

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

**Seventy-Third Session
April 13, 2005**

The Committee on Education was called to order at 4:09 p.m., on Wednesday, April 13, 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. Joe Hardy
Mr. Brooks Holcomb
Mr. William Horne
Mr. Garn Mabey
Mr. Mark Manendo
Mr. Bob McCleary
Mr. Harvey J. Munford

COMMITTEE MEMBERS ABSENT:

Mr. Kelvin Atkinson (excused)

GUEST LEGISLATORS PRESENT:

Assemblywoman Marilyn Kirkpatrick, Assembly District No. 1,
Clark County
Assemblywoman Chris Giunchigliani, Assembly District No. 9,
Clark County
Assemblyman David Parks, Assembly District No. 41, Clark County

STAFF MEMBERS PRESENT:

Kristin Roberts, Principal Deputy Legislative Counsel
Carol Stonefield, Committee Policy Analyst
Rachel Pilliod, Committee Secretary
Paul Partida, Committee Attaché

OTHERS PRESENT:

Dr. Christine Chairsell, Interim Vice Chancellor, Academic and Student Affairs, University College System of Nevada (UCCSN)
Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education, State of Nevada
Anne K. Loring, Legislative Advocate, representing Washoe County School District (WCSD)
Ray Bacon, Executive Director, Nevada Manufacturers Association (NMA), Carson City, Nevada

Chairwoman Parnell:

[Meeting called to order and roll called.] Today will be quite different than days past. As you know, this is a work session. That means we will not be taking testimony on any of the bills listed. If I feel that we do need additional comment or clarification, I will certainly ask for that, if someone is here in the audience who could help us to clarify anything or answer a question. Otherwise, the work session gives the Committee members a chance to ponder the bills that have been heard—that we have not taken action on—and make a decision at that time as to whether or not we will pass them out of Committee. A couple of persons who are going to present first are not here. I will go first on the work session to A.B. 228, which is Mr. McCleary's teacher compensation bill.

Assembly Bill 228: Makes various changes concerning compensation of teachers and requires Department of Education to study effectiveness of financial incentives. (BDR 34-440)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Assembly Bill 228 is in your work session document ([Exhibit B](#)). The bill sets a teacher's starting salary at \$32,500. It requires annual increases at the consumer price index (CPI) plus 1 percent. Each school district shall adjust its salary schedule accordingly to ensure commensurate increases for all teachers. The Department of Education shall establish a task force to conduct a study of

the effectiveness of financial incentives in recruiting and retaining qualified teachers. Proponents said that compensation reflects respect for a profession. Many teachers currently in the workforce will retire soon, and many young teachers leave within the first five years. Nevada needs 2,600 new teachers each year.

[Carol Stonefield, continued.] There were no opponents. The bill notes that the bill contains an unfunded mandate. Estimates were provided when the bill was heard that placing the beginning salary at the bill's specification and adjusting all steps upward would cost over \$200 million annually. There were no amendments offered.

Chairwoman Parnell:

I would add that this has been concurrently referred to the Committee on Ways and Means. If it does pass out of this, as a policy committee, it will go to Ways and Means for the fiscal discussion.

Assemblyman Horne:

I wanted to address one thing that was brought up when this was heard in Committee. Someone asked about whether the package included the benefits package—health care and the like. I ask for everyone to remember back when they were 22, 23, or 24 years old, out of college and starting their first job. How many of you were thinking about your benefits package when you graduated? Were you thinking about your health care when you graduated? You were thinking about the bottom line, what your check was going to be when you got it every two weeks, and who the heck FICA [Federal Insurance Contributions Act of 1954] was. You just wanted to pay those student loans off, get a new car maybe, and that was it. You didn't think about those things. I'm not saying that is prudent, but those are just the facts of life. This is one of the reasons why we do lose some really good teachers to other jurisdictions. They provide a better bottom line, in addition to those benefits. I will be supporting this bill.

ASSEMBLYMAN HORNE MOVED TO DO PASS
ASSEMBLY BILL 228.

ASSEMBLYMAN MUNFORD SECONDED THE MOTION.

Chairwoman Parnell:

I would like to add to Mr. Horne's comments. I think that has come up in the discussion that we've had this Session concerning the one-fifth retirement. We heard testimony saying that the one-fifth retirement was not really bringing people into the system—that, at 23 and 24 years old, you weren't looking to

see how that was going to help you in your retirement years. I think that goes along with that.

Assemblyman McCleary:

This was my wish list. This is the ideal package I thought would be good for teachers. We are obviously going to send this to Ways and Means. I doubt very seriously that it will look quite the same when it is done. I appreciate this Committee supporting this, and I wish we could do better by our teachers. Teachers don't teach for the money. There is no way they do that, just like we don't run for this office for the money either. They do it because they have a passion to do it. They are professionals. We expect them to have a professional education, to go through certification and continuing education, and then we start them out at \$27,000 or \$28,000, depending on where they are from.

You can't make it in Clark County at \$28,000. Even if two of you are making that, there is no way you can make it. I agree with my colleague, Mr. Horne. When I was in my 20s, the only thing I was worried about was paying the bills and trying to survive. I do appreciate this Committee's support of this bill.

Assemblyman Holcomb:

I will be voting against this, because of the astronomical cost. I know this is not the Ways and Means Committee. Especially for young teachers who have been there five years, I think it is the workload and the amount of paperwork that these teachers are being totally inundated with. They are concerned about teaching time and the stress that they are under, and I know that first hand. As I've let this Committee know before, my wife is a schoolteacher, and she shared comments from other teachers and things like that. That is first-hand knowledge.

THE MOTION CARRIED, WITH ASSEMBLYMAN HARDY AND
ASSEMBLYMAN HOLCOMB VOTING NO. (Assemblyman Atkinson
and Assemblywoman Angle were not present for the vote.)

Chairwoman Parnell:

At this time, I will open the work session on A.B. 70.

Assembly Bill 70: Exempts certain nonprofit educational organizations from charges associated with use of school property. (BDR 34-842)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Existing law authorizes school district boards of trustees to control the use of school buildings and grounds by the general public. With the exception of school libraries, the board may impose a fee for the use and may request reimbursement for expenses associated with the use of the facilities. This bill proposes to prohibit the charging of nonprofit educational organizations for the use of school facilities, including reimbursement for expenses associated with that use. The proponents testified that the school is the only place, in some communities, where organizations can hold meetings. Some groups are organized for the purpose of supporting the schools themselves, and yet, they are charged for the use of the facilities.

There were no opponents. The fiscal impact, estimated from some of the school districts, was that there would be lost revenue and that they would incur expenses for utilities and custodial services. The sponsor offered an amendment, which is attached ([Exhibit B](#)). The amendment would essentially delete the provisions that are in the bill as it was filed and would insert NRS [*Nevada Revised Statutes*] 393.0717, which would provide that, in districts in counties whose population is 400,000 or more, the board of trustees would establish a program for granting use of the buildings and facilities and would ensure that outdoor grounds and recreational areas are available without limitation during non-regular school hours. There is a typo, I think. The reference to NRS 373 should probably be NRS 372.

Assemblywoman Marilyn Kirkpatrick, Assembly District No. 1, Clark County:

That is correct. There is a typo. That portion of the law refers to dyed fuel. That is where I was yesterday when I was typing this.

After meeting with the different entities and trying to work with everybody, I was still unable to come up with a compromise. As the sponsor of the bill, I have made it to where the school district would have to set regulations in place to define their own types of groups. They know which groups we are targeting to try to let use the school. The way the bill reads now, it would give them one year to set some regulations in place. Allow for different groups to trade services, as opposed to fees. I'm trying to throw it back at the school district and see how well they can come up with it. However, they have some regulations in place now. We are just trying to enforce consistency throughout the district. With that, I ask your support of A.B. 70.

Chairwoman Parnell:

May I make a friendly amendment? On the proposed amendment, subsection (i), it seems to me, such as where it says "establish a program," would it be

acceptable to you to have it as “establish a policy”? It seems like that would be a school district policy and not a program.

Assemblywoman Kirkpatrick:

I’m fine with that, Madam Chair.

Chairwoman Parnell:

I would like to go on record concerning this bill. Mrs. Smith and I together—having probably about 40 years combined in Nevada PTA [Parent-Teacher Association]—know about the enormous money that PTA has given back to local school districts, from playground equipment, classroom supplies, to sponsoring classes for teachers, everything that you could imagine. I know when I was involved here in Carson City, it was in the thousands of dollars that even the Carson City PTA gave back. I would hope that this is a message to the school districts, that at least, we look at groups who are giving money directly back to the schools—have some kind of a break in having to pay to use those facilities.

Assemblyman Mabey:

I wonder under subsection (ii), if we could have the same thing, of “establish a policy”—instead of “ensure that outdoor school groups...”—in the same wording. I will leave it up to you, but I’d feel better that way, if you put in “establish a policy regarding outdoor school grounds and recreational areas...”

Chairwoman Parnell:

That looks like it is okay with the sponsor, and Ms. Stonefield is making note of that correction, Dr. Mabey.

Assemblyman Holcomb:

Do we have any idea what the cost—like insurance premiums, the cost of keeping custodians there, and things like that—involves?

Assemblywoman Kirkpatrick:

Currently, if you come to use the school, you have to bring your own insurance policy. You are required to bring a \$1 million liability insurance policy, according to the regulations now. I think it is in the policy. I’m not sure where the increased utilities are going to come from, if we are using the school between 5:00 p.m. and 7:00 p.m., or if we are using the basketball court on the weekends so that the kids can play basketball. I say back to the school district that we can look at those issues, but kids should be able to trade services. Our country started on bartering things years ago. PTAs give back hundreds of thousands of dollars. You are just trading money if you are asking them to pay for it. It is not going to where it really needs to go to.

Assemblyman Holcomb:

I didn't realize that they were required to provide their own insurance. That is good.

Assemblyman Horne:

I wasn't here for the presentation of this bill. I'm curious. I'm looking at your amendment ([Exhibit B](#)), and it says, "On or before March 31, 2006, districts with the population of 400,000 or more shall adopt these regulations." Does that mean that the rurals—the other school districts—aren't going to be open to these groups? Is this going to apply just for Clark and Washoe Counties?

