

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON WAYS AND MEANS**

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

The Committee on Ways and Means was called to order at 9:05 a.m., on Monday, March 28, 2005. Chairman Morse Arberry Jr. presided in Room 3137 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:

Mr. Morse Arberry Jr., Chairman
Ms. Chris Giunchigliani, Vice Chairwoman
Mr. Mo Denis
Mrs. Heidi S. Gansert
Mr. Lynn Hettrick
Mr. Joseph M. Hogan
Mrs. Ellen Koivisto
Ms. Sheila Leslie
Mr. John Marvel
Ms. Kathy McClain
Mr. Richard Perkins
Mr. Bob Seale
Mrs. Debbie Smith
Ms. Valerie Weber

STAFF MEMBERS PRESENT:

Mark Stevens, Assembly Fiscal Analyst
Steve Abba, Principal Deputy Fiscal Analyst
Susan Cherpeski, Committee Attaché
Linda Smith, Committee Attaché

Vice Chairwoman Giunchigliani called the meeting to order at 9:04 a.m. and asked the Committee to consider introduction of the following bill draft requests:

- BDR 16-1298 - Increases travel allowance for certain state employees who work at correctional centers or conservation camps. ([A.B. 463](#))
- BDR 18-847 - Increases salaries of certain constitutional officers. ([A.B. 462](#))
- BDR S-1391 - Makes appropriation to Department of Education for programs of performance pay and enhanced compensation for recruitment, retention and mentoring of teachers. ([A.B. 461](#))
- BDR S-826 - Makes appropriation to Clark County Public Education Foundation for continuation of current programs and expansion of outreach efforts. ([A.B. 460](#))

- BDR S-1406 - Makes appropriation for construction of hospice and adult care facility in Henderson. (A.B. 459)
- BDR 32-1028 - Makes various changes regarding manufacture, sale and use of tobacco products. (A.B. 464)
- BDR S-308 - Authorizes issuance of general obligation bonds to carry out Environmental Improvement Program in Lake Tahoe Basin. (A.B. 458)
- BDR S-737 - Makes appropriation to Urban Chamber of Commerce for enhancement of its programs. (A.B. 457)
- BDR 20-1063 - Revises provisions governing planning, design and construction of facility for vocational training for culinary skills in southern Nevada and transfer of responsibility for operation of performing arts center in certain larger counties. (A.B. 456)

ASSEMBLYMAN SEALE MOVED FOR COMMITTEE
INTRODUCTION OF THE BILL DRAFT REQUESTS.

ASSEMBLYWOMAN LESLIE SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Arberry and Ms. McClain were not present for the vote.)

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Vice Chairwoman Giunchigliani indicated the Committee would hear the first item on the agenda.

Assembly Bill 147: Requires payment of registration fees and costs at University and Community College System of Nevada for certain persons formerly in foster care. (BDR 34-1065)

The Honorable Nancy M. Saitta, Eighth Judicial District, Clark County, spoke in support of A.B. 147 and made the following statement:

My name is Nancy Saitta and I am not here as a judge of the Eighth Judicial District but in my personal capacity.

In that life, for the past several years, I have had the privilege of working with foster children, parents, and adoption professionals. This group of people are, to say the least, very special. They do not generally appear in headlines unless a tragedy has occurred. Today, however, I appear before you with the opportunity for the foster care system to make headlines in a most positive way.

A.B. 147 is a bill that seeks to provide an educational "fee waiver" for children who "age out," that is, reach the age of 18 while in state care and custody of the foster care system. The bill, with some amendment, would allow this population of children to attend our state community college and university system without cost.

I suspect that I do not have to address the reality of foster care in any great detail to this Committee. I think it is fair to say, that despite the best efforts of those who work so hard in that system, and despite the efforts of our state to meet the needs of these

kids, the system falls far short of treating these kids, who end up in the system through no fault of their own, in a way that any of us would want our own children to be treated.

At age 18, State assistance, for the most part, ends. Think back to that age...these kids, not unlike we were at that age except that they have likely lived in more than 10 foster placements in their formative years, have experienced some form of abuse or neglect without, in many instances, meaningful parental guidance. Fortunately, the independent living program has grown over the past several years, and the individuals who work in that system are doing an amazing job.

But with all due respect, education at the university is not a high priority in that program. Remember, these kids need help to figure out a way to keep a roof over their heads, food in their mouths, and maybe, just maybe, become responsible adults. We all know that without an education, the future is dim and the likelihood that these kids will end up in another State-supported system is more likely than not.

While I do not come here today suggesting that education alone is the answer, I do believe that if our foster kids knew, at an early age, that post-secondary education was a realistic goal for them, the numbers of those who end up in prison would be decreased...if the State education system provides that other option.

I will not belabor the point. Others are here to testify and they are truly experts in the field. I believe their testimony is important. But, I want to leave you with this...

In 2003, I initiated a rudimentary study in my courtroom to track the number of males that I sent to prison who, according to their pre-sentence investigation report, had had contact with the foster care system. Over a 14-month period, that informal survey revealed that 78 percent of the men that I sentenced began their "State-supported lodging" in the foster care system—78 percent. That number should astound you and encourage you to act on A.B. 147.

I don't want to continue to send our foster kids to prison. Thank you.

Vice Chairwoman Giunchigliani asked if any of the young men and women who would be affected by A.B. 147 might qualify for the Millennium Scholarship program. Judge Saitta said that a small number might qualify, but the likelihood was particularly low that those who could achieve post-secondary education would be at the level that the scholarship was presently at, or where it could be in the future.

Vice Chairwoman Giunchigliani asked if most of those referred to had graduated from high school. Judge Saitta explained that for the immediate future many of those children were high school graduates. She said that figures were being gathered, but the problem was that those figures, in Nevada and nationally, were not tracked. She said those children were lost early on, and early tracking was necessary to find and focus on those children who might be eligible for post-secondary education.

Vice Chairwoman Giunchigliani commented that some of the children could qualify for other grants, including federal grants. Judge Saitta pointed out that there was only one federal grant that did not have to be paid back, and she stressed that even a seemingly simple application process was difficult because the children moved so often.

Vice Chairwoman Giunchigliani remarked that she had been on an interim committee that had examined issues in foster care, and it had been suggested that the children needed all necessary documentation, such as birth certificates and social security cards, before they "aged out" of the system. She said that it was important to make sure that the case managers were applying for any financial aid that might be available. Judge Saitta agreed and said that was a component of the bill; the foster care system was overburdened. She stated that the reality of the bill was not what its immediate effect would be, but its effect in 10 or 15 years, when there was another group of foster children who, at age 10 or 12, were made aware that the State would support them for post-secondary education; those children might be encouraged to shift their focus to education.

Vice Chairwoman Giunchigliani clarified that the bill proposed an education trust fund for those children who had been in the foster care system and "aged out" with the children remaining eligible until age 23, if they qualified. Judge Saitta indicated that there was an amendment, which had to do with the trust fund itself. She said she was hoping to work with the University and Community College System of Nevada (UCCSN) and examine the possibility of a fee waiver. In the amendment, the trust fund would be left in place, but the age component might change because some of the children were focused on finding housing and might be unable to begin their educational careers immediately after graduation and would need more time to take advantage of the opportunity.

Vice Chairwoman Giunchigliani remarked that money from the estate tax might be used to create a fund for the "age out" group.

Judge Saitta agreed and asserted that the State would be "funding the majority of [those] kids elsewhere if we don't fund them in education."

Assemblyman Marvel asked if any research had been done regarding the number of youngsters who would be affected by the legislation. Judge Saitta said that there had been some extrapolation and there would be approximately 110 children per year who would "age out," and it was anticipated that approximately 50 percent would be able to enter the university system or community college. She opined that, due to her experience with the foster system, those numbers would be significantly lower.

Mr. Marvel questioned the fiscal note attached to the bill. Judge Saitta said the amount was \$180,000 in FY2006 and \$370,000 in FY2007. She reiterated that those numbers would be less due to the reality of the foster care system.

