books now for students is \$500 for a full load. It really does give you an idea of how much textbooks have increased in cost.

In Section 26, the indication is to allow for community service credit. In our school district, we already allow students to earn up to one credit. We may be remiss on subsection 2(b), with the 120 hours. We have always, frankly, used the definition of unit of credit in regarding instructional hours as being 120 hours for a full credit. We have only been requiring 60 hours of community service credit for one-half of a credit. We are very open to changing that, though, if that is something we need to look at.

On page 31, Section 28, I was really glad to see pieces in here about the promotion retention issue. One of the things I do want to share with you that we have learned is what I would label an urban legend. When the legislation first came down that students were required to pass three semesters of math, English, and reading in seventh and eighth grades—prior to being promoted to ninth grade—there was a real concern that our students would pass those classes at a higher rate and fail the classes that, in students' minds, don't count. We did a lot of analysis of the grade distributions of our students in seventh and eighth grades last year. We found that really is an urban legend. The students who passed math and English are the same ones who are passing social studies, science, and physical education. We did not find that to be accurate.

We are concerned about the endless number of times that we can retain eighth-grade students. The laws indicate that we can only retain the student once in each grade level, except for eighth grade. There is no age that kicks in. Frankly, at our level, we have a concern about having 16-year-olds still in eighth

grade with our 12-year-old children. We have, in our district, created alternative sites for their placement. I know that people in Washoe County struggle with that particular issue, too. I'm glad to see that is in there, and I would like to see that open for some discussion.

[Jane Kadoich, continued.] We currently produce middle school transcripts with credits on them. Our students have an opportunity to get used to looking at the credits. It does make a difference and it does help for a smoother transition to the high school level. The pattern and format are exactly the same. That is a good thing for us. I'm concerned about the 15 credits that would be required. What you are saying is that a student could fail one class each year for the three grade levels. In our district, they are in middle school in sixth, seventh, and eighth grades. Pending legislation doesn't indicate what courses have to be passed. I guess, in essence, a student could fail their math class each year for sixth, seventh, and eighth grades, and still meet the criteria to be passed on. I do like the intent of the current retention promotion legislation.

The final clarification question is for Section 28—line 3 on page 32—about the opportunity to attend summer school. I'm assuming that when you say "opportunity," you mean that we provide summer school as an option for students. In our district, we charge for that. It has to be generating and self-sufficient. We normally have about 17,000 students who attend our summer school sites. We also charge them \$95 for one-half of a credit for us to be able to sustain that program. If the author would be willing to meet to hash out some of these options, I'm real glad to see that they are on the table and we would be willing to do that.

Kathleen Frosini:

Section 35 on page 34 talks about the composition of a state apprenticeship council. I think I understand the intent in terms of having some oversight from business and industry. Perhaps we could look at that and see how we want to structure something, if that were a requirement. All of the districts that have high schools—who have Career and Technical programs that receive our federal Perkins dollars—now have in place a career and technical advisory committee called an occupational council, or a tech prep occupational committee. It is made up of business and industry members. We do have some oversight in terms of input for our curriculum and for our internship and work experience programs.

In Section 36, I'd like to applaud Assemblywoman Giunchigliani for her proposed legislation here. As all of you know, we are in a real crisis around the state and in our nation for producing nurses. I think Section 36 might go a long way towards helping us find qualified individuals who could provide the very

first training program for students in high school by creating an opportunity to deliver a certified nurse assisting program. This language would allow an individual who has three years of nursing experience to substitute a licensed practical nurse, as opposed to a nurse who has a bachelor's degree. I want to applaud that language and thank her for putting that in there.

[Kathleen Frosini, continued.] The fiscal note of \$250,000 will help defray some of the expenses for students who are participating in dual credit, because this can be quite a hardship for students who choose that route.

Vice Chairwoman Smith:

I will assure you that Ms. Giunchigliani has been furiously taking notes as you have been testifying. I'm sure that she is very interested in your comments and concerns.

Assemblyman Holcomb:

You mentioned nine diplomas. I represent Washoe County, and they have the standard, advanced, adult, and the adjusted. I know that you have an additional one, which is the honors. Then we also have a certificate of completion for those students who failed to pass the performance test, as well as the GED. Is that correct when you were talking about the nine?

Jane Kadoich:

I would like to reclarify that. Our school district has the honors diploma, advanced, advanced career and technical, standard, standard technical, adult, adjusted, GED, and certificate of attendance.

Assemblyman Holcomb:

You are including the ones that Ms. Giunchigliani mentioned. I was under the belief that you had the standard, advanced, honors, adult, adjusted, GED, and the certificate of completion. Then, under my bill—A.B. 48—it would have been the career and technical advanced diploma and, Assemblywoman Giunchigliani added one more, which was the standard career and technical education diploma. There are quite a few.

Jane Kadoich:

There are quite a few. I believe you and I are on the same page on this.

Assemblyman Holcomb:

I noticed that on my bill and on Ms. Giunchigliani's, there is the word "may," so it is optional.