Assemblywoman Kirkpatrick:

Currently, the rules are very open to the community. They allow the community to come in. I think Elko kicks in the extra \$600 per year that it costs them. Washoe County submitted a fiscal note of less than \$1,000. The rurals are currently very generous to let the schools be used as a secondary community center. That is why I did not include them in my amendment.

Assemblyman Horne:

And Washoe?

Assemblywoman Kirkpatrick:

Washoe County, I think, is at \$370. They thought that they could swing that.

ASSEMBLYMAN McCLEARY MOVED TO DO PASS
ASSEMBLY BILL 70 AS AMENDED, INCLUDING THE FRIENDLY
AMENDMENTS SUBMITTED BY ASSEMBLYWOMAN KIRKPATRICK
AND CHAIRWOMAN PARNELL.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

Assemblyman Hardy:

Where are the school districts now with this, as far as their angst or willingness to work?

Assemblywoman Kirkpatrick:

Currently, they still have some concerns based on what types of groups would be allowed to use it. They are not in support; however, according to the current regulations that they've tried to adopt, their Type A groups are defined as the groups that we are trying to work with. After this is said and done, I'm more than willing to attend town hall meetings to get some more input and work with the school district. I don't think it ends here today.

Assemblywoman Smith:

I wanted to go on the record that I would make the assumption that when regulations like this are developed, that parents would be involved in that process so that it meets everyone's intent.

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

Chairwoman Parnell:

Next, we'll tackle A.B. 279.

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

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

There is a mockup of the bill ([Exhibit C](#)) to be handed out. Assembly Bill 279 is in your work session document ([Exhibit B](#)). This bill, as it was filed, contains a number of revisions relating to Career and Technical Education (CTE). It changes the name of the State Board for Occupational Education to the State Board for Career and Technical Education. Each school district is required to develop an internship program in cooperation with the State Apprenticeship Council. The school district may employ a person who is not licensed to assist with instruction in a CTE program, if a person holds a master's degree in the field and will not assist for more than 25 percent of a course.

The bill creates the Career and Technical Advanced Diploma to be awarded to a student who passes all portions of the High School Proficiency Exam (HSPE). The Career and Technical Standard Diploma will be awarded to a student who has an average score calculated on all portions of the HSPE. The State Board for Career and Technical Education would prescribe the average scores. The bill prohibits starting school before 8:00 a.m. and requires that elementary schools start before middle school, which must start before high school.

Middle school students will be required to earn credits for promotion to high school. The pupil may apply for a reduction in the number of credits required to advance to high school. The State Board is to prescribe the courses for promotion to high school. The bill provides for community service learning credits. These projects must be included with all other elective courses offered by the high school.

The bill establishes that the Board of Regents and the district board of trustees may agree to grant permission to a licensed teacher with a master's degree to

teach a dual credit course. Teachers may submit evaluations of principals. The bill contains an appropriation for costs associated with attending dual credit courses, including registration fees and books. It also contains authorization to withhold basic support allocations from those districts that do not comply with the mandated start times.

[Carol Stonefield, continued.] The proposed mockup ([Exhibit C](#)) is summarized. There is a section summary. How would you like to proceed? Would you like to walk through each one of these?

Chairwoman Parnell:

I think we might be wise to walk through each of the proposed amendments.

Carol Stonefield:

The proposed amendments submitted by the sponsor of the bill would delete Sections 1 through 5. It would amend Section 6. The original bill prohibited starting school before 8:00 a.m. The amendment would propose that the board of trustees determine if it is feasible to start school after 8:00 a.m. Sections 7 through 24 relate to CTE, and those were deleted from the bill. Section 25 provides that a high school teacher may teach dual credit courses under certain conditions. That provision has been amended to provide that the course has been approved by the system or the institution for dual credit.

Section 26 relates to community service projects, and specified an amount of contact hours for one-half of a credit. The amendment would award credit as established in NAC [*Nevada Administrative Code*] 389.040, and must be included with other electives. Section 27 provided for authorization for teachers to evaluate principals. The amendment would permit procedures to obtain informal teacher evaluations, including surveys and meetings with faculty.

In Section 28, the promotion from middle to junior high school requires 15 units of credit. The credit for promotion from junior high to high school would be established by the State Board. Section 28 requires the board of trustees to adopt a policy to allow a student to apply for reduction in the credits under certain conditions, and the proposal under the amendment would be that the State Board may adopt regulations to authorize the pupil to apply for reduction of credits under certain circumstances. Section 28, subsection 3 required a board of trustees to ensure opportunities for summer school, and this would be permissive under the proposed amendments.

Section 29 is an intersectional reference and the amendment continues with that. Section 30 relates to CTE, which was deleted. Section 31 provides for licensed teachers to teach dual credit courses, and that would continue the

same in the amendment. Sections 32 through 37 are relating to CTE; those are deleted. Section 38 is the appropriation to assist with paying the costs associated with the dual credit courses. That is the same provision that is in the amendment. Sections 39 through 42 relate to CTE, and those were deleted. Section 43 is the effective date.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 279.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

Assemblyman Horne:

On Section 28, the amendment changes “shall ensure opportunities for summer school...” to “may provide opportunities...” I like it the original way.

Assemblywoman Angle:

I want some clarity on the same section, Section 28. We heard testimony that there are no credits required at this time in junior high—that junior high students don’t do credits. I’m wondering if this sets up a whole new system. Are we going to go to a credit system now for junior high because of this bill? Are we dealing with an unfunded mandate to the local districts? I see that it may have a fiscal impact on local governments. I’m wondering what that might be.

Chairwoman Parnell:

On Section 28, it is “the Board may adopt regulations...” That language is in both sections in the amendment. Simply say, “the Board may adopt regulations concerning middle school and junior high credit...” That is not being mandated to the State Board.

Assemblywoman Angle:

Some boards will then be putting a credit system into the junior high?

Chairwoman Parnell:

It is the State Board. If you look at the language in Section 28, “the State Board may adopt regulations...” If they did, then that would be uniform throughout the State.

Assemblywoman Angle:

So, we are saying here that they might go through a credit system?

Chairwoman Parnell:

Yes. That would be a decision made by the State Board.

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

You did a perfect job, Madam Chairwoman. The fiscal note is the \$250,000 to pay for the students who may take dual credit and/or their textbooks. Therefore, that is why the bill will need to go to Ways and Means as well.

Assemblyman Munford:

That also applies to amendment number six, about the starting time? That would be determined by the board of trustees?

Assemblywoman Giunchigliani:

They are going to study it.

Assemblyman Munford:

That is not mandated either, is it?

Assemblywoman Giunchigliani:

I changed language to deal with what the districts' objections were. I still firmly believe—and there is a bill in the Senate, and we will see if that moves forward—this allows for the district to make a review. They could then say that in this region we may want to try, or in this region we may not, depending on what the parent opportunity is and what the need is for the transportation. I changed it to a flexible issue, but not a mandate.

Assemblywoman Angle:

The \$250,000 is to go to the local school districts to pay for this? That is my understanding. It is not to the State; it is to go directly to the local school?

Assemblywoman Giunchigliani:

Correct.

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

Chairwoman Parnell:

Mr. Horne, please report on the Subcommittee meeting from yesterday.

Assembly Bill 132: Revises provisions governing provision of safe and respectful learning environment in public schools. (BDR 34-68)

Assembly Bill 202: Revises provisions governing safe and respectful learning environment in public schools. (BDR 34-561)

Assemblyman William Horne, Assembly District No. 34, Clark County:

Assembly Bill 132, requested by Assemblyman Hardy, requires all school districts to ensure a safe and respectful learning environment that is free of harassment and intimidation. It ensures a person is entitled to maintain his own beliefs and to respectfully disagree without resorting to violence, harassment, or intimidation. Annually, the districts must report violations to the Superintendent of Public Instruction, who must compile the reports and submit them to the Attorney General. School officials must not use their official authority or position to prevent disclosure of incidents. No cause of action may be brought against someone who reports an incident. Each school district shall include this policy in its rules of behavior distributed to pupils.

Assembly Bill 202 was requested by Assemblyman Parks and requires that the Nevada Department of Education (NDOE) prescribe a policy to provide a safe and respectful learning environment that is free of harassment and intimidation. Each district board of trustees shall adopt a policy prescribed by the Department. Each district must report to the Superintendent of Public Instruction progress in providing a safe environment, as well as violations. The Superintendent must compile the reports and submit them to the Legislative Counsel Bureau (LCB). School officials must not use their official authority or position to prevent disclosure of incidents. No cause of action may be brought against someone who reports an incident. Each school district shall include this policy in its rules of behavior distributed to pupils. Written rules for drug-free schools must be consistent with the policy developed pursuant to this act.

[Reviewed the Subcommittee report, [Exhibit B](#).] The members present were myself—I was the Chairman—Assemblyman Kelvin Atkinson, and Assemblyman Brooks Holcomb. The Subcommittee met on April 12, 2005 to consider these two bills. Testimony was received from representatives of Nevada Concerned Citizens (NCC), Nevada Eagle Forum, American Civil Liberties Union of Nevada, the Progressive Leadership Alliance, Clark County School District (CCSD), Washoe County School District (WCSD), Nevada Women's Lobby, and private citizens.

Testimony provided examples of bullying and harassment in Nevada's public schools. Some witnesses advocated a policy and model program to be developed by the Nevada Department of Education. Other witnesses supported locally developed policies. The Subcommittee recommends that the full Assembly Committee on Education consider and approve a motion to amend

and do pass A.B. 202, and that an amendment be drafted that reflects the discussion of the Subcommittee on this date.

[Assemblyman Horne, continued.] The Subcommittee recommends that the amendment delete Section 3, subsection 3 and Section 4 of A.B. 202, insert, in lieu thereof, the provisions of Section 2, subsections 2 and 3 of A.B. 132, and further amend Section 2, subsection 2 of A.B. 132 to require the report of the Superintendent of Public Instruction to be submitted on September 1, rather than July 1, and require that the reported violations must include those that resulted in a personnel action, student suspension, or student expulsion. This amendment was proposed by the WCSD. Further, amend Section 5 of A.B. 202 as provided in the attached amendment ([Exhibit B](#)). This was proposed as well by WCSD.