Mr. Marvel asked what qualifications would be necessary to receive the grant. Judge Saitta explained that it would be a simple process: if an individual "aged out" of the foster care system in State care and custody, he or she would then qualify, and he or she would move from one State system into the UCCSN. Mr. Marvel asked if Human Resources would make the determination. Judge Saitta said she presumed that it would be a joint effort between the case worker and the counselors at the university.

Assemblyman Seale commented that the bill would set up a trust fund, but no money would be placed into it. Judge Saitta clarified that the original concept was to use a trust fund, but she hoped that it might become a fee waiver program instead. She added that regardless of the method, some of the children might come out of the university system and be so successful that they could easily put money back into the fund for use by other children.

Mr. Seale noted that the bill also specified that the regents could accept gifts and grants to be deposited to the trust fund. He asked if there was a plan for how that would be implemented. Judge Saitta said she was not sure, as she had not been part of the drafting of the bill, but she offered to provide additional information.

Vice Chairwoman Giunchigliani said the Committee would discuss the issue of trust funds versus fee waivers at some point. The fee waivers, which sounded good, were “eating [the state] alive” because there were many fee waivers and they were not being funded, and the cost of those waivers was affecting the General Fund. She commented that approximately \$28 million had been collected in estate taxes, and she opined that some portion of that money could be used. She opined that the Legislature should examine the possibility of discontinuing the fee waiver programs and establishing a trust fund that might assist with those types of programs. She added that while many programs were “heartwarming and probably necessary,” at some point the State had to pay for those programs.

Mike Alastuey, representing Clark County, testified in support of A.B. 147. He indicated that he had distributed a letter to the Committee from Thom Reilly, County Manager, Clark County ([Exhibit B](#)), and explained that Mr. Reilly had planned to attend the meeting, but was unavoidably detained. Mr. Alastuey read Mr. Reilly’s letter into the record:

Mr. Chairman and members of the Committee—thank you for this opportunity to briefly testify on this important bill. First, I want to extend my deep appreciation to Judge Nancy Saitta, who is responsible for this proposed legislation. She is a true advocate for foster children and Nevada is fortunate to have her as a district court judge.

In Clark County, every year approximately 125 youth “age out” of the foster care system. In trying to become self-sufficient, research both nationally and here in Clark County has found without extended support, youth leaving foster care face enormous challenges in building successful lives.

When these youth turn 18, they are expected to magically make it on their own—by finding a job, a place to live, skillfully managing both their financial well-being and their personal relationships, obtain needed transportation, and to secure health care. On top of this, many of these youth have not adequately dealt with the circumstances that brought them into foster care in the first place. It is not surprising therefore, that research on their post-discharge outcomes paints a disturbing picture for these youth.

Keep in mind that many of these youth transition into society without support systems. I am not sure how many kids you know who, at 18, can successfully make it on their own without their parents assisting them. While it may not be uncommon for your

own children to take calculated risks, knowing that you will be there to assist them if they stumble—a failed attempt for some of these youth can have devastating consequences.

Post-secondary education and career preparation are critical for these youth if they are to become productive adults. The prospect of being able to get this education and training escapes most of these youth.

The passing of Assembly Bill 147 will make the prospect of higher education a reality for many of these youth. The financial cost is minimal and the return is significant. As surrogate parents, the State is responsible for these kids' well-being—we owe them a chance to do more than barely make it once they turn 18.

On behalf of Clark County, I urge your support for this important piece of legislation. Thank you.

Mr. Alastuey voiced his own support for A.B. 147 and said that hearkening back to the previous legislation session, child welfare integration had been a significant undertaking. He said that "aging out" issues remained prevalent and opined that A.B. 147 would go a significant distance toward addressing those issues. He addressed Mr. Seale's earlier question and explained that many times at the outset of a program, a trust fund was established as a framework without specific identification as to funding sources, it was merely the authority structure. As funding sources became available through legislation, then the program could be undertaken.

Mr. Marvel asked how many young people could be saved from prison if given the opportunity to attend college. Judge Saitta said she had performed her own informal study and found that 78 percent of the males sentenced in a 14-month period had foster care backgrounds. Mr. Marvel noted that the prison system had a fairly significant fiscal note. Judge Saitta emphasized that the cost in the prison system was dramatically higher than what it would be to fund education.

Vice Chairwoman Giunchigliani informed the Committee that a bill would be heard at a later time regarding providing Medicaid for children who "aged out" of the system.

Judge Saitta said she had supporting documentation from "people in the trenches" and indicated that she would prepare a packet for the Committee.

Vice Chairwoman Giunchigliani added that A.B. 147 had a fiscal note attached, and the fiscal note was based on the projection for the program if 110 youth participated.

Daniel J. Klaich, Vice Chancellor of Legal Affairs, University and Community College System of Nevada (UCCSN), indicated that he was not present to speak in support of or in opposition to the bill, but wanted to address the fiscal note. Mr. Klaich said that as Mr. Seale had already indicated there was a trust fund established without funds, and the bill also included mandatory language with respect to the payment of fees, as opposed to the language that was presently passing through the Legislature with respect to National Guard fee waivers, which was permissive.

Mr. Klaich added that the UCCSN had estimated the fiscal impact and said that Judge Saitta had already shared numbers from the Division of Child and Family

Services, which indicated that approximately 110 students “aged out” every year. Statewide statistics would indicate that approximately half of those high school graduates continued on to the UCCSN. He said that he did not have specific information on whether that percentage would also apply to the current population of foster children aging out. He noted that if there were approximately 55 students moving from foster care to the UCCSN every year, the fiscal impact would be approximately \$180,000 a year, and assuming a normal progression to graduation, that would cost approximately \$1 million per year by the time the program was fully implemented in 6 years.

Mr. Klaich encouraged the Committee to examine the funding of the bill carefully.

Mr. Seale remarked that a cost-benefit analysis of the cost of college versus the cost of prison would be helpful. He pointed out that it cost more to house prisoners than it did to house students. Mr. Klaich said he was uncertain how such an analysis would be performed. He added that if he were sitting on the other side of the table and could save one kid from going to prison by helping him attend college, he would try to save that kid.

Mr. Klaich agreed that it would be cheaper to house youth at any of the UCCSN institutions rather than in a prison. Sending the child to college would create a taxpayer and a citizen who would add to the value of the state. He said that Judge Saitta had convinced him that if college could save those children, the State should try and save them. Mr. Klaich reiterated that the bill would set up a trust fund with no funds and there were many needs to meet in the State.

Mr. Alastuey interjected that he would be pleased to put together an analysis, although it would be very difficult and somewhat speculative, but he would provide that information to the Committee.

Mr. Seale commented that it was a case of “pay now or pay later.” Mr. Alastuey agreed and said the cost would be a few thousand in the university system and tens of thousands in the prison system.

Vice Chairwoman Giunchigliani said the Committee would like additional information and could work with Mr. Klaich’s staff to determine what had been done in the past, how other programs were being funded, and if there were “double hits” on the General Fund. Mr. Klaich said he would provide that information, particularly the information regarding fee waivers.

Vice Chairwoman Giunchigliani commented that perhaps a trust fund could be created for the fee waiver programs. Mr. Seale volunteered to work with Mr. Klaich. Mr. Klaich said he appreciated the offer and said he would work with Mr. Seale at the direction of the Committee.

Vice Chairwoman Giunchigliani asked Mr. Klaich to verify that the numbers were correct, as the amount for the community colleges did not increase, but the university and Nevada State College tuitions did increase.

Mr. Klaich noted that fees and tuitions at community colleges were closer to their mean average comparison group than the universities were, and generally the UCCSN had reported higher tuition increases at the two universities. Mr. Klaich said he would provide additional information regarding the increases. Vice Chairwoman Giunchigliani said the program rolled out for three years, and it seemed that at some point the tuition increases or lack thereof would create a disparity.