Frank Brusa, Legislative Advocate, representing Clark County Association of School Administrators and Pro-Tech Employees (CCASAPE):

[Submitted [Exhibit J.](#)] We have concerns in three areas. With regard to Section 6—the starting time—high school principals expressed a concern to us that if you do it in Clark County like they do it now, it would be 8:00 a.m., 9:00 a.m., and 10:00 a.m. starting times, with high school starting at 10:00 a.m. There are some concerns on the other end when you start thinking about kids involved in extracurricular activities: band students, drama students, and athletes. In certain situations where you have facility problems—in a high school, for example—even if you have two gymnasiums, you could have kids in that facility at 10:00 p.m. finishing practice in the winter. Between wrestling and basketball, we’ve seen that over the years.

On the other end, you have some problems where high school kids aren’t going to get home until 8:30 p.m., 9:30 p.m., or 10:00 p.m. They are still responsible to make up homework and do the other things. Working students are the other side of the coin. Even if you had kids trying to work four hours per day to get 20 hours in, starting at 4:30 p.m., those kids are still working until 8:30 p.m. or 9:00 p.m. There are a lot of those kids working until that time at night. Those are the kids who need some time to do the work, the homework, and whatever else has to be done. You have that kind of a problem.

Section 39 calls for a 5 percent penalty if you do not adhere to the schedule. In the Clark County School District, that is 5 percent of \$1.6 billion, which would be \$81 million. That is an \$81 million penalty. That is an \$81 million incentive. We talked about that as a positive incentive, but it is an \$81 million hit out of the DSA [Distributive School Account].

The other section that we have a concern about is the evaluation part, Section 27, page 31. Whenever I, as a principal, did an evaluation of somebody, I formally met with that person. We sat down and talked about their evaluation, and if there was a disagreement on the evaluation—a staff member had a right to disagree—there was a procedure where we met with members of the associations to discuss the evaluation. There is nothing in here that says that about a teacher evaluating a principal.

As a high school principal, I always provided a survey for the staff. It had a series of questions, and then at the end of that section, they provided a narrative where, if they had a critique of the administrators or anybody, they could provide that critique to us. Then we’d put that information back out to the staff and parents, telling them that this was a staff survey of the high school, and this is what our staff felt of us—the counselors, the nursing staff, or

whoever it was. This is not very fair, in my opinion, to principals or school administrators.

Lucille Lusk, Chairman, Nevada Concerned Citizens (NCC), Las Vegas, Nevada:

There is much in this bill that we like, but most of it has been covered, and I'm not going to repeat it all. I would like to say with regard to the proliferation of diplomas, the answer probably really is in endorsements on a diploma and allowing a student to receive multiple endorsements if they qualify for more than one. There are some real advantages to that for a student who works hard and qualifies for a number of areas. I would see it as highly desirable for a student to get a career and technical endorsement, and also an honors endorsement. I think there are a lot of kids in the career and technical programs who do, in fact, earn that.

With regard to the question of teachers evaluating principals, this bill talks about inclusion in the form of evaluation on page 31. I've been hearing some of the discussion here. That may not be what is intended. I always think about this lobbyist evaluation of legislation. I have always refused to participate in that. What has come out of it has been, in my opinion, an outrage. It provides an opportunity for people to give voice to bias and to have that recorded and used against people. If, in fact, you are going to use an evaluation of teachers for principals, it does seem to me that it needs to be confidential, so that it can be utilized for consideration by those making those formal evaluations, but cannot be used in any kind of public forum or situation.

At the bottom of that same page, in Section 28, with regard to the establishment of credits for junior high and middle schools, I'm concerned with the phraseology here. We have no real problem with establishing a credit requirement, but the way this is worded, it says that the school board can waive up to half of those credits if a student is simply in attendance. It seems unwise to say that if they are in their seat, it replaces the learning requirements. I can't believe that is what Chris intends. It seems to me that would make the problem worse rather than better and be a real change in philosophy.

With regard to the proficiency exam, I'd have to say that I probably couldn't pass it. I am similar to many. I did very well in school, in all areas but one. I did very well in algebra, but when it came to geometry, I couldn't get it. Unlike Mr. Horne, who managed a C in it, I was given a D- modified in geometry, as recognition from the school administration that I had done my very best and didn't get it.

Assemblyman Munford:

A comment to Mr. Brusa on the principal evaluations: they've always given us a confidential paper to evaluate the principals. I think that in some ways, the teachers sometimes used to feel that principals had some personal animosity toward a particular teacher. This is the way that we get our opportunity to judge them and evaluate them on their ability. It's a token thing. I don't know if we took it seriously or if they really read it. We don't really know. We've done it every year. You would discover the following year that there were really no changes made. I think it is good for teacher morale in a way, too.

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

We have a couple of different points of view with respect to the bill. I think a number of people have already spoken to the issue of the HSPE [High School Proficiency Examination] situation. We won't continue to hammer on that, but we certainly would echo some of our concern related to that in ensuring that accountability is put forward in any program that we seek to move forward with. However, we are very pleased that the dialogue has been brought up this session about Career and Technical Education (CTE). The state of Nevada is lagging behind in a number of different areas with respect to its career and technical opportunities for students, and the business community is having a difficult time filling jobs.

I know nursing was mentioned earlier. We also have a difficult time with the IT [information technology] positions in Nevada, as well as some of the ones surrounding auto and other technical issues. Any discussion of that is very much appreciated by the Las Vegas Chamber—to move that forward—so that employers really are able to hire skilled and educated students who are graduating. We are also interested in seeking an amendment ([Exhibit K](#)), potentially, to the bill in Section 10.

