

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

**Seventy-Third Session
May 25, 2005**

The Committee on Education was called to order at 3:44 p.m., on Wednesday, May 25, 2005. Chairwoman Bonnie Parnell presided in Room 3142 of the Legislative Building, Carson City, Nevada, and, via simultaneous videoconference, in Room 4412 of the Grant Sawyer State Office Building, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

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

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

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

OTHERS PRESENT:

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

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

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

Chairwoman Parnell:

[Meeting called to order and roll called.] As our first order of business this afternoon, I will open the hearing on S.B. 214.

Senate Bill 214 (1st Reprint): Revises provisions governing statewide system of accountability and revises other provisions governing education. (BDR 34-459)

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

You have received a two-page summary of the accountability bill ([Exhibit B](#)). I will go through the main points of the bill. Most of these subjects that are in the bill came up during discussions during the Legislative Committee on Education. We support the provisions of the bill, at least from the Department of Education's standpoint. The first one has to do with the monitoring system. It really is a system that we are going to set up in the Department of Education (NDOE) to compare the results of the Norm-Reference Test (NRT) versus the Criterion Reference Test (CRT). Then, if there are discrepancies in the number of students that show up as proficient on NRT versus the CRT, we will provide that information to the Legislative Committee on Education to review. I think it is information that the Academic Standards Council—and a lot of people—were also interested in. This was to make sure that we are not having inflated CRTs.

The next sections are on accountability. They are Sections 4 through 6. They add to the requirements that should be included in a school district's school improvement plan or a school's improvement plan. It adds in that they will make references to changes in curriculum and teaching methods that deal with successful programs. It also includes a requirement that they put in a budget in those individual school plans, so that there is some reference as to how much that would cost to implement. I add that this same information has been put into S.B. 404. Sections 4 through 6 all have very similar information.

[Keith Rheault, continued.] I'd like to comment on Section 12, subsection 2. That one is another reference to testing. In that section, it asks that the NDOE will report any variations between the results of our CRTs and to compare that to the National Assessment of Educational Progress (NAEP) test. This is to see how we compare. I can tell you right now that there is a pretty wide difference on the numbers of proficient students in our CRT versus NAEP. If there are differences, we are to make those comparisons, point those out if there are variations by more than 10 percent, and we are to report that to the Academic Standards Council. One of their responsibilities is to review the results of tests. It would also require them to provide a report to the Legislative Committee on Education. All of this is testing information that we probably should have been doing already and would put a spotlight on comparing all of the tests—NRT, CRT, and NAEP—to see how we are doing. We support that.

Chairwoman Parnell:

I found that part interesting. Why might there be a discrepancy?

Keith Rheault:

I might point out that, for example, if we find 80 percent of our fourth grade students are proficient in reading on our own CRTs, then we look at NAEP and they say 10 percent, and we look at the Iowa Test of Basic Skills (ITBS) and they come back at 10 percent, to me, that indicates our test is probably too easy or isn't measuring the standards correctly. It doesn't tell us to do anything, but it tells us to review it and then take a look at, maybe, correcting it. It could be the opposite way. It could be a lot more difficult. I think we are trying to get a balance between all of the tests to make sure we are not having an easy CRT just to make our students look like they are passing, when the national tests may be saying something different.

Chairwoman Parnell:

On the flip side of that, it could actually show that our Nevada education reform standards are indeed as stringent, if not more so, then the NCLB [No Child Left Behind Act of 2001] standards.

Keith Rheault:

Correct. It could do the same with the NRT. I am hoping that would occur, but I'm not holding my breath.

The other provisions in the bill have to do on Section 2, page 2. This was providing the summary of all of the legislative bills that happened during the session. It is just making sure that same information is going to all of the charter schools. It is the same information that this Committee has already heard in A.B. 161. I don't think it got processed, but it was the same information that

was being required to be submitted. That is something that I do anyway, by the NDOE.

[Keith Rheault, continued.] The RPDP [Regional Professional Development Program] coordinator section—that is Section 14—just clarifies that the RPDP coordinator is hired by the regents' governing body, and the coordinator's salary is set by that body. I believe there have been bills that have discussed that in other sections. I don't have the specific bill. The last piece has to do with the parental involvement; that is Section 17. It requires the NDOE to prescribe a form in the content of an educational involvement accord. It is similar to A.B. 184—which this Committee has passed—but different that it has only a few criteria. It does require a form to be developed by the NDOE. It also requires the districts to send the form out. I know that A.B. 184 was heard in Senate Finance this week; my recommendation is that you can probably look at combining the two bills and getting them into one bill. This is so that there are no discrepancies or overlaps. They are very close to the intent, but there is a little difference in the information that was asked to be provided to the parents. It wouldn't change any of the NDOE's requirements, because we are still going to develop a form, whether this accord or the parent compact that is in A.B. 184 passes. That would be my response.