Finally, add NRS [*Nevada Revised Statutes*] 388.132 to the bill and insert in subsection 3 the following: "Persons in the public school setting are entitled to maintain their own beliefs and to respectfully disagree without resorting to violence, harassment, or intimidation." That was proposed by Lucille Lusk of NCC. Assemblyman Holcomb stated for the record that he reserved the right to change his vote when the Subcommittee recommendations are considered by the Assembly Committee on Education.

For those of you who are not completely familiar with the two bills, they were similar in many ways. There were just a couple of sticking points, and that is why it went to subcommittee. I think that we were able to work that out sufficiently. While probably both sponsors may have wanted something a little different, I think we all agreed in the bills, with both going toward the intent of both proposed pieces of legislation, and that is to stop bullying and create environments in our schools where students can go and feel safer—so that they can have a cleaner learning environment. I think both of these bills were attempting to do that, and I recommend passage.

Chairwoman Parnell:

I want to extend my appreciation to Assemblymen Parks and Hardy. I know this was a controversial issue when you put in these bills. People have strong feelings on both sides. I felt that we needed to get something through—where we did have some enforcement—so that our school district personnel really did know what to do if they saw an incident of bullying or somebody being unsafe, as the definition. That is something that I saw in both bills—that they agreed upon—we needed to have an enforcement piece. I want to personally thank you both for getting together and working something out. I am assuming that you are both pleased with the final language. I haven't heard from either of you, so I'll assume that to be the case.

[Chairwoman Parnell, continued.] Is there any discussion on the Subcommittee report?

Assemblyman Hardy:

I think Chairman Horne did a good job working through the issues. As I looked at what I heard in the Subcommittee—and maybe I didn't hear everything—I was wondering what we had ended up with the model program. I was looking at the issue that we already have programs in place in the state and we didn't need to look much further or give a menu of programs. I would ask the Chair of the Subcommittee if that was addressed in the report, or was there clarification on that?

Assemblyman Horne:

That was discussed last night. What came out of that was a blend. Assembly Bill 202 was the bill that had the language on the model policies programs. As Assemblyman Hardy pointed out, I believe there were places that already had these programs in place—such as WCSD, who has a good plan. What was stated was that we would still have the model programs and instruct the State Board to use WCSD as a model. That is what that was. We can still have some consistency, do that, and use a program that works.

Chairwoman Parnell:

Could we make sure that the intent is stated so that is covered when we see the final language?

Assemblywoman Angle:

I'm still digesting this. I would like to reserve my right to vote on this so that I can completely understand what we have done in the Subcommittee with these two. I am not comfortable in voting today, and if you want to take that vote, I won't be voting on it.

Assemblyman Hardy:

I'm not sure that I've seen everything either, and I would have the same thing, but I am going to vote for this and get it out of the Committee. The way I look at it, we may or may not avoid a fiscal note on this, but I think we are on the right track, and I think we could probably get there with this.

Assemblyman Horne:

I failed to mention one possible amendment and initially made the request that Assemblyman Hardy's name be amended onto the bill, since we merged the two and so that they both get credit for it. However, Assemblyman Hardy asked that we wait until he saw the bill. I don't know what his intentions are. I didn't

want it to be forgotten, if he does indeed want to be on it or not. That is his call.

Assemblyman Hardy:

I've gotten enough emails, and I'm not sure I want my name on it. I'm not in it for the glory, and if it works out well, I get my name on it, and I end up voting for the ultimate bill, that is fine. I don't need my name as much as I just appreciate the process.

Chairwoman Parnell:

May I propose something that we were doing on a couple of bills in the Health and Human Services Committee today? If we pass it out today, I will have the amendment brought back to the Committee for all of us to review. Then, at that time, if you would like to sign on as a co-sponsor, we could actually put you as a co-sponsor of the bill. We could do it after you have seen it and the Committee has had the time to digest it again.

Assemblyman Holcomb:

I did have some objections, but they had more to do with the autonomy of the school districts and making the policies. Can I reserve my vote?

Chairwoman Parnell:

Yes.

Assemblyman Munford:

From my experience, I think CCSD has something very similar to this already in place. If there is any intimidation, harassment, blame, threats, or anything of that nature, students are required to sign a contract that states if this incident occurs again, then they will have to suffer the consequences. We've had this in place for quite some time—about bullying and intimidation—for class control and all of these different factors. I still stand behind the bill. There is nothing wrong with enforcing it and making it a little stronger.

Assemblywoman Angle:

Mr. Hardy brought up the idea of the fiscal note and how it might have been adjusted with the combining of these two bills. I would like that information, as well, when you bring it back with the amendment.

Chairwoman Parnell:

Is there further discussion?

ASSEMBLYMAN HORNE MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 202.

ASSEMBLYMAN MANENDO SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblyman Atkinson was not present for the vote. Assemblywoman Angle and Assemblyman Holcomb abstained from the vote.)

Chairwoman Parnell:

We will open the work session ([Exhibit B](#)) on A.B. 280.

Assembly Bill 280: Revises provisions regarding University and Community College System of Nevada. (BDR 34-85)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

This bill contains provisions regarding the University and Community College System of Nevada (UCCSN). The bill requires the State Board of Education and the Council to establish academic standards, to work with the Board of Regents to ensure that high school courses adequately prepare students for college coursework. A teacher with a master's degree may be granted permission by the Board of Regents to teach a dual credit course to high school students, if the course is in the subject of the master's degree. A legislative declaration is made. Community colleges should offer first- and second-year courses and, colleges and universities should offer third- and fourth-year courses.

The bill makes the following changes: coursework and credits leading to any degree awarded by a UCCSN institution must be the same; students at any institution in the system may use the library and research services at any other library in the system; the maximum number of required credits for associate, baccalaureate, and master's degrees are determined; credits earned at a community college will automatically transfer toward the coursework required in a major or minor; and a student earning an associate's degree will be a junior at a state college or university upon transfer.

The terms of the Board of Regents shall be four years. The definition of a "public work" is applied to the system, means a project that is estimated to cost more than \$100,000. The sponsor provided the attached amendment ([Exhibit B](#)). For the first proposal, in Section 1, delete lines 1 through 4 and insert, "ensure that students enrolled in the area of teacher education must be provided instruction that includes the standards and performance required of high school students." This relates, of course, to teacher education students becoming familiar with the State academic standards.

[Carol Stonefield, continued.] Section 2 would be deleted, which refers to dual credit courses. In Section 4, the impact of that proposal would be to encourage the Regents to review their mission, due to the fact that they have declared that UNR [University of Nevada, Reno] and UNLV [University of Nevada, Las Vegas] are now research institutions. Then the Regents would determine which courses are duplicative and which programs may become necessary for transfer. It also refers to the A.B. 203 Committee, which was formed last session to evaluate higher education programs. It would delete subsection 2 of Section 4, which refers to the transfer of programs from the upper-division institutions to the community colleges.

It deletes Section 5, which refers to the course requirements that must be the same. Section 6 would be amended. This relates to dual credit and would add "as long as the curriculum content is approved by the institution offering the college or university course." This amendment would delete Section 8, which specified the maximum credits for degrees. In Section 9, there would be an effective date that the adjustment, in terms for the Board of Regents, would only be enacted if A.J.R. 11 is not processed. Section 2, subsection 2 would delete "a degree of associate in applied science" and insert at the end, "in their major," which refers to enrollment as a junior in their major.

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

I tried to take into consideration the discussion and the opposition from Mr. [Daniel] Klaich, Trudy [Larson], and Dr. [Carol] Lucey. I think the main things were, at least, the mission would be reviewed both by the Regents and the standing interim committee, chaired by Senator Hardy. He had mentioned that they wanted to do that as well. I thought that might be a good compromise, so that the issue has not gone by the wayside; at least they are reviewing that. In addition to that, eliminating the language that would have required the absolute transferring of certain coursework, I think, is still the right direction to go. I don't want to do something that has inadvertent affects as well.

If you look on Section 6, with the dual credit, I think the issue there was making sure that the course content was approved appropriately by the institution—account for dual credit—then if it did and the teacher had the master's degree, then they could at least offer that class at the high school or at the college campus, depending on what they needed. That was a tightening up. It paralleled what you did in A.B. 279. I believe—on the news—after the hearing the other night that you had students saying that they couldn't access books, I think Section 7 is very necessary. It should not become an overburdensome thing, but

it really was that if you wanted to go in and do research and you don't have one on campus—like CCSN doesn't—that the kids would have access to something.

[Assemblywoman Giunchigliani, continued.] I deleted Section 8, which would have declared what the number of credits are. I still think that there is an inconsistency in the system, but at least for now, I think the key issue for the students still is in Section 10. After listening to Dr. Lucey, I'm suggesting removing, in subsection 2, "a degree of associate of applied science," requiring that to have to count as a junior. AA [Associate of Arts] would, but not a science. There are technology courses that are taken there. There are different types of math courses that are taken. I think she made a valid argument to let them to continue to work on that through the common course numbers. I removed that as being the one that would. Your AA is a direct transfer on your English, math, science, and so forth. I left that language in there. To me, that is the key section for the students on their behalf. It makes it clear. It just doesn't transfer; it has to count towards your major if that is the case.

I tried to take care of Mr. McCleary's and Mr. Mabey's concerns about having not supported A.J.R. 11 and not having something come in that you did not agree with, which is more the appointment, but even that I tried to tie up a little bit.

Assemblyman Hardy:

So are Klaich, Larson, Lucey, and [John] Lilley all on board with this?

Assemblywoman Giunchigliani:

I have no idea.

**Dr. Christine Chairsell, Interim Vice Chancellor, Academic and Student Affairs,
University College System of Nevada (UCCSN):**

We do appreciate the efforts to amend this bill. I think we are getting there; we are not completely there. I can probably say that we are not on board with it 100 percent at this time.

Chairwoman Parnell:

As we go through, and if this goes to the Senate side, do you think we are nearing an agreement? This is a bill that was heard the other night that, I think, people were extremely passionate about. We need to give our students every chance in the world to continue through as seamlessly as possible so that they can graduate, either with their AA, their BA [Bachelor of Arts], or beyond. I would hope that we could all work together and, by the end of the Session, be at a place where we all feel comfortable.