Right now, the Occupational Board, to be changed to Career and Education Board, is composed of the State Board of Education, which we recognize is, in fact, an elected body. However, we would suggest that some individuals representing the interests of the business community be added to the Career and Technical Board, so that they would be able to offer expertise. They have some additional input and desire to ensure that things are moving forward for the appropriateness for the workforce.

The language that you have—that we have suggested—is certainly not anything that we are specifically dedicated to. It really references the largest chamber in the state, which would be our Chamber. We would also suggest that potentially allowing the Reno-Sparks Chamber to put people on the Board would be

beneficial, so that we have both the positive aspects of north and south and ensure that all people are feeling equal representation.

Assemblywoman Parnell:

I can't remember if all of you were in the room the other day when I did A.B. 388. All of that really is aligning the language "career and technical." Also, it has an advisory council in all 17 school districts. In that bill, under Section 3, subsection 1(a), are representatives of business and industry in the community that they would serve on. You might want to take a look at that. We could use that same language in any of these bills.

Michael D. Pennington, Public Policy Director, Reno-Sparks Chamber of Commerce, Reno, Nevada:

I'd like to echo some of the remarks by Ms. Dugan. I've spent a considerable amount of my time at the local level, prior to the Legislature, working on various standards issues relative to the Gateway Program that the Washoe County School District (WCSD) implemented. It was great to have that dialogue. It's also great to see that this session we are discussing CTE at the state level. We appreciate your dedication to that. We are simply here tonight to ask that the business community be included in moving forward relative to those decisions.

Vice Chairwoman Smith:

I will close the hearing on A.B. 279.

Chairwoman Parnell:

At this point in time, we are going to accommodate our visiting Assemblyman, Marcus Conklin. We will now go to the work session ([Exhibit L](#)). At this time, I'd like to open the work session to consider A.B. 222.

Assembly Bill 222: Requires periodic review of school districts to evaluate compliance with certain financial management principles. (BDR 34-10)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

[Submitted [Exhibit L](#).] Assembly Bill 222 was sponsored by Assemblyman Conklin and others. It was heard on March 28, 2005. Current law requires school districts to conduct annual audits of their financial statements within the amounts appropriated. This bill requires selected school districts to review their financial management principles once every six years. The Legislative Auditor is to recommend to the Legislature the school districts to be reviewed. The bill provides for the selection of a consultant to conduct the review, the process to conduct it, and the criteria for review.

[Carol Stonefield, continued.] The school districts must establish oversight committees. The Legislative Auditor is also required to review the final reports and determine if the school districts have implemented corrective actions. There is a mockup amendment attached to the work session document ([Exhibit L](#)). The amendments are on pages 2 and 3 of the mockup. On page 2, lines 8 and 9 relate to request for proposal procedures. They are proposed by the sponsor in response to concerns from the Department of Education.

Lines 12 to 14 relate to previous experience of the auditing consultant. The consultant is to have previous experience in a school district, or otherwise review school districts based upon management principles. This is a response proposed by the sponsor in response to concerns from Washoe County School District (WCSD).

Lines 30 through 33 relate to the requirement that at least one person on the auditing team have previous experience auditing school districts. This was also a concern of the WCSD. Lines 42 through 45 relate to contract procedures. I believe that this requires the Legislative Counsel Bureau (LCB) to prepare the written agreement between the Bureau and the consultant, according to its procedures.

On page 3, lines 4 through 6 relate to payments to be made by the LCB. Lines 11 through 13 relate to the school district's self-assessment. Lines 31 and 32 relate to membership on the oversight committee, which must include a parent with a child enrolled in the school district. Lines 41 through 44 require a school site administrator, not a district-level administrator, to be a member of the oversight committee.

All of those, with the exception of the parent on the oversight committee, were proposed by the sponsor. Assemblywoman Smith proposed the amendment on page 3, lines 31 and 32.

Assemblyman Horne:

On the school administrator one, on page 3, lines 41 through 44, we have an oversight committee and we have the review. There was a question on whether or not there was a conflict and if the school district had an administrator who sat on both. Here, we have it to where a site administrator would sit on the oversight committee. That still seems to me like a conflict. I don't see why they could just be on the review panel and forgo the oversight committee.

Assemblyman Marcus Conklin, Assembly District No. 37, Clark County:

The Clark County Association of School Administrators (CCASA) proposed an amendment to add a person of their appointing to this committee. I objected to

that language for much the same reasons that you have issue with this language. CCASA represents a large bona fide employee population of the school district. They felt that they needed representation not as administrators, but as an employee group, since we have given other employee groups, such as the teachers' association and the teachers' union, representation on that panel.

[Assemblyman Conklin, continued.] As a way to compromise, instead of having someone who is actually going to be working on the audit itself, I included somebody who works at a site level where the instruction of our children is actually done. I was trying to separate that and still accommodate the request of the CCASA. That language was in there as a compromise. I do share your concerns. I think this is as far as we can reach, allowing them representation, and still creating some degree of separation between those who are actually participating in the audit and those who are actually participating in the education of our children—not that the districts aren't directly.

Assemblyman Horne:

If the rest of the Committee doesn't have a problem with it, I won't hold it up.