I know that there was some discussion, when this bill came up, on a fiscal note. Part of the fiscal note had to do with the same fiscal note that was in A.B. 184, that districts thought that they would have to send out separate letters and information. I think if you combine A.B. 184—with the understanding that a lot of this information is already being provided—then there wouldn't be a lot of extra expense. I have heard that those fiscal notes would be negated.

Chairwoman Parnell:

If we were to combine—and we are going to address that issue when everyone is finished testifying—that would merge that fiscal as well. It wouldn't be duplicated.

Keith Rheault:

Correct.

Chairwoman Parnell:

At the bottom of page 5, there is a lot of language in here that talks about the identification of the instruction and curriculum that is specifically designed. Is that all looking at our remediation programs and looking at their effectiveness?

Keith Rheault:

I think it is tied to that, because this whole section has to do with a new requirement when the school districts developed their school improvement plans. This would ask that when they reviewed the school improvement plans, this information be looked at and identified in the plan itself. It would tie directly to remediation down the road, if there was funding provided.

Chairwoman Parnell:

That is what I thought. Would the bills, with S.B. 404 floating around—I know that A.B. 525 has the evaluation component reporting the effectiveness—if they were to get State money for a program.

Keith Rheault:

I think for either bill this would apply, because they would identify success. It could be innovative programs or it could be remedial programs, but it would have them—when they do their school improvement plans—identify some of the programs that they think would improve the school.

Chairwoman Parnell:

I wasn't sure and wanted to check.

Assemblyman Hardy:

In all of those NRTs and CRTs, was there a PSAT®, SAT®, and ACT®? I'm looking at this, comparing the HSPE [High School Proficiency Examination] with the national college tests with the other ones.

Keith Rheault:

That wasn't included in this bill. I do know that we have had some review of our how HSPE—English and math pieces—fare versus the ACT® and SAT®. That was part of the American Diploma Project that we participated in. I could get you those reports. They actually came back very favorably. Math was the best alignment out of the two. It was very well aligned by that study. I have that report in my desk, which I can give to you.

Assemblyman Hardy:

If the math was so close in accuracy, what would be the ACT® score that would correspond with the passing grade in our HSPE?

Keith Rheault:

I think it was tied to an ACT® score of 21. There was a discrepancy in the ACT® English. Our universities use an ACT® of 21 to say that you need a remedial course. ACT® actually says you only need a score of 18, and that is what they go on.

Assemblywoman Smith:

Why on the educational accords does it not include high school? It seems that is where we struggle the most to involve parents and communicate with them. Why would we exclude them?

Keith Rheault:

What section was that?

Assemblywoman Smith:

That was on Section 17, on page 19. It says that the accords would be used for elementary, middle, and junior high schools. I realize that some of the information in the accords would be more appropriate at other grade levels, but in general, it seems like we would want to include high schools.

Keith Rheault:

In my reading of it, I just assumed it was all levels. I don't know why you wouldn't want to provide that information to at least ninth and tenth graders at a minimum.

Assemblyman Hardy:

I'm dwelling on something that is not in the bill. You said that a score of 21 on the ACT® corresponds to the pass on our HSPE in math, and our college system requires a 21 or under to go to remedial courses. Basically, what we are saying to every high school student who graduates from high school in the state of Nevada is that they have to be college material or they can't pass high school?

Keith Rheault:

That is what I would say, even though we still find people who pass our tests and end up getting remedial courses at the university. Sometimes it is of their own choosing, and sometimes they score less than 21 on the math, or they had difficulty on the math and get a 21 on the ACT®. I can't explain how that happens. They are close and might have gotten a 20 on the ACT®, yet passed their HSPE in math.

Assemblyman Hardy:

Do we want to amend this bill to put in a HSPE score of 18 instead of the 21 corresponding grade?

Keith Rheault:

I don't know how this would fit in this bill. That is a university requirement. I'm not sure how it would work.

Assemblyman Hardy:

I'm not talking about getting into the university. I'm talking about getting out of high school, the HSPE.

Keith Rheault:

The proficiency level of math?

Assemblyman Hardy:

Right.

Keith Rheault:

I say it is 21, and I'll get you the report. They are aligned very well, but not everything was 100 percent alignment. As I recall, it was about 89 or 90 percent alignment. There is a percentage of our questions that don't match up with the ACT[®] math.