Vice Chairwoman Giunchigliani asked if there were any further comments, there being none, she declared the hearing on A.B. 147 closed and opened the hearing on A.B. 313.

Assembly Bill 313: Makes various changes relating to expenditures required by disasters or financial emergencies. (BDR 31-1145)

Assemblyman Bernie Anderson, District 31, addressed the Committee and read the following statement ([Exhibit C](#)):

All of us are keenly aware of the natural disasters that hit our community this past year; disasters like the flooding that recently hit Mesquite and Overton or the Waterfall Fire that devastated Carson City, or even the extreme snow that hit Mount Charleston or the problem of snow removal in January in Washoe County. As devastating as these were to our local governments, with state help, we were able to call in some FEMA [Federal Emergency Management Agency] help. Still, the problems our citizens face are very real. I believe that this bill will allow the Legislature to have the flexibility to more effectively utilize the Rainy Day Fund for real emergencies in our state.

In Section 1.1 of the bill, we establish a revolving account within the Rainy Day Fund for loans to persons who own and occupy homes damaged by disasters.

In Section 1.2, after the declaration of a disaster by the Governor, the chief of the Division of Emergency Management requests the Interim Finance Committee to transfer monies from the Rainy Day Fund to the revolving account, limiting the balance of the revolving account to an amount not greater than 25 percent of the Rainy Day Fund.

Section 1.3 makes the loans "at or below market rate" with the division setting the standard by regulations for eligibility for loans and requirements for repayment for deposit in the revolving account.

That is the real essence of the bill. Naturally, we add "extreme snowfall" on page 2, Section 3, lines 14 and 15, to the list of disasters and rename the "stabilize the operation of the state government" fund as the "Rainy Day" Fund.

Section 5 of the bill, on page 4, lines 17 through 20, appropriates the money in the Rainy Day Fund to the Interim Finance Committee (IFC) and authorizes the IFC to allocate money for expenditure only if, as provided in existing law, state revenues fall short by at least 5 percent or the Legislature and the Governor declare a fiscal emergency. The bill provides that if the Legislature is not in session, the Interim Finance Committee can make this declaration.

Finally, Section 5, lines 27 through 32, state that "upon recommendation of the State Board of Examiners" the IFC may restore the balance of any fund, offset reduction in budgets caused by decreases in federal expenditures, or increase budgets hurt by unfunded mandates in federal law or policy.

I hope the Committee recognizes the unique opportunity that this bill presents for the IFC to use the Rainy Day Fund to plug a hole until the next session of the Legislature, when permanent solutions can be found for our needs at the state level, while responding to the needs of local governments and the needs of all our citizens in emergencies that we must all face together.

I would be happy to answer any questions on intent, and naturally, do not offer myself as an expert on disasters or financial solutions or the management of large sums of money.

Mr. Seale asked if there were currently federal funds available for those types of situations. Mr. Anderson said there were FEMA dollars available for those types of federal emergencies, but the Rainy Day Fund would establish a mechanism whereby the local governments would be able to apply and have access to state funds rather than waiting for federal dollars. He pointed out that there had been fewer federal dollars available in many programs and A.B. 313 would establish a mechanism within the state to respond to communities and individual citizens in need of a special one-shot appropriation. He remarked that the current process was somewhat cumbersome.

Mr. Seale expressed confusion regarding the language in the bill and asked if a new fund was being created or if it was a fund within the fund. Mr. Anderson said that of the \$122 million in the fund, no more than 25 percent could be earmarked and the Interim Finance Committee would have access to those funds to help local governments and individuals in disaster situations. He said the bill would set up a fund within the fund itself.

Mr. Seale summarized that there was \$120 million in the Rainy Day Fund, 25 percent of that could be used for disaster relief, which would be approximately \$30 million, the IFC would have access to that \$30 million and would draw down on it out of the Rainy Day Fund only upon need if the Governor declared a disaster. Mr. Anderson said the Governor would declare a disaster and then the IFC, if the Legislature were not in session, would have the option of using the funds for those situations, given that the local governments and individuals had applied for aid.

Vice Chairwoman Giunchigliani informed the Committee on March 9, 2005, the FEMA had announced that no federal money would be made available to homes and businesses affected by January's floods in southern Nevada. She said that when she and Mr. Anderson had begun working on A.B. 313, the idea had been to consolidate the current stabilization and disaster funds into one fund and rename it the Rainy Day Fund. The bill also added two key components: one, the IFC could also assist the Governor in the declaration, and second, funding could be provided for low-income, low-interest homes for homeowners that may have been affected by the disasters.

Mr. Seale asked if the money was being loaned at a favorable rate and then would be repaid over some period of time. Mr. Anderson indicated that that was the intent, to allow homeowners access to a low-rate loan. The Budget Division would establish guidelines for qualifying and for the rate of repayment.

Mr. Seale commented that it was an interesting proposition that was very similar to one he had made in 1996 as State Treasurer.

Mr. Marvel asked if the bill would affect the Contingency Fund. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, explained that the bill would have an impact on the Rainy Day Fund, not the Contingency Fund.

Chairman Arberry noted that the language in the bill mentioned homeowners, and he wondered whether there had been any discussion as to how situations with apartment dwellers would be handled.

Mr. Anderson opined that there would be a set of guidelines comparable to those currently set forth under FEMA regulations, although those guidelines had not yet been drawn up by the Budget Division. Vice Chairwoman Giunchigliani interjected that the intent of the bill was not to preclude those who lived in apartments or manufactured homes. The intent of the bill had been to address an area in disaster relief that the federal government did not address. She indicated that Chairman Arberry's concerns could be included in the bill if that was the desire of the Committee.

Vice Chairwoman Giunchigliani asked if there was any further testimony or comment. There being none, she declared the hearing on A.B. 313 closed and called for a brief recess.

Vice Chairwoman Giunchigliani called the meeting back to order and opened the hearing on A.B. 198.

Assembly Bill 198: Provides for full-day kindergarten. (BDR 34-1197)

Assemblyman Richard Perkins, District 23, presented Assembly Bill 198. Mr. Perkins made the following statement:

Assembly Bill 198 ensures that by 2006, all of Nevada's promising youngsters will have the opportunity to enroll in full-day kindergarten. It makes changes to the state Distributive School Account, increasing the distribution given for a kindergarten student to account for full-day enrollment. It also provides \$12 million in FY2005-06 to build necessary facilities, and nearly \$60 million in FY2006-07 to start the program.

A.B. 198 is not about a fiscal outlay, it's about responsibility. We have a responsibility to Nevada's families to make sure that the state's schools are producing graduates who are competitive in the national and global markets. Education is an investment, and its dividends are returned to society by way of a stronger economy. An educated person will earn a higher wage and will spend more money, which will create jobs for others. A highly educated person is more likely to be an innovator, advancing our state with new ideas, which will attract more business within our borders. We have a responsibility to keep our state's economy growing.

It is very important that we make this investment early. We have a responsibility to embrace a child's love of learning and encourage it as early as possible. After all, children are truly sponges for information. If we can do this, we can start the ball rolling on a lifetime love of education.

More and more school districts are pushing down curricula from the first and second grades into kindergarten, and with a half-day schedule, gone are the days of finger painting, snacking, and nap-

taking. Study after study has shown that students enrolled in early education programs are better-equipped for success in the short- and long-term than those who are not given the opportunity. With added hours of learning and more individual attention from teachers, students can focus more on honing basic math and reading skills. This extra time yields great results for the students' future. More will go on to graduate from high school. More are employed at age 40, and fewer will be arrested over the course of their lifetimes.

New standards set forth by the No Child Left Behind Act require a student to be at grade level by third grade, and with all our talk of accountability, we have responsibility to give to the teachers and students in these classrooms the tools they need to succeed. So far, we have only put higher demands on our teachers and students without giving them the necessary resources to accomplish these goals.