ASSEMBLYMAN ATKINSON MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 222.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Assemblywoman Giunchigliani:

I have another bill in that you are aware of, A.B. 252, which is the administrator bill that I brought last time. I'd like to, at this time, respectfully ask that you put that in the filing system—I always refer to my trash that way. Assembly Bill 222 gets at the real heart of the issue, which is the dispute over what is necessary. In light of that, I am certainly agreeable to take that bill completely off the table. Let's pursue with a good piece of legislation that we can all work together on and get at the heart of the issues, which is our kids.

Chairwoman Parnell:

We will certainly follow your wishes on that. At this time, I will temporarily close the work session and open the hearing on A.B. 398. Our Vice Chairwoman will be presenting A.B. 398.

Assembly Bill 398: Makes appropriation for statewide parental involvement and communications consultant. (BDR S-837)

Assemblywoman Debbie Smith, Assembly District No. 30, Washoe County:
[Read from prepared testimony, ([Exhibit M](#)).]

Assembly Bill 398 provides funding for a parent involvement and communications consultant in the Nevada Department of Education. Currently, there is no staff member within the Department whose duties are directed to parent involvement, primarily. Over the last few years, we have brought a focus on parent involvement in this state. In fact, you have heard several bills already that require action by the Department and/or school districts to improve and increase parent involvement, and I believe that we need to provide a support system for this work.

We know that involved parents and quality teaching are the two most important keys to student success. However, as the attention to parent involvement grows, staffing hasn't changed. Washoe County School District (WCSD) has a parent involvement coordinator, and Clark County School District (CCSD) will soon. The rurals generally have to have a staff member, who has other assignments, tend to parent involvement issues in their districts.

Unfortunately, there is not a staff member at the State level to provide support and resources, work on implementing new policies, and tie things together for the districts. The other role for this staff person would be as a communications specialist. One of the things that I know from my almost 8 years as Chairman of the Council to Establish Academic Standards is that we are usually in a defensive mode on education issues as they relate to our families.

We need to be providing information to parents and the community with regard to our standards, testing, attendance policies, et cetera. The Department of Education is one of the departments in this state without a public information officer, and I know that public information officers are not generally a beloved budget item. That is why I decided to write the legislation, to combine a parent involvement coordinator or consultant along with someone to do communications and outreach to the community.

[Assemblywoman Smith, continued.] We are desperately in need of this position and having someone who can provide information in a proactive mode—not always just reacting.

Assemblywoman Angle:

I'm noticing on your bill that it says for the first year it is \$84,000, and for the second, it is \$105,000. Can you explain what the difference is and what the money will actually go for?

Assemblywoman Smith:

Dr. [Keith] Rheault can clarify if I get this wrong, but I know that generally in the first year, you are only talking about a partial year of salary. By the time you hire someone in the first year after a bill passes, you don't pay the full year of salary. The second year encompasses all of the salary, benefits, and the cost to hire that employee. There is nothing but salary in this bill.

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

Assemblywoman Smith was correct. Usually the funding starts October 1, so there is a reduction. I'd have to go back and check on the fiscal note, but \$105,000 for a consultant level position would probably include some in-state travel money that would be needed, probably \$400 for telephone and a few operating expenses. I haven't looked at it specifically, but looking at the total, that is about the standard cost for those items to cover the expense of the consultant and operating.

Assemblywoman Smith:

I am in no way critical of the Department's staff, because they do everything in their power to try to make things happen in all of these areas. I have worked for these past 8 years with Dr. Rheault and his staff. They do absolutely everything they can to facilitate parent involvement and outreach. When you have to parcel assignments out to staff who have other primary duties, you do what you can.

Keith Rheault:

We are here to fully support the bill. I think most people realize that if you don't have someone assigned to put things together and put the information out, it doesn't happen very often. With the emphasis on parental involvement and all of the things we could be doing, this would be an ideal position for our Department and could probably—because there is some accountability in reporting as to what would happen—demonstrate pretty good results by the time we showed up in 2007.

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

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

Nevada PTA supports A.B. 398. As has been indicated before in testimony, 30 years of research has shown that parent involvement is the number one variable to academic success. In the 2001 Legislature, A.B. 201 of the 71st Legislative Session was passed, which required the development of policies based on the six parent involvement standards by the Department of Education, the school districts, and the individual school sites.

The developed policies, however, will have little impact on parent involvement within the state unless there are mechanisms for implementation. At this point in time, only one school district has developed a strategic plan to implement this policy, and that is Washoe County School District. They are also the only school district with a parent involvement coordinator, though Clark County is in the development stage of hiring such a position. It is unlikely that most of the rural school districts would ever have the resources to effectively implement such a plan.

There are lots of research, strategies, and effective programs ongoing around the country. What Nevada does not have is a position at the state level to carry out such programs and to assist districts with those programs. We do not believe the implementation throughout the state will ever happen without such a position. That is based upon years of being in this parent involvement business.

Again, parent involvement is a much tossed-around phrase. Where is it? How do we get it? We need it. The federal government does some allocation of funds through Title I and NCLB [No Child Left Behind Act of 2001]. At this point, in Nevada, we have not allocated resources to it. Within our society, we know what we value by how many resources we allocate to it. The funding requested in this bill is \$105,000. If you divide that by the number of kids in the 2004-2005 school year—401,211—it equates to approximately 26 cents allocated to students and their parents.