Christine Chairsell:

I think one of the concerns we have is the statement in their major. Right now, if you get an AA, AS [Associate of Science], or AB [Associate of Business], you transfer as full junior status. That means that you have accomplished your general education core. In some majors, we cannot give you full junior status. You may have to go back and take some 200-level courses. Many times, we don't have the responsibility there, it is special accreditation. The one that comes to mind to me is engineering. They have a separate national accreditation. They have to take more classes. We don't have any say over that. We have to ensure that the student is properly prepared and that we fall under these accreditation standards.

To have a student who completes an associate's degree and has full junior status would probably be one of the best transfer policies in the nation. We can do the same thing with the associate of applied science in some cases. In some degrees, they do fulfill that general education core and we would look at that from an advising standpoint. In other areas, it's vocational. The purpose is to go to school, get a skill, and to get a job. That would be like welding and other physical vocational skills. It is very difficult to take that student to junior standing. What I would be afraid of is that we may have to do away with some. If this happens, we would have to do away with some of the associate of applied science degrees, because we would be setting students up for failure, to be able to take a third level—baccalaureate-level course—from those vocational degrees.

A lot of times, it is just a minute degree of interpretation. That is how delicate the situation gets to be. The other issue on libraries, I agree 100 percent. We have to have students from every school have access to books and journals. The only thing that I caution this Committee on is the impact of being too general when we have impacted databases. It will have great fiscal impact on our institutions. Our institutions buy licensing for databases based on FTE [full-time equivalent]. We literally have to make a predication of how many students are going to access that database. When we are off, it is like playing Las Vegas odds. You lose, and you lose a lot. You can set an institution into millions of dollars in additional licensing and fees for these databases.

We had some students who are graduate level, perhaps going for a Ph.D., who may have to have access to Lexis-Nexis. An undergraduate student probably wouldn't need access to that level of database. We have to be very careful about how we allow students access for research purposes into the databases, only because they carry such a significant dollar sign.

Assemblyman Mabey:

Would it be possible to change Section 10 a little bit, to make it permissive?

Assemblywoman Giunchigliani:

As to Section 7, I think we should probably strike the term "full," because that gives a student an opportunity to think that opened up everything. That would be appropriate to delete. Maybe you might want to add a sentence that says they will establish a policy whereby access to database will be made available—at least so that students know what is available to them at each campus. That might assist with that part of it. Chris is quite correct. I missed in Section 10, subsection 3, "a degree in associate and applied science" in both sections. I only caught it in my amendment in subsection 2. It should go away in both. I think they made the proper argument. Current law is the top section. That was not changed from last session.

Christine Chairsell:

One thing that the State College and the Great Basin College are doing is that they are creating bachelor of applied science. That is to take care of those students who are in associate of applied science, to give them an opportunity to finish their baccalaureate degree. It is almost like an inverted degree. You get the skills in one and two, and then if you want to open a business, you get the liberal arts and the business on the second part. I would really like to see if we could let some of those evolve over the next two years. This is something that has just started. We feel that we are really going a long way to help these students with applied science.

Assemblywoman Giunchigliani:

That would be fine with me. It looks like in subsection 1, in the current law, you would delete in line 4, "a degree in associate and applied science," the same place in line 19, and the same place in line 26. We are discussing to leave the word "major," because that is the point. They do transfer the credits and they accept them, but they don't count.

Christine Chairsell:

Right now, it fulfills the general education core, but certain majors may have to take a few other 200-level courses, which account for outside accreditation that requires certain specific courses. This would go for fulfillment of the general education core and then electives towards their major. It would count in the major; it just may not account for mandatory courses in the major.

Assemblyman Mabey:

That makes a lot of sense to me, and I would support that.

Assemblywoman Giunchigliani:

Which part? Let me see if I can restate it then, so that I understand. To me, from what I've heard from the students, is that it is fine that it counts for their core, but how do you start as a junior? You said at a meeting that it was the Regents' policy if you are not applying it towards their major. To just make them do core to core and if they've taken the advanced class, it doesn't count?

Christine Chairsell:

That would probably count towards their major. What we are saying is that you are going to have students at the university that take the general education core and will be junior status, but in a major, have to take a 200-level course for outside accreditation. Sometimes they get a little frustrated, because that is a sophomore-level course.

Assemblywoman Giunchigliani:

I'm flexible.

Chairwoman Parnell:

Do you think we can come to an agreement?

Assemblywoman Giunchigliani:

I think that works. It is a step closer than where we were and where we thought we fixed it last time. Whatever helps the kids get along further and not have to retake as much as they don't have to retake, then I'm comfortable with that. We don't need any reference, then, to articulation, agreements, or anything along those lines?

Christine Chairsell:

We've created an articulation board, and we are hoping to do away with articulation and agreements and make it seamless.

Assemblyman Mabey:

I think that works great. I would guess that if a person took a Chemistry 105 class, it would transfer to a Chemistry 105 class in the university. They may need an additional 200-level chemistry class. I think this is perfect. I agree. I go back to this last issue that you missed, Ms. Giunchigliani. How can we do this A.J.R. 11 thing? It seems that it doesn't have anything to do with this. Now, if it doesn't work, this will come into play.

Assemblywoman Giunchigliani:

The A.J.R. 11 thing that you and I talked about, your opposition was to the "elected and appointed" issue. This is the terms of office. I still believe, regardless, it is only a very narrow focus of that part of it.

Chairwoman Parnell:

Chris, can you write that down so that we have the correct intent?

Assemblywoman Giunchigliani:

I'll be happy to restate it, then I'll go write it down for you, if that is okay. In addition to the amendments ([Exhibit B](#)) on your page, in Section 7, page 4, you would strike the word "full" and add a sentence that says, "The students will be informed of what database access they have on each campus..."—something generic like that. On page 5, Section 10, line 4, you would strike "without limitation" and "a degree of associate and applied science."

Assemblyman Horne:

Are we striking that everywhere? In Section 8, it mentions that as well, on subsection 1 of page 4, line 22.

Assemblywoman Giunchigliani:

The applied science language?

Assemblyman Horne:

Yes. Are we doing it there as well?

Chairwoman Parnell:

It was deleted in the amendment presented today.

Assemblywoman Giunchigliani:

On page 5, line 4, I think, for reading purposes, it should strike "including without limitation, a degree of associate and applied science..." Then, on line 19, "a degree of associate and applied science..." and lines 26 and 27, "a degree of associate and applied science..." On my page, on the amendment, strike "in the major." That would be the changes that were made.

Assemblyman Manendo:

Can you go back to page 4, Section 7 again? I was trying to turn the page and missed what you said what you were going to do. You said you were going to strike out "full access." Is that what you said?

Assemblywoman Giunchigliani:

No. Just the word "full," so that the students must be granted access. Then we would add a new sentence that says the students would be informed of what databases they have access to. That way, it could be made available to the student union or whomever. They could post and say that if you are not from

our campus, here is what you can access. If you are from our campus, you have whatever access you would have anyway.

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

The first time, in Section 7, I believe you said that you wanted the Regents to establish a policy for access. Do you just want to delete the word "full"?

Assemblywoman Giunchigliani:

Ms. Chairsell feels that if we just delete the word "full," it should accommodate that.

Assemblyman McCleary:

The two most important things that I was most excited about in this bill, I want to make sure are still in: that credits will be transferable from one institution to another, and that there is going to be some kind of standard for degrees.

Assemblywoman Giunchigliani:

It is my understanding that credits will transfer if it is in the area of an associate's degree. I did not have the language that my intern suggested, which is trying to make sure that your core transferred without you having to take additional core again. That is not included in here. Then, the degree to degree issue, I am suggesting to strike. I still personally agree with that. What I'm asking is that the Regents take the time to deal with what the mission is and what should be offered at what institution. You are always going to have four-year universities. That is not the issue.

The issue was that as we expanded and added other types of colleges and/or programs, you should not be in direct competition with each other. It is more natural that a community college should do the 100- and 200-level classes, and your four-year schools look at your third and fourth years and your master's programs—or your master's could be at your research institution along with your doctorates too. We have a very chopped up system as they move forward to make this research-based institution. This bill won't get to that this time around.

Chairwoman Parnell:

Don't forget that in the amendment, we are requesting that the A.B. 203 Committee look at some of these issues during the interim.

Assemblyman McCleary:

I wanted to say to Ms. Giunchigliani how much I appreciate these elements that you have brought into this. I've heard that complaint so many times, that they

have taken all of these courses and now they can't transfer them over. It even happened to my wife. You hear it for years and years. I appreciate that you are trying to address this and fix it.

Christine Chairsell:

With common course numbers, the credit-to-credit transfer will occur. I do appreciate the opportunity to continue to explore our missions. We will find that our general education core at each institution will be different. This is because at UNR [University of Nevada, Reno], we have a medical school. Hopefully, a student who starts as a freshman could end up in the medical school and needs to take a particular general education core. At UNLV [University of Nevada, Las Vegas], we have a law school. We hope that student can go through law school. That requires a different type of general education core. There is going to be some difference, but we also understand that we are all under one system. Our purpose is to ensure that we have seamless transfer at any institution—that is our goal. We aren't there yet.

Assemblywoman Giunchigliani:

At the airport on Friday, I ran into Clarissa Erwin, who is on the Common Course Numbering Committee that has been meeting the last two years. The ultimate goal of that was to say that if you took Math 101, for example, it transfers. There is no longer this debate of the quality of the education or whether the instructor is better or worse because you are a college versus a university versus a state college. That, in and of itself, will eliminate many of the problems. I was tempted in mentioning in the bill originally was "designed to establish common course numbering." I have comfort level that they are moving in that direction. I hope that they would speed it up a little bit more for people in school right now. That, hopefully, will then resolve the second tier of the problems that are out there.

Assemblyman Manendo:

For the record, I want to disclose that I work for CCSN [Community College of Southern Nevada]. This bill will not affect me any differently than any other employee in the system, so I will be voting.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 280.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

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

Chairwoman Parnell:

Next on our list is A.B. 397, also introduced by Assemblywoman Giunchigliani.