In recent years, many states have lengthened their school days, so that now, nationally, about 60 percent of kindergarten students attend between 5 and 6 hours per day. Nevada is truly behind the curve. We have a responsibility to ensure our students are receiving a strong education and are not outpaced by their out-of-state counterparts. As the chairman of the Interim Legislative Committee on Education, I found that those students who had the opportunity to attend full-day kindergarten made amazing progress. In fact, when asked, the superintendents of the school districts said that full-day kindergarten was the program that they wanted most.

Because I desire to implement something that will actually have a measurable increase in performance for our students, I asked our staff to check the top 10 performing states in the country to see if they provided full-day kindergarten for their students. Lo and behold, all the top 10 states provided full-day kindergarten for their students. I'm here to tell you that Nevada students deserve the opportunity to achieve just like the students in the other states. While we invest in our students in a number of ways, why don't we invest in them with a proven program? If we're all really concerned about the performance of Nevada students, why don't we really give them a chance?

Nevada is a fast-growing state whose urban population is exploding. The achievement gap between white and minority students is growing, as shown by language, math, and science scores. Disturbingly, Nevada's minority students are overrepresented in special education programs. Minority and economically disadvantaged students in full-day kindergarten programs met with great success. Full-day kindergarten is the first step we, as a state, can take to close the achievement gap. We have a responsibility to ensure quality education to all our students, regardless of demographics or backgrounds.

Full-day kindergarten is a step that we can take right here and right now toward honoring these responsibilities we have to all Nevadans. Thank you.

Vice Chairwoman Giunchigliani said that it appeared that the six-tenths enrollment count funding provision had been removed, but not for charter schools or special education, and she asked if that was intentional or a drafting error. Mr. Perkins said it may have been an error as, in the interest of drafting the bill in a timely manner, the bill drafters had been asked to use the language from the Invest in Nevada's Education, Students, and Teachers (iNVEST) program.

Vice Chairwoman Giunchigliani commented that the school superintendents might be able to clarify that issue. She noted that the funding on page 2 of the bill seemed to be based on the number of students rather than on the formula. Mr. Perkins said he had requested that the LCB Fiscal staff "grind" the numbers to make sure the fiscal note was correct.

Vice Chairwoman Giunchigliani asked if the bill provided an appropriation for school portables. Mr. Perkins indicated that there was \$12 million in the first year for portables. It was estimated that each portable would cost approximately \$150,000, which was an amount taken from the iNVEST program as well. Vice Chairwoman Giunchigliani asked if that total included funding for all 17 counties. Mr. Perkins said that Clark County School District had indicated that it could absorb the students without constructing portables.

Mr. Marvel asked how many additional classrooms would be needed statewide to accommodate full-day kindergarten. Mr. Perkins said the number of classrooms was the \$12 million divided by the cost of \$150,000 per classroom. He said he would provide additional information. Mr. Marvel noted that the state would be responsible for building additional classrooms. Mr. Perkins said the state would be responsible for starting the program. Mr. Marvel clarified that that meant there would not be an impact on local school districts. Mr. Perkins responded affirmatively.

Vice Chairwoman Giunchigliani remarked that at some point, as the issue of full-day kindergarten was dealt with, she would raise the issue of class-size reduction for kindergarten. She expressed concern about the size of classrooms in kindergartens, where there could be as many as 35 students, and said that as the state moved toward full-day kindergarten, the possibility of reducing those classrooms should be discussed. Mr. Perkins agreed and said they would be doing the program a disservice and setting it up for failure if the class size was not manageable.

In conclusion, Mr. Perkins shared an experience he had had while serving on the Interim Legislative Committee on Education. That Committee had traveled to Elko, which had an extended-day kindergarten program in which students who were performing below grade level were identified and placed in the extended-day program. He said there had been "amazing" results: the students had attained grade level and were ready to enter first grade. Unfortunately, there were only 21 slots in the program, but there were approximately 30 students identified as needing the extended-day program. He said it was a direct example of how a full-day kindergarten program would benefit students.

Vice Chairwoman Giunchigliani claimed that the program was long overdue. She said it had taken 12 years to pass legislation making kindergarten mandatory, and that had only been in effect for 3 years. She added that the argument used to be that the schools could not reduce class size because it was not mandatory, but it had become mandatory, despite certain difficulties. Vice Chairwoman Giunchigliani opined that full-day kindergarten was necessary for young people to be able to compete.

Carlos Garcia, Superintendent of Schools, Clark County School District, thanked the Committee for the opportunity to speak in support of A.B. 198, which was "one of the strongest statements the state could make in education." Mr. Garcia asserted that students needed full-day kindergarten so as to have an "even start rather than being 10 yards behind in the race called education." He indicated that he was speaking on behalf of the 17 county school districts and the 17 superintendents.

Mr. Garcia expressed his appreciation to Mr. Perkins for reading the iNVEST plan, which had been endorsed by all the counties, and placing the most important part of the plan into A.B. 198 and bringing it before the Committee.

Mr. Garcia emphasized that the goal was to improve student achievement, and with the No Child Left Behind (NCLB) legislation, there were many issues that needed to be addressed. He said the most important finding in study after study was that prioritizing full-day kindergarten made a huge difference. He noted that in Clark County, Title I and Title II funds had been used to implement full-day kindergarten programs at 54 of the most at-risk schools in the county, which meant those funds were not available for instructional aids and materials that the schools needed, but full-day kindergarten had been a top priority.

Mr. Garcia indicated that he had provided preliminary results of that implementation ([Exhibit D](#)). He remarked that the studies were "mind-boggling" and showed that children who attended full-day kindergarten were much further along than those children who attended half-day kindergarten were at the same point in the semester a year earlier. He said the teachers were saying that children were beginning to read at the semester, whereas before children were not ready to read before the end of the year.

Mr. Garcia explained that Clark County had only been able to fund full-day kindergarten at 54 at-risk schools that had low achievement scores, but the results ([Exhibit D](#)) showed that the scores had doubled; the students were doing much better in a much shorter period of time.

Mr. Garcia called attention to another handout ([Exhibit E](#)) which detailed the attendance rates for full- and half-day kindergarten. He noted that the attendance rate was very comparable. The second page of [Exhibit E](#) was an assessment comparison. The children had been assessed prior to the start of kindergarten and it showed their development. He said that there were many studies that indicated full-day kindergarten helped children in the lower socio-economic strata, but he noted that the Summerlin school assessment showed that it also worked in affluent communities.

Mr. Garcia explained that the children in the program could not qualify for Title I funds, so the parents had been charged \$300 per month to place their children in full-day kindergarten. The "Pay for K" program had 320 participants in 12 schools. The handout entitled, "Dibels Assessment Comparison" ([Exhibit E](#)), compared children attending a full-day kindergarten program in Summerlin with children attending a half-day program in the same school. He pointed out that the students in an all-day program had an average percentage increase of more than 3 times that of students in the half-day program. Mr. Garcia said that, while the results were preliminary, they demonstrated what school superintendents throughout the state believed: by increasing opportunities to all students, all students performed better in full-day kindergarten.

Mr. Garcia concluded his remarks by stating that it was time to get the “best bang for the buck” in education, and studies showed that student achievement results improved with an increased focus on the lower grades. He said that the iNVest plan also included class-size reduction, and the hope was to have 25 students to 1 teacher in a classroom. Ideally, it should be 16 students to 1 teacher, but the cost was prohibitive, and the state had to start somewhere in implementing the iNVest program. Mr. Garcia said he knew improving the schools was “a big elephant to eat” but the state could “eat the elephant one bite at a time.”

Mr. Seale questioned how the additional time provided by changing from a half-day program to a full-day program would be utilized. Mr. Garcia informed the Committee that he spent two days a week visiting schools in the morning, and when he went to the kindergarten classrooms, he discovered that kindergarten had changed and there was no longer nap time. He admitted that the first week of implementing the full-day program, there had been concerns that the children would be tired, but the children were wide awake and excited about learning. He emphasized that full-day kindergarten was not babysitting, and the program was an academic program with language arts, literacy, and math instruction. Mr. Garcia commented that he was “amazed” by how quickly the children, given a whole day of instruction, learned, and performed to standard on tests.