On the other hand, the RPDPs [Regional Professional Development Programs] in A.B. 109 will receive ongoing funding of \$10,166,525 for 2005-2006, with about 23,800 teachers,

administrators, and counselors. That equates to approximately \$426 per individual spent on teacher training. That \$10 million is not even the total amount of money spent on teachers or teacher training. There are lots of other items out there.

[Barbara Clark, continued.] We wholeheartedly support funding for teacher training. However, what is the message to students and their parents? As of now, parent involvement has no value. With the passage of this bill, it will at least say that you have a value of 26 cents. Please support the passage of A.B. 398.

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

NCLB and Senate Bill 1 of the 19th Special Session included requirements for our state, as well as each of our school districts and our schools, to have an improvement plan. One signature piece of each of those improvement plans focuses on parent involvement. The WCSD believes that those parent involvement strategies are critical in the present, and will be even more critical down the road as we move into the later stages of NCLB and Senate Bill 1 of the 19th Special Session. We strongly support A.B. 398. We believe that the opportunity exists with a person in this position for coherence among school districts with regard to parent involvement and for momentum, so that we can move forward in a more expeditious and well-organized way across the state. We strongly encourage you to support the bill that Assemblywoman Smith has proposed.

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

I like to tell people that I've had three careers in education. In my early years, I was a high school English teacher. When I started my family, I elected to be a stay-at-home mom, and my full-time career was as PTA member and parent volunteer. I was that token parent you could always get to sit on a committee, and now it is my career. Of those three careers, I think that my most effective years were when I was a parent volunteer, being able to help my own children, and, perhaps, being able to provide input to the school district in things that I thought might make a difference for the system.

I can't express enough how much we wholeheartedly support this bill. In Clark County, we believe that the single most important thing that will make a difference in student achievement is an involved parent. We support this with all of our hearts.

Chairwoman Parnell:

Seeing no one else coming up to the table, I will close the hearing on A.B. 398. At this time, I will entertain a motion.

ASSEMBLYMAN HORNE MOVED TO DO PASS
ASSEMBLY BILL 398.

ASSEMBLYMAN ATKINSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Chairwoman Parnell:

At this time, I'd like to open the hearing on A.B. 422.

Assembly Bill 422: Increases compensation of members of boards of trustees of school districts. (BDR 34-1173)

Assemblyman Bob McCleary, Assembly District No. 11, Clark County:

Ever since I was a kid, I've had this bug that I wanted to serve in public office. It must be a disease, or there must be a 12-step group somewhere for me to attend to overcome this problem. It has always been burning at me. I saw an opportunity a few years back, took it, and here I am serving with you. One of the things I was really surprised to learn—and learn quickly—was how poorly we were paid and how the money they gave me didn't even pay for my expenses.

As a matter of fact, I also want to state that I gave up a \$95,000-per-year job to take this. I'm making \$30,000 less now. I want this Committee to know that I wouldn't go back, and I wouldn't trade it. I've never done anything more fulfilling or satisfying in my life. I'm grateful to be here to serve with you. I was blessed to serve on the Interim Education Committee. Something that absolutely shocked and appalled me was how poorly—when I thought we were paid poorly—the school board members are paid. I couldn't believe it.

I decided that I would like to try to help them. I know what it's like to have to pay to serve. I talked to several school board members across this state and kind of got a consensus. A first, I really wanted to give them more money than what is in this bill, but some of the board members suggested that if we made it too much, people would run for the wrong reasons. They want people who

want to serve. Here's my suggestion to this Committee, and I'm certainly willing to entertain any options that you decide. This was the idea that I had: we'll pay the school board members a minimum of \$600 per month for all of the school boards that have a population under 100,000, with an option for them, as a board, to raise it up to \$1,200 or anywhere in between. Whatever they think is appropriate. If they do so, it should be in the next election cycle, to be reflected in the next election cycle. Then, for those populations with over 100,000, I wanted to pay them a flat salary of \$1,200 per month.

[Assemblyman McCleary, continued.] I have an amendment before you ([Exhibit O](#)). Originally, I made a mistake and put that the county commission of each county would set that pay scale, but that is inappropriate. That was a mistake. It should be the school board itself. Then today, someone else pointed out another section that needs to be added to this conceptual amendment: the new pay increase should not take effect until after the next election cycle. If they do decide to give themselves a raise, it couldn't take effect until the very next election cycle. It's pretty cut-and-dry. My feeling is that nobody should have to pay out-of-pocket to serve. I think that is inappropriate. Whatever I can do to help mitigate this situation, I would like to do so.

Assemblyman Munford:
What are they paid now?

Assemblyman McCleary:
It's \$80 per meeting; if you are the board president, you get \$85 per meeting. At the Christmas party at Shelley Berkley's house, I met Mr. Munford for the first time, and he was excited. He was newly elected to this Body, and we were talking about the pay structure. He asked, "So, that is \$7,800 per month?" I said, "No, Harvey, that is for the whole term." He said, "No, that can't be; that is not enough money." I said, "Welcome to the Legislature." For the record, he did go ask another person, because he didn't believe me.

Assemblywoman Angle:
I see that it has an impact on local government. Where is the funding coming from for these additional salaries, and how is that going to be paid for?