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

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

There is a mockup amendment ([Exhibit D](#)) proposed by the sponsor and there are a couple of sheets in the work session document ([Exhibit B](#)) that are section summaries. We'll go through these section by section and point out the differences. The first section of the bill provides that in the State Board of Education's annual accountability report, listing the advanced high school diploma. It strikes provisions requiring reporting of the number of pupils who did not receive a diploma because of failure to pass the HSPE [High School Proficiency Examination]. That same provision is in the amendment.

Section 2 does the same thing to the school districts' annual accountability report. The advanced high school diploma is listed as one of the options, and it strikes the provisions requiring reporting the number of students who did not receive a high school diploma because of failure to pass the HSPE. That same provision is in the amendment. Section 3 is just a technical reference.

Section 4, subsection 1 is new. It proposes to create an advanced diploma. A student must pass the HSPE or satisfy alternative criteria. The amendment would delete the advanced diploma and require a student to pass the HSPE to receive a standard diploma. Section 4, subsection 2 is new. The pupil may receive a standard diploma if he/she does not satisfy the advanced diploma but otherwise satisfies graduation requirements. The amendment proposes that the pupil may receive a standard diploma if he/she does not satisfy criteria for an advanced diploma but otherwise satisfies graduation requirements. The amendment adds the provision that the standard diploma would be issued if the student receives a composite score prescribed by the State Board and satisfies alternative criteria.

Section 4, subsection 3 is new. The pupil with a disability may receive an adjusted diploma if he/she satisfies their IEP [Individualized Education Program]. The same provision is included in the amendment. In Section 4, subsection 4, the pupil may receive a certificate of attendance in lieu of a diploma. The pupil must be allowed to participate in graduation ceremonies. The amendment would provide that a pupil may receive a certificate of credit completion in lieu of a

diploma, and then the pupil must also be allowed to participate in graduation ceremonies.

[Carol Stonefield, continued.] Section 4, subsection 5 is new. The State Board shall prescribe alternative criteria for an advanced diploma, including an oral exam or portfolio. The amendment provides that the State Board would adopt regulations to establish endorsements to the diploma. Section 4, subsection 6 is new. The pupil who satisfies alternative criteria must take the HSPE for AYP [Adequate Yearly Progress] purposes. The same provision is in the amendment.

Section 5, subsection 1 is new. The persons in adult high school programs are not limited in the number of times that they may take the HSPE. The amendment would contain that same provision. In Section 6, subsection 2, a person in an adult high school program must be allowed to retake the HSPE regardless of age. That would also be provided in the amendment.

Section 6 contains NRS [*Nevada Revised Statutes*] 389.015. The bill proposes to strike the existing statute relating to prohibition from graduating because of failure to pass the HSPE. It provides for the receipt of a certificate of attendance. The bill would insert provisions that a pupil may retake portions failed and must not be required to retake the portions passed. The amendment would also strike existing statutes relating to the prohibition from graduating from failure to pass the HSPE. It inserts provisions that the pupil may retake portions failed and must not be required to retake the portions passed. It requires the State Board to enter into an agreement with the test vendor to design the exams to allow for retesting of portions missed, no later than the beginning of the 2006 school year.

Section 7 amends NRS 389.015. These are two parallel sections with different effective dates. Section 8 amends NRS 389.0173. This is the pamphlet that the Legislature required last Session that relates to the HSPE. The bill would propose that the pamphlet must include information about the advanced diploma. The amendment deletes the proposed new language, but inserts that a homeschool child must take the HSPE for the purpose of securing a Nevada high school diploma.

Section 9 contains NRS 392.070, and it requires homeschool children to take the achievement and proficiency exams. That proposed new language is deleted in the amendment. Section 10 amends NRS 396.930, which prohibits the board of regents from requiring passage of the HSPE as a condition for the Millennium Scholarship. The amendment would delete that proposed new language. Section 11 of the bill amends Section 107 of Senate Bill 1 of the 19th Special

Session, which relates to the science provision in the HSPE. The bill provides that it must be passed if a pupil is to get an advanced diploma, and that same language is in the amendment.

[Carol Stonefield, continued.] Section 12 is transitory. It directs the State Board to prescribe an advanced diploma. The same language is in the amendment. Section 13 is transitory. It provides that seniors in the 2004-2005 school year and the 2005-2006 school year must be allowed to attend graduation ceremonies and must be given a standard diploma if all requirements are met except passing the HSPE. That same language is in the amendment. Section 14 is transitory. It contains the effective dates.

Assemblyman Hardy:

What does “transitory” mean?

Carol Stonefield:

It is not amending the statutes. It is simply providing a direction to someone to promulgate a rule or some other provision that would not be put directly into the NRS. It would be in the *Statutes of Nevada* that are compiled at the end of each session.

Kristin Roberts:

It is temporary.

Chairwoman Parnell:

If we are comfortable with a lot of it—but if anyone has a concern about any one particular part—we could just remove a part and then vote on the document with a section removed.

Assemblyman Munford:

I was looking at amendment 10. It prohibits the Board of Regents from requiring passage of the HSPE as a condition for receiving the Millennium Scholarship. You could still get the Millennium Scholarship without passing the HSPE; is that correct?

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

No. It is exactly the opposite. That language was one that had been in a bill last Session and got picked up in drafting. No, you have to pass the HSPE. By taking it out, it stays as is—which is that you have to pass the HSPE to qualify for the Millennium Scholarship.

Assemblyman Munford:

I would think that would be sort of watering it down. Making it so there are no punitive damages. Sometimes you can make it too easy for kids. They have to pass that HSPE before they can get the Millennium Scholarship.

Assemblywoman Giunchigliani:

It goes back to the current law by taking that out.

Assemblywoman Angle:

I'm still not really comfortable with Section 8, dealing with the homeschool diploma. In testimony, we heard that homeschoolers don't really desire a Nevada diploma. If they did, it would be something that they would like to secure themselves. I'm suggesting that possibly we could make it that the homeschooler may secure a Nevada high school diploma if he/she passes the HSPE. It is not he/she must pass the HSPE to get the diploma, but he/she may get the diploma if he/she passes that HSPE. It's more of a permissive language for the homeschooler that they can apply for a diploma if they like, but it is not something that we are wanting to require of them or asking them to get in any fashion.

Assemblywoman Giunchigliani:

That is the intent. I talked with a couple of the parents the other night to make sure that was what I was doing. The intent is that it is up to the parent if a child wants to seek a Nevada diploma, then the child takes the HSPE. If the parent doesn't wish them to, then they can continue to do the correspondence courses through the other states and get issued that diploma.

Assemblywoman Angle:

I understand the intent. I just want those words to be more along that intent.

Assemblywoman Giunchigliani:

Whatever we need to do in drafting, but I thought I had captured it. If I didn't, then I'm fine with that. That is what my intent is.

Assemblyman McCleary:

I think you said it best, Madam Chair, when you said to put Nevada in front of that. If they wanted to get a Nevada high school diploma—because a lot of them are getting it from other places—then they would have to pass this test. Then that would be mandatory. You'd have to pass it; you can't just take it. That would be a must. I think you need to insert the word "Nevada" in there.

Chairwoman Parnell:

Mrs. Smith just noted something too. It just says—the way the amendment was written—that you only have to take it; you don't have to pass it. I don't think that was intended, either. We'll need to do a little work on that. I think we all understand the intent. If a student wishes to have the formal Nevada high school diploma, then they would have to pass the HSPE. They have a lot of other options. They don't, necessarily, have to do that. It would be if that was their choice, then that would be the process in order to get that Nevada high school diploma. They would have to pass it, not just take it.

Assemblyman Hardy:

Would that be a standard, advanced, or what would it be? I would assume it would be a standard.

Assemblywoman Giunchigliani:

It would be the same as anybody else. If they passed everything, they get the Nevada advanced high school diploma. If they did a composite, they would then be entitled to the standard diploma.

Assemblyman Hardy:

In Section 5, how many times is one allowed to take the HSPE and have it paid for? Is that innumerable times, or do we pay for it ourselves now?

Assemblywoman Giunchigliani:

I think you can take it seven times, currently. Then you go into adult education, and then they pay for it in the adult education. I have the letter from the teacher in adult education who had made the request that we put in the language about it not being age-restricted. You could have somebody who may have been in special education and got the adjusted diploma, but then goes into adult education and still wants to try for the regular diploma. They may have hit 22 or 23 by that point. They didn't want a barrier on that part of it.

Assemblyman Hardy:

On page 15, it says, "Retake the portion or portions of the exam preceding no limitation on the number of times..." Would we be changing that seven if we did this?

Assemblywoman Giunchigliani:

I would assume not. My understanding is that would not change, because the portion, as well as the exam, is still counted within that seven. We have a bill in Ways and Means that I think would help Keith [Rheault] in the negotiations to actually get the new updated proficiency exam. They could then work with the test vendor to create in the manner that they could do it by subject area. Your

algebra would be in one section, calculus in another, trigonometry in another, and so on.

Assemblyman Hardy:

Does the student pay for the exam or does the State pay for the exam?

Assemblywoman Giunchigliani:

The State pays for the exam.

Assemblyman Hardy:

The State is going to pay for the seven times for the exam and innumerable times for portions of the exam, depending on what it is.

Assemblywoman Giunchigliani:

They currently pay for it seven times, but if you are only retaking the portion you missed—then, hopefully, that is within your seven.

Assemblyman Hardy:

That goes within the total seven?

Assemblywoman Giunchigliani:

Correct. Mr. Rheault wanted me to clarify that the 2006 date on that would be July 1, 2006. We didn't want him to have to do it this year. It gives him one year to be able to negotiate that portion of it. I was deleting that section, but it doesn't delete the advanced diploma. I wanted to make that clear for the record. I think that is how it was worded in there.

Assemblyman Munford:

This is a strange occurrence. What if a student passes all of their academic requirements, gets their 22 1/2 credits, and they fail the HSPE? Did you have anything to address that? Then you could look at the opposite side. They pass the HSPE. In the regular core classes like government or English, they cannot get an academic diploma. Did you have any amendments to address something like that?

Assemblywoman Giunchigliani:

Yes. It is actually in the law. If you look at the advanced, the advanced was that you had to pass all of your courses, earn all of your credits, and you'd pass the HSPE scores for each test. That earns you the advanced. This is suggesting, for the youth that passed all of their classes, earned all of their credits, and could not pass the whole thing, we would do a composite score of it and if they passed that, plus an alternative portfolio, oral exam, or whatever the State Board could create through regulation, then they would earn their

academic diploma. If they don't earn their credits, they are credit deficient. Regardless of whether you pass the exam or not, you don't get one. Currently, you get a certificate of attendance. I don't think that reflected it. If you got all of your credits, you'll get a certificate of credit completion. It is trying to delineate those different phases, so that it better reflects what they have done.