Vice Chairwoman Giunchigliani pointed out that “half-day kindergarten” was a misnomer as a half-day session was approximately 2 hours and 15 minutes. She conceded that some parents perceived full-day kindergarten as state-funded babysitting, but the majority of parents wanted their children to enter school ready to learn. She cautioned that it was important not to push the children too hard and the needs of the 5- and 6-year-olds had to be balanced with the academic expectations. She said the Academic Standards Council had worked very hard to create standards while recognizing that kindergarteners were still “malleable” and school should be fun so they did not lose motivation.

Vice Chairwoman Giunchigliani opined that the elementary schools did not start early enough in the morning and the high schools did not start late enough. She said there were many issues and it was healthy to debate them, particularly as the argument was no longer whether it “should” be done, but “how” to do it.

Mr. Marvel asked if the funding would be “fenced off.” Mr. Perkins explained that, as the bill was written, the money would be placed in the Distributive School Account (DSA), and the money would be used to pay for additional teachers, instructional supplies, those things that were needed for the program.

Mr. Marvel asked if the funding would be subject to negotiation. Vice Chairwoman Giunchigliani interjected that the funding in the bill was apportioned by population, but she thought it should be placed in the DSA, so the rural communities were treated fairly. She added that the money would be open to collective bargaining, which had not seemed to be a problem for the school districts.

Assemblywoman Leslie said she had read accounts of some of the education hearings, and states with full-day kindergarten were performing at a much higher level than those with half-day kindergarten programs. She asked if Mr. Garcia could verify that information.

Mr. Garcia said that the highest-funded states in the country had full-day kindergarten and their children outperformed other states. Ms. Leslie noted that the state had the benchmark data and asked, if the bill was passed and full-day

kindergarten became a reality, how soon the results would be seen. Mr. Garcia said that the results would be seen in the third grade when the full battery of state and federal tests was administered and comparisons could be made. He indicated that he had been working with the University of Nevada, Las Vegas, to conduct an ongoing evaluation of full-day kindergarten.

Ms. Leslie expressed concern about class size in kindergartens, and said she knew of classrooms in Washoe County with 37 children. She inquired as to the largest class size in Clark County. Mr. Garcia said that Clark County had similar numbers, but Clark County had made a commitment and that was why full-day kindergarten implementation would not be as expensive as originally thought. Clark County would absorb the cost of the portables to keep the cost low and help the rural counties that could not afford the cost of the program. He emphasized that Clark County needed funding, but full-day kindergarten was such an important issue that the County was willing to expend some of its building funds to ensure children had the opportunity to attend full-day kindergarten throughout the state.

Ms. Leslie said she appreciated that, but she imagined teachers with 37 children for a half-day of kindergarten now having 37 children all day long, and she thought something needed to be done to reduce the class size. Mr. Garcia said the plan was to reduce the class size to 25 students to 1 teacher.

Ms. Leslie asked if that reduction would require additional funds. Mr. Garcia pointed out that there was additional money for hiring of teachers. He said Clark County was separating the facilities and covering the personnel cost. Ms. Leslie asked if there would still be kindergarten classes with 35 children next year, and Mr. Garcia replied that the process would require 2 years.

Vice Chairwoman Giunchigliani remarked that if additional class-size reduction guidelines were put in place, then additional financial assistance would be needed to purchase more portables. She added that she appreciated Clark County's willingness to use capital funds for portables, as so many counties were unable to do so.

Mrs. Smith explained that she was a member of the Assembly Committee on Education, and she had the opportunity to hear A.B. 198 previously in that committee. She related how the bill had been heard before a "packed house" and many teachers and parents had testified. She said she had been struck by testimony that a full-day kindergarten program was much less stressful than a half-day program because the teachers and students had time to work on the standards as well as fun projects. The whole idea of the environment being less stressful for parents and teachers and students was very appealing, and Mrs. Smith said there had been compelling testimony from teachers regarding what a full day of kindergarten consisted of, and she had been thoroughly convinced that it was a good environment and a good start for the children.

Mr. Denis noted that Mr. Garcia had stated that full-day kindergarten benefited all children rather than just those in need of extra help, and he asked how that result was being manifested. Mr. Garcia referred the Committee to the results shown in Exhibit D and Exhibit E, and explained that the growth and improvement had been expected in the Title I schools, but the growth in the more affluent schools had been somewhat of a surprise. Mr. Garcia remarked that he had been reluctant at first to share the Summerlin results because the parents might demand to know why their children were not enrolled in the full-day program. He opined that it was unfortunate that it was necessary to

charge the parents because it was not fair to those parents who were unable to afford it.

Mr. Denis said that his children had done well in school, but other children had a more difficult time and as they progressed through grade levels, it seemed that the classes were being directed more to those in need of remedial help, which was frustrating. He opined that helping those children earlier and bringing them up to grade level would be of benefit to all the children. He asked if there was any way to quantify any type of financial savings.

Mr. Garcia responded that it was too early to make that determination, but once students reached the third grade and were tested, it would become apparent how many students were achieving grade level on standardized tests. Those results could then be compared to results from children who had not attended full-day kindergarten. He said that one of the problems shown in studies of elementary education was that if a child was not reading at grade level by the end of third grade, the chances of that child being at risk were over 100 times higher because he was unable to catch up. Mr. Garcia asserted that the goal was to ensure that all students were at grade level in third grade.

Mr. Seale noted that the amount in the first year was \$12 million, which would be used to construct new buildings, and the amount in the next year was \$60 million. He asked if that amount would be placed into the base budget for future biennia. Mr. Perkins indicated that was correct and said it was necessary to ensure that the program would exist from year to year.

Vice Chairwoman Giunchigliani interjected that the money would be placed into the DSA and clarified that the \$12 million in the first year would be used for portables rather than actual buildings.

Nat Lommori, Superintendent of Schools, Lyon County School District, addressed the Committee as the superintendent of the "fastest growing school district in Nevada" and voiced his support for A.B. 198. Mr. Lommori informed the Committee that his one-year-old grandson was a fourth-generation Nevadan and Mr. Lommori was excited at the prospect of his grandson being able to attend an appropriate kindergarten program.

Mr. Lommori said that when he had begun his career 30 years earlier, he had been an agriculture teacher, and he had discovered that Nevada funded vocational education at the 51st level, behind Puerto Rico. He opined that if Nevada was going to move forward and live up to the standards set by NCLB, the full-day kindergarten program was needed.

Mr. Lommori assured the Committee that Mr. Garcia was correct in saying that in the iNVEST program, full-day kindergarten was a top priority for all 17 school districts. He said that everyone "took a sigh of relief" when Clark County had offered to absorb the cost of the portables because of the outstanding costs of those to small counties. Nevada was very diverse with communities that were living and dying by mining, so there was great growth in certain communities while other communities were losing population. Those particular school districts would be harmed if they had to provide their own portables. He expressed appreciation to Clark County.

Mr. Lommori added that he was very concerned about the class size. He said that when the class-size reduction program had started, Lyon County had received one-half teacher, which was essentially one session of kindergarten. He said there was still one session of kindergarten through class-size reduction,

and Lyon County had grown since that time. He agreed that the ideal size would be 16 students to 1 teacher, but Lyon County tried to keep every class in the district under 30 students. He said that class-size reduction for kindergarten combined with a full-day kindergarten would be a wonderful program, and he encouraged the Committee to move forward with the program.

Mr. Lommori said that every study showed that full-day kindergarten was appropriate and beneficial to all children, and 60 percent of the schools in the nation already had full-day kindergarten programs. He stated that Nevada's youth deserved the same opportunity, and he hoped that the Committee would provide that opportunity for Nevada's children, including his grandson.