Assemblyman McCleary:
It's an unfunded mandate. To me, it is not that large of an amount of money to compensate these people properly for their time and their transportation. As a matter of fact, in some of the rurals, some people drive 200 to 300 miles for a meeting. They get that \$80 per meeting.

Norm Scoggin, School Board Member, Carson City School District, Carson City, Nevada; and President-Elect, Nevada Association of School Boards:

I want to encourage you to support this minimal remuneration for school board members. There are just over 100 school board members in the state of Nevada. It varies from 5 to 7, depending on the student population in any county. We serve well over 400,000 students. Also, the schools are the largest employer in almost any community we serve. We are also responsible for the largest budget of almost any community. I'm sure you are aware of that. Schools are a rather large monetary commitment from the Legislature.

Considering the number of employees and students that we serve and the money that we spend, the school board members do take this extremely seriously. I'm totally impressed, every time we have our state school board meetings and our local board meetings, with the commitment and dedication of the school board members who do serve. I think it is appropriate that they should get some remuneration in advance of what we are currently getting. I hope you people will also consider this.

Chairwoman Parnell:

I know quite a few members of our Carson City School Board. I think one thing that a lot of people don't realize is that you have the two board meetings per month, which would be \$160. What most people don't realize is that if you volunteered to serve on the selection of the high school principal group, if you adopted the high school, or if you choose to be on the family life committee, there are so many things, that a school board member—much the same as we legislators—could be busy almost every night. You are not paid for these things; am I correct?

Norm Scoggin:

That's correct. Most school board members serve anything from parks and recreation for the city to a wide variety of select committees and groups. We visit schools, and it is very important that we do talk to students, parents, and teachers. We represent these people, and we also serve on a tremendous number of committees.

Assemblywoman Angle:

Since you are in the Carson City School District, you would fall under the 100,000 population, so you would have the option of \$600 to \$1,200 per month. Do you support the amendment that Mr. McCleary has brought to his bill, or do you think those counties under the 100,000 should be at that \$1,200 level? How much would the fiscal impact be to your county? Where would you get the money?

Norm Scoggin:

Currently, school board members earn \$160 per month if we go to both meetings. If it's the president or vice president, then it goes up to \$170 per month. This would parachute it up to \$430 per month more per member. Take that times 12 and it is about \$5,000 per member, per year. There are 7 members on the Carson City School Board, as there are on the Clark, Washoe, Douglas, Elko, and Churchill County school boards, and I'm sure there are a couple more. It would be about the same amount.

I assume that if this was passed, it would come out of the school district general fund. There is no indication in here as far as remuneration from the State. It would be nice if the State came up with some more, but I'd be very surprised if it happened.

Assemblywoman Smith:

I would be concerned about the rural counties having to wait, and the larger counties getting an increase right away. They have to wait to approve it while it goes into effect for the next group. It looks to me like the act would go into effect immediately, or this summer, for the larger counties. I'd like to see if we can figure out a way to rectify that.

Assemblyman McCleary:

My concept was to automatically give the two larger counties \$1,200 per month and the smaller counties \$600 per month. Those are my feelings. Different rural counties are going to be in different conditions. I wanted to give them some flexibility. If they looked at their budget and couldn't afford the \$1,200 per month, then they have the option to stick with the \$600—or if they wanted to pick something in between. I was going to give them that discretion. I wasn't sure. For example, Clark County is the largest, and I know they have their hands full. That is a full-time job, plus. If someone in the rural county deserves the same compensation, I wanted them to make that determination.

Assemblywoman Smith:

On the other hand, the rural board members oftentimes have such a huge time commitment because of travel and the other things that they do. I was a rural board member a long time ago, and I think of the amount of time that they had to travel to a meeting, go to a conference, or whatever. I'd like to throw that out to see if we can figure out a compromise or solution.

Assemblyman McCleary:

I would be perfectly willing to do that. I accept your opinions and help on that.

Chairwoman Parnell:

I think another thing we might be able to look at as well—it reminds me of the county pay raise bill from last session. I've never been happy that we actually have \$80 in statute. I think that is a decision that every individual school board should be able to consider. They can consider the unique situation in their county and then make that decision. Maybe have a minimum, "not to exceed." I think we could have a lot of discussion so that everybody is comfortable with it.

Assemblyman Manendo:

Do you have stipends? When you travel, do you get a car or staff?

Norm Scoggin:

I get to drive my own car, and I buy the gas. My wife serves as a secretary from time to time, but no, we do not have a staff, although there is one lady who works at the county office. The superintendent's secretary also serves as a secretary for the school board, if and when we need something typed or whatever.

Assemblyman Manendo:

I wanted to make sure for the record. I know my school board trustee, Sheila Moulton, is absolutely wonderful. She is very responsive. I see her at a lot of community meetings. She works very hard. I know the other trustees do, as well. I see her a lot because our districts overlap. I know the amount of hours that she puts in, because I'm putting them in at the same meetings. I was curious, because we hear from the public a lot.

Historically, for the record, I voted against pay raises for the county commissioners and all of the county folks. I have a heartache when they come before us with huge increases. I think in a situation like this, where they are paid nothing to begin with, it is volunteer time. Maybe Ms. Haldeman can tell us a bit about Clark County.

Norm Scoggin:

We, in Carson, I think are very busy. Those people in Washoe and Clark Counties, I frankly don't see how they do it.