Assemblyman Munford:

I've had several students who have been in that position. They passed the HSPE, maybe as a sophomore, but when they became seniors they were credit deficient, or they couldn't pass government or English. They received a failing grade in it. As far as the policy goes, they are not eligible for an academic diploma. That is tough for a kid to have to face and deal with. That is also tough for parents to have to deal with.

Assemblywoman Giunchigliani:

It is too bad that they couldn't redo their class by doing a test-out, like you do in college. That is unfortunate. Obviously, they passed the HSPE. They had to know something, but they probably didn't show up to class.

Assemblyman Munford:

I don't know.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 397.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

THE MOTION CARRIED, WITH ASSEMBLYWOMAN SMITH
VOTING NO. (Assemblyman Atkinson was not present for the
vote.)

Assemblywoman Smith:

I wanted to comment about my vote. It was a little bit awkward. If we had taken it by sections, I would have been fine. I have a long history of not supporting a diploma without passing a proficiency exam. I've had this discussion with the sponsor of the bill. I believe that we need to keep striving toward what makes us better so we can get more kids to proficiency. I think that if we don't keep requiring that, we are not going to keep looking for the answers and doing better by all kids.

Chairwoman Parnell:

Next, we'll take up A.B. 518. This was introduced on behalf of the Washoe County School District.

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)

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Assembly Bill 518 is in the Work Session Document ([Exhibit B](#)). This bill requires that if a parent or guardian enrolls a child younger than the age of compulsory school attendance, the parent or guardian shall cause the child to attend school on a regular basis. The board of trustees may prescribe the minimum number of days that a child in kindergarten, first grade, or in a program of remedial education fully paid by the district must attend if the child is to receive credit to be promoted to the next higher grade.

Proponents of the bill provided testimony that some children below the age of compulsory attendance are enrolled. Yet, their parents do not cause them to attend on a regular basis, which has an impact on their development. There was opposition to this bill. There was testimony that this would be one step closer to mandatory kindergarten. The fiscal impact is permissive on the part of the district. The remedial program must be fully funded by the district. The sponsor did propose an amendment to direct the board of trustees to develop a policy which must include the criteria for determining that a child must be enrolled in remedial programs.

ASSEMBLYWOMAN SMITH MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 518.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

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

Chairwoman Parnell:

Assembly Bill 335 came from the Legislative Committee on Education.

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

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

The summary and materials related to A.B. 335 are in the work session document ([Exhibit B](#)). This bill originated with the Interim Committee. The bill contains appropriations for educational technology, expansion of the co-teaching program in Clark County School District (CCSD), and personalized study guides for pupils who failed one or more portions of the High School Proficiency Examination (HSPE). It also establishes an advisory task force to review certain academic standards in the HSPE. The Department of Education is to review distance education opportunities and financing and recommend statutory changes to the Legislature.

The Legislative Committee on Education is to review the transition from high school to college in the 2005-2007 interim. The proponents offered support for the appropriations. Because there are many questions that exist concerning the HSPE, the task force was proposed. There is also an interest in increased opportunities for distance education, particularly for student who are credit deficient, as well as those who reside in rural areas and desire higher level courses.

There were no identified opponents, but there were some suggestions made that the various studies have already been conducted addressing the tasks assigned to the task force. Recommendations to revise the statutes to encourage more distance education opportunities are also known. Section 7 of the bill could be deleted. The appropriations are not included in The Executive Budget.

There were a couple of amendments proposed. A brief amendment from WCSD is at the back of the work session document ([Exhibit B](#)). This one clarifies that the review to be conducted by the task force is of the percentage of questions on the HSPE that address the academic standards, and not the percentage of academic standards that are tested. The review includes the percentage of academic standards that have been assigned priority for state testing. That would be Section 6 of the bill.

Then there is a lengthy proposed amendment from the Chair. I will briefly walk through it. I believe that this is essentially adapting the contents of A.C.R. 14 to this bill. That called for a study of the delivery of the HSPE test results, and also a study of teacher incentive.

Chairwoman Parnell:

That is correct. I was beginning to see some duplication of studies and task force. Assembly Concurrent Resolution 14 looked at incentives and then a very small part on high school proficiency. I decided to just let A.C.R. 14 go by the

wayside. They don't need any other studies that Elections needs to deal with as far as accepting. We have a lot of other important issues out there, and we certainly had a lot of bills before us where we could incorporate the issue of the task force and the study of both the HSPE and the incentives—I think the one thing this Committee has become very familiar with in the last two months. Those are two issues that continue to be worrisome and that we need to find some resolution for and get going—doing the best with incentives and feeling comfortable with what we have demanded of our HSPE. I simply used this bill as a vehicle to place both of those studies into.

[Chairwoman Parnell, continued.] Pretty much, the rest of it stayed. If you remember, this was the bill that talked about educational technology appropriations, co-teaching appropriation, some distance education appropriation, and then some reference to the task force. That is when I moved the language into this. Other than adding, we didn't amend this bill too much at all.

Assemblyman Hardy:

I wrote down something about Section 6 and getting rid of it. That would solve the distance education funding issue.

Chairwoman Parnell:

Actually, if you look at the proposed friendly amendments from Dotty Merrill and Anne Loring, it references Section 6. Or are you looking at Section 7?

Assemblyman Hardy:

I don't know.

Carol Stonefield:

Dr. Hardy, Section 7 is the one that relates to distance education. I believe that there was testimony that the Department of Education could make recommendations now as to statutory changes, and we would not have to wait two years. That was the reason that there was a suggestion and that Section 7 could be deleted.

Assemblyman Hardy:

Are we deleting that with your amendment, Madam Chair?

Chairwoman Parnell:

No, we are not.

Assemblyman Hardy:

Do you want to?

Chairwoman Parnell:

No, because I think that we can review it and change it at any time. The State Department of Education has the authority now to do that, if you are looking at Section 7. One other amendment that I did propose: if you look at the advisory task force regarding the HSPE, I did ask that we add a teacher who provides instruction in a public alternative education program or a public adult education program. I think we far too often dismiss the large numbers of students that we have attending our adult education high schools and our alternative high schools. That was a request. Mr. [Frank] Brusa did point out to me that we kind of left site administrator out of the task force composition. I would be happy to add a building or site administrator to that task force as well.

Assemblyman Munford:

There should be a principal or administrator on that task force.

Chairwoman Parnell:

Let's just find that to make sure we are doing this correctly. That was not part of the original language. That was the A.C.R. 14 language that I amended into A.B. 335. In Section 5, it shows that alternative high school. We would also add a building or site administrator.

Assemblywoman Smith:

In Section 1, we added "the statewide council for the coordination of the RPDPS [Regional Professional Development Programs]" as one of the entities that could see the test. I think that we, probably, need to say "a representative of..." If you look at each of the others, it is one person. If we can just change that to "a representative of the statewide council for..." so that it is not the entire group. It would just be one person—a representative of the statewide council.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 335 AS AMENDED.

ASSEMBLYMAN McCLEARY SECONDED THE MOTION.

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

Chairwoman Parnell:

That takes us to A.B. 525. This is the bill that everybody was ready to vote on, but a possible amendment came at the very end of the testimony on the innovation. We call it the innovative bill. That amendment has not been submitted. I think it is clean.

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

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Assembly Bill 525 is in the work session document ([Exhibit B](#)). It was sponsored by the Assembly Committee on Education. It proposes to appropriate \$25 million from the State General Fund to the Department of Education to fund grants to the public schools to support innovative educational programs. The bill suggests, without limitation, programs for gifted and talented pupils and for limited English proficient pupils. Other programs might include alternative high school configurations and programs in art and music. Schools that receive a grant must evaluate the program and report to the Department of Education by December 1. The Department shall submit a compilation of reports to the 2007 Legislature.

Some of the proponents described smaller high schools and schools within schools, and programs to reach children with different learning styles were suggested. There were no opponents. The appropriation is not included in The Executive Budget, although proponents suggested that a portion of the proposed school remediation trust fund might be used to fund these innovative programs. There were no amendments offered.

Chairwoman Parnell:

Is there discussion?

ASSEMBLYWOMAN SMITH MOVED TO DO PASS
ASSEMBLY BILL 525.

ASSEMBLYMAN HARDY SECONDED THE MOTION.

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

Chairwoman Parnell:

If we go back to page 1 in the work session document ([Exhibit B](#)), you'll see A.B. 154.

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

Carol Stonefield, Committee Policy Analyst, Legislative Counsel Bureau:

Assembly Bill 154 is another bill that came from the Legislative Committee on Education. It makes a number of changes to the accountability system for schools and makes some appropriations. The State Board of Education and the school district boards of trustees are required to prepare and distribute annual accountability reports. The bill directs the State Board, each district board, and each building principal to prepare and distribute a summary of accountability information. The bill expands the school designations to include those that are significantly improved. It also provides for preliminary designations by July 1, with final designations by August 1, following the appeal process.

The State Board's annual accountability report is to include remediation programs and supplemental services purchased with State funds. The date for determining Adequate Yearly Progress (AYP) in year-round, multi-track schools has changed. Other testing and reporting provisions are clarified. The writing test is moved from grade four to grade five. The science portion of the HSPE will be administered in grade ten to the class of 2010. Appropriations are made from the Distributive School Account (DSA) for programs of remedial study and supplemental services in non-Title I school.

The bill contains appropriations for remedial programs and supplemental services, which vary from the amounts proposed in The Executive Budget. They may be affected by the proposed school remediation trust fund. The school districts have estimated a fiscal impact. At the hearing, the Chair directed the Committee staff to work with the Department and representatives of the school districts to address some of their concerns. There is a concept amendment included (Exhibit B). It is rather lengthy. It goes to a number of sections of the bill.