Mr. Seale asked what kindergarten teachers did the other half of the day when they taught half-day kindergarten. Vice Chairwoman Giunchigliani explained that they taught another class, and Mr. Seale clarified that there were split sessions with one kindergarten class in the morning and another kindergarten class in the afternoon.

Mr. Lommori pointed out that teaching two sessions meant during parent/teacher conferences, those kindergarten teachers were meeting with one set of parents for each session.

Vice Chairwoman Giunchigliani pointed out that for those parents who chose to keep their child home an extra year, the mandatory attendance law had been written to allow for that; however, the child had to be screened before entering first grade. If the child was shown to not be ready for first grade, they had to attend kindergarten. She said she had not received a single complaint since the law had gone into effect, and the program had actually increased the comfort level for parents. Vice Chairwoman Giunchigliani commented that there was a program in California that helped parents understand that not all children developed at the same rate, just because a child was tall did not mean he was ready to learn, and those issues were taken into consideration. She emphasized that kindergarten was a key time period, and she thanked Mr. Perkins for including the iNVEST plan in A.B. 198. She said that if there were extra funds available, they should be used to assist with portables for class-size reduction, rather than a rebate or something similar.

Sheila Moulton, Trustee, Clark County School District, spoke in support of A.B. 198 and read the following statement ([Exhibit F](#)) into the record:

For the record my name is Sheila Moulton. I am a trustee for Clark County School District, District G. I also serve as the Vice President of the Nevada School Board Association. I come before you today in support of A.B. 198 and full-day kindergarten.

In August of 2005, we opened our 58 Title I schools with all-day kindergarten. We also offered to 7 schools, that had been previously surveyed and found supportive, an all-day kindergarten option with the families paying for this opportunity. We have seen great academic achievement occur at these schools and would like to have the opportunity to offer all-day kindergarten at all of our near 200 elementary schools. The current 2 hour and 40 minute class time is not adequate to prepare our students to begin their road to proficiency some 13 years later.

The Clark County Board of Trustees, as well as the State School Board Association supports A.B. 198, and encourages you, the

Assembly Ways and Means Committee, to move this bill along with your support to provide the necessary resources to ensure academic success for all our students.

On a personal note, I have two grandchildren in the states of Florida and Texas. As they began all-day kindergarten in their home states, I had reservations on their ability to be alert all day; however, I have been reassured of their success as I watched them enjoy their introduction into public education, and flourish under an extended-day program. Most states in our nation have gone to this all important factor in making sure that students have the "knowledge, skills, and ability to succeed academically and to become productive members of our society."

Thank you for your support and I would be pleased to answer any questions or to refer you to our CCSD [Clark County School District] staff for further information.

Donna Anspach, President, Nevadans for Quality Education, read the following statement ([Exhibit G](#)) in support of A.B. 198:

Chairman Arberry and Members of the Committee, I am Donna Anspach, President of Nevadans for Quality Education (NQE).

NQE would like to go on record in support of A.B. 198 for all children. As you have heard in previous testimony, studies prove that young children, whether brilliant or average, benefit academically and socially when they have been enrolled in full-day kindergarten programs.

It is no surprise that Nevada trails other states in many areas of education. Perhaps if we could provide this crucial foundation for all children at this early age, their future success would be guaranteed.

Full-day kindergarten will provide first graders the self-discipline and academic knowledge that will thrust them into higher learning in second grade and beyond. With a foundation such as this, we can expect success on high stakes tests that are now stumbling blocks for so many students.

On behalf of Nevada's children, we urge and encourage you to allocate the necessary funding to make full-day kindergarten a reality and not another missed opportunity for Nevada's students.

Thank you for the opportunity to speak this morning, and thank you for your efforts toward education.

DJ Stutz, President, Nevada Parent Teacher Association (PTA), spoke in support of A.B. 198. Ms. Stutz said that the previous April the delegates met at their annual PTA convention to vote on a resolution regarding full-day kindergarten. She said there had not been much debate regarding the resolution; the motion had passed quickly and easily and, by the discussion, it was easy to see that it was an issue that the PTA members greatly supported. She informed the Committee that it was important to recognize that the process had been unusual. Resolutions were often discussed and debated "far into the wee hours of the morning," but there were only speakers in support of the motion, and

within 15 minutes the motion had been passed. She said that on behalf of those delegates, she asked for the Committee's support of A.B. 198.

Ms. Stutz noted there had been several speakers who brought the Committee's attention to the many studies that supported full-day kindergarten, so she would not add her research other than to say that, in her search, she had found many studies that supported full-day kindergarten as well.

Ms. Stutz indicated that two weeks prior to the meeting, she had been working with the Regional Advisory Committee for the United States Department of Education. Among the individuals sitting on that Committee was Dr. Maria Ott, Assistant Superintendent, Los Angeles (L.A.) Unified School District. Ms. Stutz explained that during the two-day conference, Ms. Stutz and Dr. Ott had discussed full-day kindergarten and Dr. Ott's experience with it, as L.A. Unified had begun implementing a five-year plan to have full-day kindergarten in all schools starting with high-need areas. Dr. Ott had stated that schools in just the first year of implementation had already seen an increase in literacy-readiness assessment, more kindergarteners were reading earlier in the year, and the English Language Learner (ELL) students were testing at a higher level than their counterparts of the previous year.

Ms. Stutz commented that while Nevada faced the embarrassing statistics of being woefully behind in many areas of education, and while the initial cost would be greater as the program was beginning, she opined that the results through the years would show a savings through a lower drop-out rate and the need for fewer remedial programs to help students achieve grade level.

Ms. Stutz stated that she realized what was at stake—No Child Left Behind was forcing the state to critically examine the education of Nevada's students. The students must be prepared for an education that was becoming more demanding each year. Many of the children came from families where every resource was available, and used, to help them achieve, but many others came from homes where resources were not available nor understood.

Ms. Stutz told the Committee that it was "our job to do everything in our power to see that each child is offered the opportunity to grow and learn and contribute." She opined that full-day kindergarten was a step in the right direction and was the right thing to do.

Erin Cranor addressed the Committee and indicated that she wished to speak as a parent in support of A.B. 198. Ms. Cranor said she wanted to remind the Committee of the "big picture," which was "Nevada's future economic employability of the populace, and the depth of available leadership." She said she had four children, the youngest would not benefit from the bill as he would enter kindergarten in the fall of 2005, so the direct impact on her family would be more on the end of her children's schools accommodating the increased numbers from the kindergarten. She opined that it would be worth it; she had observed in her own children the benefit of a solid kindergarten foundation, which was much further reaching than the educational assessments and testing and those aspects that the schools were able to analyze and quantify.

Ms. Cranor added that she watched her first-grader read many books about animals and express an interest in becoming a veterinarian. Her third-grader was experiencing, through fiction, other people's experiences. Through reading, her third-grader was experiencing poverty, work, what it would be like to live in an Alaskan winter. She watched her fifth-grader use the Internet to read

newspapers from all over Nevada and learn that the same world event could cause different reactions and different opinions in other people. Ms. Cranor said she was watching her children develop in much broader ways based on the literacy and the ability they gained in kindergarten. She noted that her children had attended half-day kindergarten, and she had worked hard to provide the foundation for them to succeed.

Ms. Cranor said that her children had attended kindergarten in a class of about 25 to 30 students, and, between the two sessions, the teacher had to track the progress of 50 to 60 children. She encouraged the Committee to “build up” the kindergarten program in Nevada by taking the first step to becoming a full-day kindergarten state.

Dotty Merrill, Assistant Superintendent, Washoe County School District, addressed the Committee in support of A.B. 198. Dr. Merrill said she would be providing information regarding the experience of the Washoe County School District (WCSD) with half-day kindergarten and full-day kindergarten programs. She noted that the WCSD was currently on spring break, which had allowed her to bring Rita Hemmert, Early Childhood/Kindergarten Program Coordination, WCSD, and Dawna Ogden, kindergarten teacher, Agnes Risley Elementary School, WCSD, to the meeting.