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

I agree. The perception is out there that the trustees make a lot of money. I can tell you that when people choose to run for office, a typical stop they will make is to my office to get some information about the district. Almost always, people running for school board want to know where their office is, do they get a car, what's the salary, and will they have a personal secretary. They think

that all of those things are provided. When they find out the pittance that the trustees do make, and that there are no amenities that are connected with the office, a lot of them choose not to run. Frankly, maybe it's good that some of those people who had that attitude chose not to run. The point is that the perception is that they make big bucks.

[Joyce Haldeman, continued.] Sometimes, people complaining about the way the District runs its budget will start their testimony when they speak at a board meeting with, "You ought to take all that money that you pay yourselves for salaries and put it somewhere else." That is the perception. The reality is quite a bit different than that now. In Clark County, we do have a board office that has one administrator and a couple of secretaries to deal with the constituent requests and all the different things that have to be done. They are very understaffed for the amount of volume that goes through that office.

Of course, our trustees don't receive a car. Actually, we did have an experiment where we were trying to have neighborhood satellites, and we were going to have district offices with an office for a trustee in the neighborhoods. Only one of those remains. The lease is running out, and it will be discontinued shortly, because it was too expensive. The trustees, even though it was a help for them to be closer to their constituents, found that most of their business needed to be done at the district office. They voluntarily gave them up as a cost-saving measure. They don't have a lot of benefits.

The Clark County School District doesn't have an official position on this bill. The reason we don't is that when we solicited input from the trustees, we got their modest response: "For me, personally, I did not seek this position to make money, but to represent and to pay back all that was given to me by our public education system." That was a typical response of our trustees.

However, when the administrators provided their input, every one of them said that these trustees are so underpaid and they give so much to the District, that this is long overdue. There was a lot of support on behalf of administrators to make sure that these trustees do get paid. In the CCSD, we have 7 trustees. Some of them are stay-at-home moms, some of them are retired people, and a couple of them are still working and have to juggle all of the responsibilities with a full-time job.

One particular trustee, who served as board president many different times, is a realtor. For her, time is money. The amount of money that she gives up by serving on the board is akin to what Mr. McCleary was talking about—the sacrifices that you make. She was one of those trustees who said she didn't get into this for the money, and not to worry about her, and they are going to be

fine. I think this is an investment that is worth paying for. It doesn't even cover the expenses that they have in terms of the service that they give.

[Joyce Haldeman, continued.] Using the Barbara Clark school of math, I did a few calculations. In Clark County, if a trustee was paid \$1,200 per month at 12 months, that is \$14,400 per year. That is a total of \$100,800 for the CCSD. If you divide that by our 280,000 students, that would be 36 cents per student, which is about the same amount that they spend for a pack of gum. I guess you cannot even buy a pack of gum for that anymore. If you want to add that to the 26 cents for the parent involvement, we are still well under \$1.

Although I can't say as an official position that we offer support, I'd like to personally say that I offer support for this bill. I think, along with my fellow administrators, that it is long overdue.

Assemblyman Manendo:

I know that Mr. McCleary talked about waiting until after the elections to give the new board members the salary. I want to mention that I think the school boards are staggered. While some may be elected and get that pay, the next one wouldn't, and that is not fair, because one is serving for this salary and one is not. I'm thinking about passage and approval. If we are going to do this, then we should just do it now. Some still have two more years on their term.

Assemblyman McCleary:

I envisioned that, as of July 1 of this year, these pay raises would go into effect. Clark County and Washoe would receive \$1,200 automatically, and the 15 rural counties would get \$600 per month salary that they would have the discretion, as a board, to increase to whatever they felt was appropriate to their circumstances. I don't think they can give themselves a raise while they are sitting in office. I think there is some conflict with that. I think what they'd have to do is that the next time they are reelected, the raise could go into effect. Legal could, maybe, help me on that. That is my understanding.

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

It would be okay for the salary increase to take effect upon passage of the salary increase. It is just a policy choice if you want it to apply to the next term.

Assemblyman McCleary:

We are going to give the rurals \$600 per month starting, and we are going to give them the discretion to raise their salary all the way up to \$1,200, or anywhere in between—whatever they feel comfortable as a school district.

Could they do that and make it effective immediately, or would they have to wait until they are reelected to take advantage of that?

Kristin Roberts:

They would not have to wait until they are reelected.

Assemblyman Mabey:

My thought on them giving themselves a raise is that they will probably be like us, and they won't want to do that. If between now and work session next week, the rurals can come up with a number, we plug it in and vote on it, that way, they won't have to worry about giving themselves a raise. When was the last time we gave ourselves a raise?

Assemblyman Manendo:

1985.

Chairwoman Parnell:

Norm, would it be possible for you to get some information to us about what you think would be a lowball number? How do you want to do this? Maybe you, Mr. Manendo, and Dr. Mabey could just talk and have something to bring back to the Committee.

Assemblyman McCleary:

I'm nervous. I don't think that \$600 is unreasonable to ask for this. It is the minimum. I did want to leave those smaller communities with budget constraints with the option to not go any higher if they didn't want, or give themselves a raise if they felt it necessary. It is also something that we can address two or four years down the road if we felt they weren't taking advantage of the options that we were giving them. We could still give them a raise.