Sections 2, 3, and 4 are the accountability provisions for the State Board, the districts, and the buildings. This clarifies what the contents of the summary reports would be. It would include the broad topic headings from the templates that have been developed by the Department of Education (DOE). The DOE shall develop a uniform format for the summary reports in consultation with the Legislative Counsel Bureau and the school districts. The uniform format must include school totals of Criterion Reference Test (CRT) data and, to the extent practicable, the Norm-Referenced Test (NRT) data.

The State Board of Education, the school district boards of trustees, and the building principals shall use these templates. The summaries may be provided in electronic format to the designated entities in the bill. The school level summaries must be provided in written format to the parents and guardians of the pupils in the school.

Section 2 would specify that the DOE, not the district or the charter school, will provide the written copy of the State Board summary upon request. Section 3, subsection 4(a) deletes the requirement that the school districts provide the district summary reports to the parent, but provide that the written report will be available upon request. Section 3, subsection 4(b) provides that if a school district does not maintain a website, the district shall disseminate a written copy of the summary to the parent and guardians, and it deletes the requirement that the written summary be provided to all residents of the district.

[Carol Stonefield, continued.] Section 5 changes the name of the school meeting the improvement criteria specified to "exemplary turnaround school." Section 10, subsection 2 includes in the district accountability report, information on the professional qualifications of teachers, the number of substitute teachers, and the number of days each substitute was employed. The substitutes are to be identified by grade level, and for secondary schools, the subject that they teach.

In Section 10, this amendment would also provide for revising existing law to provide that if a charter school is sponsored by the State Board of Education, the DOE is responsible for collecting the accountability data for that school. The accountability data for all state-sponsored charter schools will be reported separately by the department. Section 10, subsection 7 deletes a requirement that the board of trustees report certain information to the Commission on Educational Technology. This is already required in the district accountability reports and this would be a duplication. Section 19, line 28 corrects an intersectional reference to Section 11 of the bill.

Chairwoman Parnell:

Are there any questions regarding the proposed amendments? On a personal note, I don't know about "exemplary turnaround school." It sounds like a mouthful. It means that it has turned around, and it wasn't, but now it is.

Assemblywoman Smith:

I wanted to ask Ms. Loring a question. They had expressed some concern over the September 7 date. We thought that was resolved in the September 7 date only being for electronic. Would you explain that?

Carol Stonefield:

Washoe County School District had raised the question about requiring the information out to the parents by September 7. It seems that the district had some difficulty with printing and had requested the date of September 30. There is a question about providing information to parents in time to make school choice questions and whether the electronic information format would be sufficient for that. Perhaps Dr. [Keith] Rheault would have a comment on compliance.

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

I think, with the changes that allowed the electronic format to happen, at least that would be available by September 7. I thought that if they had to, they could print that off on an individual request. I know it was a concern last year. It looked like it had to be written text that was distributed. I think the language, as I'm seeing it here, will clean that up or allow the electronic version to temporarily substitute for that need early in the school year.

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

I know that Dr. [Dotty] Merrill was very concerned about that. I'm not seeing it in the amendments. I think in the original bill—when you got the first one about the State report—had on a website by the earlier date and then the district one on a website, but it didn't have the parent one on the website. I didn't see in your amendments that change being made also. I think that is what Dotty was after.

Chairwoman Parnell:

This is the bill that does the fourth grade writing test to the fifth grade.

Anne Loring:

Looking at Section 2 of the bill, which is the State one, it talks about public dissemination by posting on the website. Then, Section 3, which is the district accountability report, it's also on page 4, line 9, which talks about posting on a website. When you get down to Section 4—which is the school by school one—on page 6, line 17, it talks about the seventh, and all it says is a written one. That was Dotty's concern. It doesn't have the website accessibility for those school ones. Her concern was getting all of the school ones out on paper by that date.

Chairwoman Parnell:

Your preference would be "On or before September 7 of each year, the principal of each school shall submit a copy of the summary prepared," and you could just delete the word "written." Does that work?

Anne Loring:

I think if you go back and look at Section 3, which is talking about the district one—subsection 4, on page 3, line 38—track over to the next page. There is a subsection (b) that talks about public dissemination on the Internet. Perhaps the thing to do would be to have a parallel subsection in this one also.

Keith Rheault:

If you look at the amendments for Section 3, subsection 4, that almost exact wording could apply to a school. If a school does not maintain a website, they then will distribute a written copy. If they do maintain a website, then the website copy would do. Just substitute "school site" for "school district" for that change in Section 3.

Assemblyman Hardy:

When we look at where that is going—that written summary to the Governor, the State Board, the DOE, the Committee, the Bureau, the schools, and to the parents and guardians—if it is electronic and we have it on a website, could we not submit that—not just on a website—but electronically transfer it with the posting like we do open meeting laws in three different places, including the schools? How many charter schools are there? We could email that to them as well. It seems to me that we could do that fairly easily, without just having it on a website, which is a pull technology—not a push technology. We would like to be more "pushy" in order to get it disseminated, rather than "pulley."

Anne Loring:

I think the electronic transmission is in your amendments ([Exhibit B](#)) under the first part. It talks about electronic format to the designated entities. I think in terms of the parent reports, the concept is that a parent would get a written report for their school—to keep the September 30 date for the written version, but have it available electronically by the September 7 deadline. That was the concept that Dotty was trying to convey—trying to get all of those printed by September 7 was the issue.

Assemblyman Hardy:

If you look at what those backpacks do long before September 7, they come with little notes. The parent can get a note that says it is on the website, or that you can request it electronically and you will be provided it by

September 30. If you want something sooner than that, then there is one in the office; come pick it up.

Chairwoman Parnell:

Is everyone okay with that concept?

Assemblywoman Smith:

If we say by September 7 that the electronic format has to be available, do we need to put a date for the written format, or are we going with the September 30, as suggested by Dr. Merrill?

Anne Loring:

I think the September 30 is currently in statute. So, keep that for the written one.

Keith Rheault:

It is not in statute. It actually was September 1, currently.

Chairwoman Parnell:

Keith, are you comfortable with September 30?

Keith Rheault:

Yes, I think, as long as there is an electronic version. I think people do like getting a hard copy and within that first three weeks of school, a hard copy, when you get all the other stuff, is very handy. It would meet the intent, I think.

Assemblywoman Smith:

The electronic version allows for the choice issue, which is a big issue—that you want the information out there. If parents need to make a decision to change schools, that gives them the opportunity to do that. Then September 30 isn't that much further for the written.

Keith Rheault:

Districts, or at least schools, that must offer choice have to provide that information. They have to have it available at the start of the school year, anyway. That would be part of their dissemination, just to announce that they have the option of school choice.

Chairwoman Parnell:

Does that make you comfortable, Mr. [Ray] Bacon? As a former teacher, with all the information that goes home the first couple of weeks, the parents probably get to where they throw it away. So much of it comes in bulk that I would think you would want to wait for those sheets on insurance and all that information is

gone. Then, you could actually get a document that stands aside from all of the others.

Ray Bacon, Executive Director, Nevada Manufacturers Association (NMA), Carson City, Nevada:

Unfortunately, I was not here when this bill was originally heard. I don't see why, on that mandatory notification list, the press is not listed in every single case. Even though the press will not do a great job—they'll never go look at the data—but if you say it's now available on the website, those parents that are interested and concerned, in most cases, will go out and find the website. Quite frankly, the press should be notified in every case.

Chairwoman Parnell:

Are there any additional comments, questions, or changes? The *Nevada Appeal* is usually the first one to report the information in Carson City. I would imagine, across the state, the press does not...

Ray Bacon:

It has to be proactive. You have to get it out to them.

Chairwoman Parnell:

So they actually have the information. Good point. Too often, they report without seeing all of the information or limited information. We are not doing the public a service that way.

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

To clarify for purposes of the amendment—if I understood Dr. Hardy correctly, you want the parents to be notified on a slip of paper that the information can be accessed electronically by September 7?

Assemblyman Hardy:

Correct.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 154.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

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

Chairwoman Parnell:

We have a few other matters before us. The first one is A.B. 85, which was Heidi Gansert's bill on community service in relation to the HSPE.

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

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

We've been having a lot of discussions about the intent of the community service and how it could all work. One of the things that kept coming to me was the "what ifs" or "what about" situations. I thought that a good solution for it would be for the Board of Regents, when they develop the policy on this, that they also develop an appeals process. That way, if you have a student who is chronically ill or forced to work full time, then there are ways for consideration to be given to that student. I would suggest an amendment ([Exhibit E](#)) that requires an appeals process in the policy.

I thought that the sponsor had indicated at some point that she was willing to let this go not just the two years before the graduation, but it could apply to all four years of high school. I would suggest that. Then, I'm concerned about submissive statements signed by the parent. I think they should submit a statement signed by somebody that they did the community service for. That is a little bit loose for my comfort level. I don't think it needs to be a whole big application process, since there is no true application process for the Millennium Scholarship.

Chairwoman Parnell:

I'd like to share my concern. As I talked about community service, when this bill was presented, I had my eighth graders doing 20 hours in a semester. I'm definitely passionate about it. When we sat down as staff and looked at the bill, I realized that we are giving equal credit. If I'm about to identify somebody as a recipient of the Millennium Scholarship, I am now giving as much credit to their GPA [grade point average] as I am to whether or not they provided 20 or 40 hours of service to the community. I have a hard time giving those equal weight. We have a GPA that the school is responsible for accumulating. We have a HSPE that the DOE is responsible for scoring. Then we have, counting the equal weight, just some slip of paper or a grandpa signing that Johnny raked the leaves for 30 minutes. When we get down to having equal weight at denying a student the Millennium Scholarship, I really had to pause about knowing what to do and considering whether or not this is really where it needs to be. It didn't feel right to me.

Assemblyman Horne:

I was in communication with the sponsor, Mrs. Gansert, over this and told her I could not support the bill. My concerns were that you have those kids who have to work a job after school. Their family relies on that income, but they bust their butts every day in school to meet that standard to get that Millennium Scholarship. This is another burden on them. I say, hurray for you to take care of those family responsibilities that unfortunately, you have to, but you probably shouldn't because you are a kid in school. That kid that has younger siblings, and their job is to get home and take care of their younger siblings because their parents or parent is working into the evening. They are not afforded that opportunity to do that. To place them in the category with the student whose lot in life is different and they have that disposable time to provide that community service, I think, would be unfair.