Dr. Merrill indicated that Ms. Hemmert would speak first and address the “big picture issues” related to kindergarten. She indicated that Ms. Hemmert had provided a booklet ([Exhibit H](#)) to the Committee outlining the WCSD kindergarten curriculum standards as well as additional information ([Exhibit I](#)). Dr. Merrill referred to Assemblyman Seale’s earlier question and explained that full-day kindergarten would allow for all the standards to be taught. Upon conclusion of Ms. Hemmert’s remarks, Ms. Ogden would discuss the application of the program at Agnes Risley Elementary School.

Ms. Hemmert spoke in support of A.B. 198 and read the following statement ([Exhibit J](#)):

Chairman Arberry and Members of the Committee, my name is Rita Hemmert, and I am the Early Childhood Kindergarten Program Coordinator in the Washoe County School District. I would like to speak in favor of full-day kindergarten and in support of Assembly Bill 198.

Research indicates children benefiting the most from a full-day kindergarten program are those whose mothers have a low educational level; live in a single-parent family; are now receiving or have received welfare services; are black or Hispanic; and are non-English speakers or have low language skills.

The benefits for the child in a full-day program are many. Here are a few: more instructional time; higher scores on standardized tests; fewer grade retentions; more time engaged in active, child-initiated, small-group activities; more opportunities to learn cooperative ways of working together; more positive behavior; and more time and opportunity to play with and learn language.

The teacher benefits are: more time with individual students and small groups; more time for laboratory experiments; and more time to know and communicate with parents.

Parents also see benefits from this program. The parents see fewer transitions—home to child care, to school, to child care, to home—reducing the stress of the child and the parent; and the opportunity for low-income families to enroll the child in a higher-quality educational program than they could otherwise afford.

As you can see there are many benefits to a full-day kindergarten.

Ms. Hemmert directed the attention of the Committee to page 2 of [Exhibit J](#) and said data had been gathered from kindergarten programs in the WCSD. Children in the first four schools were given a screening assessment before being placed in a program because those schools had both a full-day and a half-day program. She explained that the full-day program consisted of 75 percent of the children with the lowest skills and 25 percent of high-functioning children who could serve as good role models to the lower children.

Ms. Hemmert asked the Committee to turn to page 6 in [Exhibit J](#) and explained that “school number 8” was one of the more successful schools that had worked hard at professional development for the teachers as well as working with the children. She pointed out that the scores for “school number 8” during 2001-02 with the half-day program and the scores for the same school with the full-day program showed a marked increase. She said the children in the full-day program had scored between 16 and 39 percent better than the children in the half-day program.

Ms. Hemmert said that research cautioned that changing the length of a kindergarten day was not as important as ensuring a developmentally and individually appropriate learning environment. Educators and parents should resist the pressure to include more didactic academic instruction in a full-day kindergarten program. She said that implementation would require teacher training. A kindergarten child needed free play time every day, and teachers needed additional training to provide more developmentally appropriate instructional time, allowing teachers to incorporate more hands-on learning experiences into the curriculum, providing a richer learning environment, and easing the transition to first grade.

Ms. Hemmert explained that [Exhibit I](#), referred to earlier by Dr. Merrill, was a handout entitled, “Report of Findings on the Topic: Full-Day Kindergarten” produced by the California Kindergarten Association. She said [Exhibit I](#) summarized much of the research that had been done on full-day kindergarten.

Ms. Hemmert added that [Exhibit H](#) was a copy of the standards for the WCSD, and she remarked that the standards showed how much was expected of a kindergarten child, and with the full-day kindergarten program the teacher was better able to teach those standards. She said that if the Committee were to ask a kindergarten teacher, the teacher would say she was working very hard to teach the standards, but it was very difficult to do so in only two and a half hours, but with a full day the teacher could more adequately teach those standards and prepare the child for later grades.

Ms. Hemmert said she hoped that the Committee would consider funding full-day kindergarten and making it a reality in Nevada.

Mr. Denis requested clarification of the information on page 2 of [Exhibit J](#). He noted that the chart showed that the half-day students had some kind of preschool experience, the full-day students had no preschool experience. Additionally, all English as a Second Language (ESL) students were placed in the

full-day class. He asked if the chart was accurate in showing that 100 percent of the full-day kindergarten students knew the lower-case letters of the alphabet, despite not having any preschool.

Ms. Hemmert responded affirmatively and explained that “school number one” had used preschool experience as part of the criteria to determine which children would be placed in the full-day program. Mr. Denis said that the children who attended full-day kindergarten had 100 percent in all categories, with the exception of knowing sounds, but the half-day students with previous preschool experience had scored lower in all categories ([Exhibit J](#)).

Dr. Merrill indicated that she and Ms. Ogden would describe a full-day kindergarten program that had been implemented at Agnes Risley Elementary School beginning in the 2001-02 school year. The Risley Elementary School program was being focused on as it was the program in the WCSD that had been used to track students who had completed that program and then stayed at that school through first grade, and had taken the WCSD criterion reference tests in reading and math, which were district tests based on first and second grade standards. Those tests allowed the children to be compared to children attending half-day programs in comparable schools.

Dr. Merrill explained that when the program had been implemented at Risley Elementary School, it was implemented in a very structured and purposeful way. The teachers were very highly trained and experienced; all the kindergarten teachers at Risley Elementary School had been trained in reading recovery. She said that the decision to move to the full implementation prior to the time that other Title I schools implemented full-day kindergarten was a result of recommendations from the kindergarten teachers and the commitment that those teachers were willing to make to this program.

Dr. Merrill admitted that class size remained a concern and said that Risley Elementary was currently piloting a modified full-day schedule that had allowed the teachers to regularly meet with small groups of children to focus on their particular learning needs. It was a flexible program that allowed teachers to concentrate on specific students in need of remediation as well as students in need of a challenge. Parent involvement and parent education had been critical to the program, and the parents had been very supportive of the full-day program. She indicated that Ms. Ogden would address the Committee.

Ms. Ogden shared her experience as a teacher in a full-day kindergarten program and read the following statement ([Exhibit K](#)):

My name is Dawna Ogden. I currently teach in one of three full-day kindergarten classrooms at Agnes Risley Elementary School in Sparks. The population at the school is 85 percent plus free or reduced lunch and 70 percent plus ESL (English as a Second Language) population. We initiated three full-day kindergarten classes at the school three years ago in 2002-2003.

After a number of years of implementing school reform measures—training in best practices in teaching, gathering and analyzing school data, establishing ongoing professional development, peer mentoring, peer observations, professional learning groups, grade level planning times—we were still as a school not making much of a difference in our students’ achievement and success. I believe this was because we couldn’t get a clear picture of what could be different or what was possible with our at-risk population.

At Risley we believe in early intervention and many of our students entering kindergarten were already two, three, or four years behind in academic literacy exposure and experiences—exposure to books, having stories read to them, playing with sounds and words, back and forth conversations, songs, playing with writing, et cetera. Within the confines of our educational system, many were not able to catch up by the third grade without experiencing failure. So intervention had to come early and we felt at the time a full day of kindergarten was our best option.

What could we do in kindergarten to get them ready for first grade and how would the gains hold? Those were our questions. So we began all-day kindergarten for every student and staffed those classes with some of our most expert teachers trained in reading recovery and early literacy development and observation.

Since we have implemented full-day kindergarten at Risley we have seen the percentage of children that leave kindergarten at or above grade level jump from the 40 to 60 percent range to a consistently high 80 to 90 percent range in letter identification, phonics, the writing of known words, and reading levels. We have also seen first grade percentage of children at or above grade level jump from the 20 to 40 percent range to a 60 to 70 percent range in writing known words and reading levels, even though we have lost one-third of our full-day kindergarteners to other schools and gained one-third who had not been in our kindergarten program. We expect to see jumps in percentage of children in the second grade at or above grade level this year as our first class finishes second grade, and then we are looking to see the impact next year on the standardized state and federal testing which is done in third grade. I have included our actual percentages in your written information ([Exhibit K](#)).