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

As we did on the Senate side, we are here in support of S.B. 214. There are four sections of this bill that we do feel very strongly in support of. Two of them are the comparisons of our CRTs to the ITBS, and also to NAEP. We believe that it's important for our parents, our students, and the public to understand the relationship of the results of our students on those three exams. There are a lot of comments made during the session—and when you are not in session—about the quality of education in our state and about our students' performances on all of these tests. We think this will be a very valuable contribution for education to have this kind of a study done.

We also support the section that talks about making sure that a legislative report is conveyed to charter schools, as it is already done for school districts. We also support the parent involvement accord in S.B. 214, and as has been mentioned numerous times on both sides of these Chambers, we think that meshing both of these compacts and the parent accords would be a great idea.

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

We also support S.B. 214.

Chairwoman Parnell:

Assemblywoman Smith has a recommendation to amend.

Assemblywoman Smith:

As has been mentioned here a couple of times, we have already passed out Mrs. Gerhardt's bill, A.B. 184, that deals with parent compacts. It really seems that it compliments—it doesn't conflict with or mirror—the parental accord language that is in this bill. My suggestion is that we amend that language into this bill ([Exhibit C](#)). This is so that we can get the two pieces working together. I would also add that I think we should add high schools to the parental involvement accords that were already in S.B. 214. I think we need to do more at the high school level with trying to work with parents.

Chairwoman Parnell:

On page 1, Mrs. Smith was referencing deleting just that section out of S.B. 214, "elementary," then the new language is added in. It would be using the term "schools" generically, and not elementary, junior, et cetera. On page 2, you will see the language that is, word for word, the provision in A.B. 184 regarding parental involvement. You would now have the list that is currently in S.B. 214, and then you would have, as well, the list currently in A.B. 184. On page 3, you will see, of elementary, junior, and middle schools, the reference into "school." On the last page, this Committee amended Assemblyman Munford's code of honor wording into A.B. 184. That would carry over as well and be added into the amended S.B. 214. It brings all of that, which everyone here today has suggested that we compact it into one, instead of having different parent compacts out there vying for everyone's attention.

Assemblyman Holcomb:

I'm 100 percent in support of A.B. 184. Is this legal and amendable? Can we do it?

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

Yes, it is. They are both dealing with parental involvement. It is just the change in the words compacts and accords. It all addresses parental involvement.

Chairwoman Parnell:

Assembly Bill 184 is still in the Senate, as you all know. Hopefully we will emerge with everything in the language, either in this document, in that document, or two separate documents. This, at least, keeps it all alive.

ASSEMBLYWOMAN SMITH MOVED TO AMEND AND DO PASS
SENATE BILL 214.

ASSEMBLYMAN HORNE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

Senate Bill 221 (1st Reprint): Provides for participation of homeschooled children in certain interscholastic activities and events. (BDR 34-1158)

Chairwoman Parnell:

If you recall, at the end of our last meeting, we had a little confusion about the participation of homeschool children in activities governed by NIAA [Nevada Interscholastic Athletic Association] through private schools. We had proposed and passed out the amendment, which pretty much took us out of dictating to private schools who they should or shouldn't take. I want to touch base on that. There was testimony last Friday that the NIAA has recently adopted regulations that specifically authorizes homeschool children to participate in NIAA activities through a private school. Section 2 of the bill we passed addresses the participation of homeschool children in interscholastic activities and events that are not governed by the NIAA, and provides that homeschool children must be allowed to participate through public schools.

This amendment ([Exhibit D](#)) specifies that a homeschool child who participates in interscholastic activities and events, pursuant to subsection 5 of Section 2, must participate through his/her zoned school. With the adoption of the amendment that we passed last week, the bill remains silent as to the participation of homeschool children in interscholastic activities and events through private schools. We did not take any action with regard to telling the private schools when they should or shouldn't. The important thing is the other regulation from the NIAA. If a private school is a member of the NIAA, then they have to abide by the regulations.

[Chairwoman Parnell, continued.] You all have a copy of those regulations ([Exhibit E](#)) with this. If a private school decides to become a member of NIAA, then they would abide by the rules set down by that association with regard to accepting homeschool children. I think we are all finally on the same page. It was confusing, but I think we are mostly concerned with that. If a homeschool child wants to participate lower than the high school level, they can now go to that public school or charter school in their zone and abide by the same requirements that any other participant for that activity would have to abide by. We are adjourned [at 4:10 p.m.].

RESPECTFULLY SUBMITTED:

Paul Partida
Committee Attaché

APPROVED BY:

Assemblywoman Bonnie Parnell, Chairwoman

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: May 25, 2005

Time of Meeting: 3:44 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B	Keith Rheault / NDOE	School accountability
SB 214	C	Assemblywoman Smith	Proposed amendment
SB 221	D	Chairwoman Parnell	Amendment No. 928
	E	Chairwoman Parnell	NAC 386.793