I think of this: when you apply to a private university, for instance, they have requirements that you need to do some kind of community service and this many hours of community service. When you do publics, they usually don't. They look at it as maybe a criterion on balancing who they are going to accept or not. It's not a requirement. In law school, sometimes you wonder that not everybody had the 4.0 GPA and the 180 LSAT [Law School Admission Test] score, but you had that one person who had a 145 LSAT and 3.3 GPA. But that person is a single mother who raises four kids and put themselves through school working and everything, the school saw that this person did a little something different than the 21-year-old that graduated and didn't have to work or anything.

This is very uncomfortable for me. I think of those other kids that want scholarships as well. I'm going to have to oppose this bill.

Assemblyman McCleary:

I'm going to go in support of this bill. I want you to understand my perspective of someone in a church that constantly encourages us to do public service, and also as a former scoutmaster for four years. I think public service actually strengthens young people's character. I agree with the Chairwoman; it should not have equal billing. It doesn't mean the same to me as the academic part; it's not as valuable to me. I do like it. If it's not the will of this Committee, I understand. I do want to go on the record as saying that I support that motion. I think there was a time in this country when there was a lot more public service, where neighbors helped each other a lot more.

I think we've become so individualistic and so concerned about ourselves and self-absorbed that we often forget about others. One thing I want to point out—

something that I've learned by going out and helping people that need help—is that it is easy to get into a rut and feel sorry for yourself about your conditions, but when you go out and help other people, you realize that there are so many other people that have it so much worse than you do. It helps you put things in perspective. That's the part that I see about this bill that I like.

Chairwoman Parnell:

I wanted to have everybody note that in A.B. 279, Section 26, there was an establishment community service projects credits as established in NAC [*Nevada Administrative Code*] and must be included with other electives. It is actually granting high school credit to community service projects. We do have that piece of community service coming out of one of our bills this evening.

Assemblywoman Smith:

If we expand it to four years, as I believe the sponsor had indicated before, that is only five hours per year. I understand the concerns about kids who can't make it. I also passionately believe that the opportunities that may be afforded to kids who are a little more disadvantaged could be tremendous. It connects them to experiences they may not have otherwise or people they may meet along the way that can end up being very helpful to them in their careers, or may turn them on to a job, career, summer work, or whatever. I think with having four years to do 20 hours, if indeed that was of interest to the Committee, I think we can make that work.

Assemblyman Munford:

I also have to go on record of supporting the bill. I think young high school students have the tendency to be a little self-serving and a little self-indulgent. They don't know too much about giving back and looking out for someone who is less fortunate than they are. I think this gives them the opportunity to see what the other side could be like. I will support this bill. I think what you said has some merit—even what Assemblyman Horne said. At the same time, I would still support it.

Chairwoman Parnell:

I would toss this out, too. If it does get out of this Committee, perhaps it can be looked at on the Senate side. Ms. Stonefield just suggested that if we are really going to give it that kind of weight, then perhaps we do need to make it high school credit. Therefore, you do have a formal document showing that you accumulated those hours and you have that credit to show. I don't know. We've struggled all day to know which way to go with this.

Assemblyman Horne:

If you could make it during school hours, that would be different. A class or whatever—there are students that will not be able to do community service because of the other responsibilities that they have. They won't be able to do it. It is unfair that they can't do it because of their life's circumstances, yet they busted their butts in school and now they can't get this scholarship. They are not going to be able to. It is just wrong.

Assemblywoman Smith:

I had made the suggestion in the school district amendment that the statement be signed by the entity that received the community service rather than the parent. I would still offer that.

Chairwoman Parnell:

The last question would be 20 hours or 40 hours, because I see both. It now reads with 20 hours, signed by an official recipient of the service.

Assemblyman Hardy:

One of the things that you do over time is you serve. It may be that you'll serve different people at different times for a cumulative 20 hours. You do not want to require somebody to have a 20-hour service project as much as you want somebody to have the opportunity to serve for a half hour, 1 hour, or 15 minutes at a time. That would make it a little problematic sometimes to get a note from every person who you have served. If you want to make this a 20-hour project, I think that wouldn't be a wise idea. Therefore, I would be a little more lenient. I would say from the person you serve and/or the supervising teacher, parent, or responsible adult, that is where I would go.

Chairwoman Parnell:

I would agree with you. We are assuming that they would spend some time doing one activity in the community, and they might change and do another. It is not a single project by any means.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 85.

ASSEMBLYWOMAN SMITH SECONDED THE MOTION.

Assemblyman Manendo:

I want to throw something else out. The Vice Chair was talking about how there wasn't an application. I'm going to give you a real life story. A student came to me and said, "I didn't know that I was on track to get the Millennium; I had no idea. I do well in my classes, I work hard, and all of a sudden I have the

Millennium. I had no idea. I wasn't planning on going to college. I didn't even really know what the Millennium was and didn't really care. Now, I have the Millennium Scholarship in my hand; I'm going to go to college. I didn't do my 20 hours. I can't go now."

Assemblyman Hardy:

What I think Assemblyman Manendo did not hear in my motion is that includes the time before the actual start of the fall semester.

Assemblyman Manendo:

Who is going to notify all of these students?

Assemblyman Munford:

The counselors do. That is the counselors' job; they have to do something. You have a whole bunch of them; they have to do something.

Assemblyman Manendo:

I have some counselors in my district that work very hard. However, the student needs to go to that counselor. Not every student sees a counselor if they are on track to graduate.

Assemblyman Munford:

They have credit checks all of the time.

Assemblyman Mabey:

I promised that I'd vote for this. You can sense, in this Committee, that we do not have a grasp on this bill. We do not know what to do. Personally, if doesn't pass, I don't care, but I promised to vote for it, so I will. My word is more important than this bill.

Assemblyman Munford:

As I was saying about the counselors, they do make periodic credit checks. Students always know what their status is and they always know where they stand academically. They know if they are in line for the Millennium, they know if they are in line to graduate with honors—to wear white at their graduation—because they are constantly presenting that to their teachers on various occasions. They say they are in line for this or that; usually, they are informed. That is the job of the counselors, to keep the students informed. They do that on a regular basis. Maybe it could go through the counselors in some way.

Assemblywoman Smith:

I told Mr. Manendo earlier, that maybe this is yet another item for the parent compact in high school—as a piece of information that we provide to the

parents on a regular basis. I'm kind of concerned about the comment about the amount of time that they would have to do it in, and the information about the fall before. Don't they have four years to do it?

THE MOTION CARRIED, WITH ASSEMBLYMAN HORNE AND ASSEMBLYMAN MANENDO VOTING NO. ASSEMBLYWOMAN PARNELL ABSTAINED FROM THE VOTE. (Assemblyman Atkinson was not present for the vote.)

Chairwoman Parnell:

We heard three bills in the last few weeks that were all curriculum issues. They are A.B. 199, A.B. 399, and A.B. 217. One was flag etiquette, one was Nevada history, and one was teaching self defense.

Assembly Bill 199: Revises requirements for courses in American history taught in public high schools. (BDR 34-1014)

Assembly Bill 217: Authorizes boards of trustees of school districts to provide instruction in self-defense. (BDR 34-202)

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

With the consensus of the Committee, I'm going to direct that a letter be drafted and sent to the Council to Establish Academic Standards to consider these requests. They are the identified body in the state to deal with curriculum issues, and therefore, I think that is the appropriate place for that. In response, I would like to note that Mr. Munford's code of honor and cheating issue is going to become part of the parent compact. We felt, again, it was one of those issues of how do you do it. Do you have to appeal it if somebody doesn't think they were cheating? We think that is another one as Mrs. Smith just referred to, that the parents need to know that is a standard set at the school. He is going to be asked to become a co-primary sponsor of Ms. Gerhardt's bill.

Assemblyman Munford:

You said my bill is going to be implemented where?

Chairwoman Parnell:

In Ms. Gerhardt's A.B. 184, the parent compact bill.

Assemblyman Munford:

Next Session, I'll introduce it again.

Assemblyman Horne:

On the three bills, you just mentioned on writing a letter. I don't like the flag one. That would be a "no" there, if you separated all three. On the other two I would be fine.

Chairwoman Parnell:

Should I note in the letter that it was not unanimous?

Assemblyman Horne:

For me, it was just that one bill.

Chairwoman Parnell:

We will make note of that.

Assemblyman McCleary:

I can understand Mr. Horne's opinion about being mandated to respect something. I think teaching etiquette, as a scoutmaster, it's not a bad thing for them to learn. I would appreciate that being in the letter.

Chairwoman Parnell:

We will draft a letter and send it to the Council and certainly make note of the members' objections or areas of support. Hearing no objection and seeing none, that will be done.

Assemblywoman Smith:

I want to comment on that issue. You are certainly welcome when it gets to the Council on Academic Standards to voice that, Mr. Horne. I'll try to remember that you are notified of that information. You always have the ability to comment.

Assemblyman Horne:

The only reason that I say my opposition now in the letter, I think I understand what your intent is in doing it. I haven't seen the language of the letter and what you are asking them to do, so I may object. Since I object in Committee, I don't know what the letter is going to ask that they do. I'm going to object now as well.

Chairwoman Parnell:

We will make note of that. My intention was just to direct the Council to note that these three bills were presented to the legislative Body and could take them under consideration. You will be getting a document that will show all of the bills that were moved out of this Committee. I've requested that because I think I could tell some members were particularly enthusiastic about one bill or another. I think what we are all going to need to do is follow this legislation, both through the Floor of the Assembly and on to the Senate. I want you to continue to be a team that follows this over to the other side. If anyone has an interest to present on the other side, please let me know. Is there any additional business to come before the Committee? We stand adjourned [at 7:09 p.m.].

RESPECTFULLY SUBMITTED:

Paul Partida
Committee Attaché

APPROVED BY:

Assemblywoman Bonnie Parnell, Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: April 13, 2005

Time of Meeting: 4:09 p.m.

Bill	Exhibit	Witness / Agency	Description
	A	*****	Agenda
	B	Carol Stonefield / LCB	Work Session Document
AB 279	C	Carol Stonefield / LCB	Mockup
AB 397	D	Carol Stonefield / LCB	Mockup
AB 85	E	Assemblywoman Smith	Proposed amendments