Assemblyman Manendo:

I'd be glad to work with the sponsor of the bill and with anybody who wants to come forward with suggestions—whether it is school board trustees, representatives, or just members of the Committee—to bring something back. We don't want to put somebody under the gun, where they feel that they don't want anything. We know that they are doing this for the right reasons and that they should be compensated for doing the work for the community. Let the Committee decide the policy of what we think the appropriate numbers are for the counties.

Norm Scoggin:

Speaking for myself and not the school board or anybody else, I think that we would probably accept the \$600 per month and then wait until the next election before even looking at increasing it, if we did at the time. I feel that would be more appropriate than starting out at the higher amount.

Chairwoman Parnell:

Hopefully one of you took note of that. When you are having your discussion, keep that in mind and maybe do an across-the-board minimum and give the school boards some flexibility beyond that. I will close the hearing on A.B. 422. We'll open the work session on A.B. 336.

Assembly Bill 336: Revises provisions regarding education to increase parental involvement. (BDR 34-475)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Assembly Bill 336 was sponsored by the Legislative Committee on Education. It makes an appropriation for reporting brochures and web-based data systems to improve pupil performance. State and district plans to improve pupil achievement must include strategies to increase parental involvement. The governing boards of the RPDPs [Regional Professional Development Programs] may offer training to teachers and administrators on methods of communicating with parents.

An advisory council on parental involvement is to be created. There were proponents. It was suggested that there was no other group that was acting as an advisory council at this time on parental involvement. There were no people who identified themselves as opponents. There may be some fiscal impact on local government. It contains an appropriation not included in The Executive Budget. We did receive testimony that the cost of the reporting brochures may be increased because of increased participation. There were no amendments offered.

ASSEMBLYMAN HARDY MOVED TO DO PASS
ASSEMBLY BILL 336.

Assemblywoman Smith:

I wanted to make two comments on Section 3, regarding integrating communication techniques into the RPDPs. I want to let everyone know that I

did talk to [Bill] Hanlon about that. Everyone who follows the RPDP discussion knows that there has been a goal to remain very focused on the core standards and teacher instruction. He feels that this would not have to be a stand alone kind of program, that they can integrate this right into what they are already doing. I did want everyone to know that this does not detract from the original mission and direction of the RPDPs.

[Assemblywoman Smith, continued.] I wanted to go back to Section 6 and put on the record that when we first heard this bill, there was discussion that the advisory group should include people who don't ordinarily serve in this capacity. I would suggest the opposite. When you are looking at people serving in this type of job, you want people who are able to look at the big picture, who are visionary, and who understand the issue. You aren't talking about people who are making a site-level decision. I would respectfully disagree, and I would like to say on the record that you really do need people who are able to look at the whole state's needs and know the issue somewhat—people who are familiar with working in this environment. With that, I absolutely support the bill.

ASSEMBLYMAN MABEY SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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

Not heard.

Assembly Bill 335: Makes various changes regarding education and makes appropriations. (BDR S-482)

Not heard.

Assembly Bill 515: Requires certain employers to grant leave to parents and guardians to participate in certain school conferences and activities. (BDR 34-936)

Not heard.

Assembly Committee on Education
April 6, 2005
Page 72

Chairwoman Parnell:

This meeting is adjourned [at 8:10 p.m.].

RESPECTFULLY SUBMITTED:

James S. Cassimus
Transcribing Attaché

APPROVED BY:

Assemblywoman Bonnie Parnell, Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: April 6, 2005

Time of Meeting: 3:50 p.m.

Bill	Exhibit	Witness / Agency	Description
	A	*****	Agenda
<u>A.B. 518</u>	B	Anne Loring / WCSO	Proposed amendments to A.B. 518
<u>A.B. 518</u>	C	Barbara Clark / Nevada PTA	Prepared testimony supporting <u>A.B. 518</u> amendments
<u>A.B. 397</u>	D	Assemblywoman Giunchigliani	Proposed amendments to A.B. 397
<u>A.B. 397</u>	E	Frank Schnorbus / Nevada Homeschool Network	Letter in opposition to Section 9 of A.B. 397
<u>A.B. 397</u>	F	Betty Johnson / Private Citizen	Handout regarding state authority on homeschool assessments
<u>A.B. 397</u>	G	Chloie Leavitt / Private Citizen	Prepared testimony in opposition to <u>A.B. 397</u>
<u>A.B. 279</u>	H	Assemblywoman Giunchigliani	Amendments to <u>A.B. 279</u> and information
<u>A.B. 279</u>	I	Assemblywoman Giunchigliani	Scantron copy of principal evaluation
<u>A.B. 279</u>	J	Frank Brusa / CCASAP	Memo from Ray Bacon regarding A.B. 279
<u>A.B. 279</u>	K	Christina Dugan / Las Vegas Chamber of Commerce	Proposed amendment to <u>A.B. 279</u>
<u>A.B. 222</u>	L	Carol Stonefield / LCB	Work session document
<u>A.B. 398</u>	M	Assemblywoman Smith	Prepared testimony on A.B. 398
<u>A.B. 398</u>	N	Barbara Clark / Nevada PTA	Prepared testimony in support of A.B. 398
<u>A.B. 422</u>	O	Assemblyman McCleary	Proposed amendment to A.B. 422