Large class sizes caused us to re-evaluate our plan at the end of last year. In 2003-04 with 30 to 32 children per class with one teacher per classroom and no full-time help, we still noticed that we were not able to give enough individual/small group attention, especially to the lowest children. With large class sizes we lose instruction and intervention time to management issues. So this year, we adjusted our full-day schedule to be an extended day for all kindergarteners—8:55 a.m. to 1:45 p.m.—and from 2:00 p.m. to 3:00 p.m. we meet with smaller groups of children grouped by similar need or strength on a 3-week rotating basis. This has allowed us to more specifically meet the needs of our most at-risk students as well as our more advanced students. This year we have 33 to 34 students per classroom. We feel this flexibility is critical to the success of all-day kindergarten programs.

We have funded our full-day kindergarten program with on-site monies, which means that we have lost the use of that money as a school for other needs. Our program requires an extra teacher and a half allocation plus the use of an extra room and a half. This has necessitated teaming situations in both first and second grades, and our music program is taught in the lunch room. It has also created issues with 90 to 100 more children present for lunch and on the playgrounds, which have required thoughtful solutions.

The factors which continue to impact the success of our reform measures as a school and our all-day kindergarten program are our transiency rate, language acquisition issues, physical space, large numbers of students, and the continual training of new teachers and their levels of expertise.

Full-day kindergarten for our population of children has offered our students twice as much time in an academically geared and appropriate setting under good teaching, twice as much language exposure in literacy activities, and opportunities for flexible and precise interventions before failure is experienced.

These differences have corresponded to more school success for more of our children. Some populations of children may have more options for partaking in opportunities that promote school success. We have found for many of our students our kindergartens are the only options they have to prepare for school success and a full-day program has given us more opportunity to meet that challenge.

Vice Chairwoman Giunchigliani commented that while the program cost money, there would be savings down the road in remediation dollars, and the state would be able to show an improvement in test scores and that children were succeeding. She noted that studies showed that a student who was behind in third grade would be too far behind to catch up and generally did not succeed, and it was time to focus on earlier grade levels.

Dr. Merrill directed the Committee's attention to [Exhibit L](#), which showed test results of the children from Risley Elementary School, who attended the first year of full-day kindergarten, as compared to the test results of first-graders at two other demographically comparable schools. She pointed out that page 2 of the exhibit outlined the school demographics.

Dr. Merrill emphasized that no child who had attended full-day kindergarten at Risley Elementary School fell into the "emergent/developing" category in either math or reading. She noted that there were some children in the "approaching the standard" category, but in the "exceeds standards" category, the children at Risley Elementary School clearly exceeded the performance of their peers who had only attended half-day kindergarten. She said it was "incredible" that 75 percent of the children exceeded the standard in first grade for math.

Vice Chairwoman Giunchigliani suggested that another key aspect of the test scores was that the children were also moving from a larger class size in kindergarten to a smaller first grade class.

Mrs. Smith expressed her appreciation for Ms. Ogden's and Ms. Hemmert's comments. She pointed out that Ms. Ogden taught at a school within her district, and she was proud of the job that Ms. Ogden was doing. Mrs. Smith reminded the Committee that the rest of the school had sacrificed funding so that full-day kindergarten could be implemented, which demonstrated how much the school population valued full-day kindergarten.

Keith Rheault, Superintendent of Public Instruction, Department of Education, stated for the record that the State Board of Education had unanimously approved the iNVEST plan. Mr. Rheault said that during the last four legislative sessions, many options had been discussed as to the implementation of the

ideas in the iNVEST plan, and the Board was pleased that A.B. 198 was receiving serious consideration.

Vice Chairwoman Giunchigliani interjected that the funding for full-day kindergarten was not included in The Executive Budget, so it would require money from the General Fund.

Ray Bacon, Nevada Manufacturer's Association, offered a possible way to "phase in" the program and reduce the impact on the General Fund. Mr. Bacon said that the biggest problem in education in Nevada was the gap between the "haves" and "have nots." He suggested that the program be focused on at-risk students rather than at-risk schools, which would mean that there would be both a full-day and a half-day kindergarten in most schools. That would reduce the impact on the General Fund and lessen the need for additional facilities. He said it was a legally defensible option because every student would still attend kindergarten, but it would be a way to phase in the program over the next biennium rather than implementing the program all at once.

Terry Hickman, President, Nevada State Education Association (NSEA), spoke in support of A.B. 198 and stated that the NSEA had long been a proponent of full-day kindergarten. Mr. Hickman said that when asked what would make a difference for the public school system, the NSEA had consistently replied that full-day kindergarten with appropriate class size limits would make a difference for the students of Nevada.

Mr. Hickman indicated that he had provided a handout ([Exhibit M](#)) from the Education Commission of the States to the Committee. [Exhibit M](#) contained a great deal of information and data about the impact of full-day kindergarten. He said the results were very clear that full-day kindergarten not only helped those students who were considered high-risk, but it helped all students. It was an important part of the answer for achieving grade level and attaining standards.

Mr. Hickman commented that the youngest students could achieve great things in their early years, and therefore the more help provided in those early years, the more likely success was in later years. He stated that "we have the research and we have the scientific data, now we have to have the resolve as a state to do the right thing." He said that every child in Nevada schools was tested to meet the requirements of district, state, and federal testing requirements, as well as the requirements of the high school proficiency exam.

Mr. Hickman said that high expectations and accountability were part of public education. He concluded by saying that "our children, our state, and our future demands that we ask what do we need to do to provide an adequate education for every child? Our answer is to be sure that every child has the opportunity and the advantage of full-day kindergarten."

Vice Chairwoman Giunchigliani asked if there was anyone else present who wished to testify on A.B. 198. There being none, she closed the hearing on A.B. 198 and turned the meeting over to Chairman Arberry.

Chairman Arberry asked the Committee to consider introduction of the following bill draft request:

- BDR S-1402 - Makes contingent appropriation for restoration of railroad line from Virginia City to Carson City. (A.B. 481)

ASSEMBLYMAN MARVEL MOVED FOR COMMITTEE
INTRODUCTION OF BDR S-1402.

ASSEMBLYMAN SEALE SECONDED THE MOTION.

THE MOTION CARRIED. (Mr. Perkins and Mr. Hogan were not
present for the vote.)

* * * * *

As there was no further Committee business, Chairman Arberry adjourned the meeting at 11:00 a.m.

RESPECTFULLY SUBMITTED:

Susan Cherpeski
Committee Attaché

APPROVED BY:

Assemblyman Morse Arberry Jr., Chairman

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Ways and Means</u>			
Date: <u>March 28, 2005</u>		Time of Meeting: <u>9:00 a.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B	Thom Reilly	Letter (1 page)
	C	Assemblyman Bernie Anderson	Testimony (1 page)
	D	Carlos Garcia, CCSD	Results by Summary (5 pages)
	E	Carlos Garcia, CCSD	Kindergarten Attendance Rates (7 pages)
	F	Sheila Moulton, Trustee, CCSD	Testimony (1 page)
	G	Donna Anspach, NQE	Testimony (1 page)
	H	Rita Hemmert, WCSD	Kindergarten Standards (booklet)
	I	Rita Hemmert, WCSD	Report of Findings on the Topic: Full-Day Kindergarten (12 pages)
	J	Rita Hemmert, WCSD	Testimony/Statistics (7 pages)
	K	Dawna Ogden, teacher, WCSD	Testimony/Statistics (8 pages)
	L	Dr. Dotty Merrill, WCSD	WCSD Full and Half Day Comparison (2 pages)
	M	Terry Hickman, NSEA	The Progress of Education Reform 2004 (5 pages)