

**MINUTES OF THE
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION**

**Seventy-third Session
March 30, 2005**

The Senate Committee on Human Resources and Education was called to order by Chair Maurice E. Washington at 1:45 p.m. on Wednesday, March 30, 2005, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Maurice E. Washington, Chair
Senator Barbara K. Cegavske, Vice Chair
Senator Dennis Nolan
Senator Joe Heck
Senator Bernice Mathews
Senator Valerie Wiener
Senator Steven Horsford

STAFF MEMBERS PRESENT:

Leslie K. Hamner, Committee Counsel
Marshellah D. Lyons, Committee Policy Analyst
Cynthia Cook, Committee Secretary

OTHERS PRESENT:

Frank Schnorbus
Devon Reese
Irene Rushing
Janine Hansen, Nevada Eagle Forum
Carolyn J. Edwards, Nevadans for Quality Education
Raymond Bacon, Nevada Manufacturers Association
Lynn P. Chapman, Home Educators of Faith
David K. Schumann, Nevada Committee for Full Statehood
Dr. Keith Rheault, Superintendent of Public Instruction, Department of Education
Al Bellister, Nevada State Education Association

Senate Committee on Human Resources and Education
March 30, 2005
Page 2

Dorothy (Dotty) Merrill, Washoe County School District
Craig Kadlub, Clark County School District
V. Robert Payant, Nevada Catholic Conference
Barbara Clark, Nevada Parent Teacher Association

CHAIR WASHINGTON:

We will open the meeting with an introduction of Senate Bill (S.B.) 221 sponsored by Senator Cegavske.

SENATE BILL 221: Provides for participation of homeschooled children in certain interscholastic activities and events. (BDR 34-1158)

SENATOR BARBARA K. CEGAVSKE (Clark County Senatorial District No. 8):

The bill provides for the participation of homeschooled children in interscholastic activities and events. It represents a modest expansion of existing statutes. Under *Nevada Revised Statute* 386.420 to 386.470, homeschooled children are allowed to participate in interscholastic athletics in the same manner as pupils in a public school. However, the Nevada Interscholastic Athletic Association (NIAA) was formed pursuant to existing law and governs only interscholastic athletics for pupils of high school age.

Senate Bill 221 allows homeschooled children to participate in interscholastic athletics governed by an association formed for interscholastic activities and events in addition to the association that is currently formed for high school athletics. The homeschooled children must be allowed to participate through a public school that is a member of such an association and the same rules governing eligibility and participation for public schools would apply to the homeschooled child. This measure also allows a private-school that is a member of an association for interscholastic activities and events to adopt a policy that either specifically prohibits or specifically allows the participation of homeschooled children in the activities and events through the private school. Further, a private school is authorized to adopt participation fees for homeschooled students that are equal to or greater than the fees charged to their other pupils. The measure takes effect upon passage and approval.

Questions may be raised about: the ability of parents to transfer their children from the team of one public school to another more to their liking, schools being forced to take such students and their own students would be bumped from the

Senate Committee on Human Resources and Education
March 30, 2005
Page 3

team, liability issues and schools being forced to take a pupil who may be a discipline problem.

FRANK SCHNORBUS:

I am representing the Nevada Homeschool Network. This bill is a modest expansion of the existing law. We obtained a written statement from the Legislative Counsel Bureau (LCB), which confirmed the law referred only to the NIAA. This bill is intended to allow the participation of all children, kindergarten through Grade 12. Private schools who are members of these leagues will have the option of allowing homeschooled students on their teams. A private school has every right to allow or not allow the participation of homeschooled students and set the conditions. The league could not pass a regulation or policy stating homeschooled students would not be allowed on a private-school team. Under the current law, homeschooled children are allowed to try out. If the student qualifies, he makes the team. We would like section 1, subsection 2, paragraph (a) of S.B. 221 to be modified to reflect a homeschooled child is eligible for participation if space is available, and the student qualifies for the team.

SENATOR HECK:

Are there any interscholastic associations for middle school students?

MR. SCHNORBUS:

I am not aware of a statewide association other than the NIAA. Middle school children play other schools located inside and outside of their district. I do not know what those leagues are.

SENATOR HECK:

Your intent is to have those types of leagues covered by the phrase "association" as stated on page 2, line 3 in S.B. 221.

MR. SCHNORBUS:

We are talking about any athletic organizing done by a public school district, except for intramural sports. I am assuming the schools set up their game schedules. I do not know what else to call it but an association.

Senate Committee on Human Resources and Education
March 30, 2005
Page 4

CHAIR WASHINGTON:

What is the meaning of the word "prohibiting" as stated on page 2, line 11 of the bill?

LESLIE K. HAMNER (Committee Counsel):

The intent of section 1, subsection 2, paragraph (a) of S.B. 221 is to give a private school a choice as to whether or not they want to allow the homeschooled students to participate in interscholastic activities. They could prohibit them or allow them to participate.

MR. SCHNORBUS:

I now understand. The portion of the bill about which I was concerned refers to private schools.

DEVON REESE:

I am an attorney and a homeschool parent. I am a member of Home Educators of Faith as well as the Northern Nevada Homeschool Association. The NIAA inquired if a private school would be allowed to have a homeschooled student participating in one of their sports programs. We were able to discuss this with the NIAA and I have included a copy of my letter to NIAA and their response ([Exhibit C](#)).

IRENE RUSHING:

I support everything that has been said here today. There is a need for middle school age homeschooled students to be able to participate in sports.

MR. SCHNORBUS:

Many school districts already allow such participation in sports. It is appreciated.

CHAIR WASHINGTON:

We will hold this bill for work session.

JANINE HANSEN (Nevada Eagle Forum):

The Nevada Eagle Forum has long supported the concept of options for parents. We want to do what is the best for the children.

Senate Committee on Human Resources and Education
March 30, 2005
Page 5

CAROLYN J. EDWARDS (Nevadans for Quality Education):

The stipulation of "space available" seems only to apply to private schools. I want to clarify that the standards for homeschooled students in public school interscholastic athletic programs include the same regulations that apply to public school students. The rules that apply to a public school student include a physical examination, attendance, grade restrictions and residence within their school zone.

CHAIR WASHINGTON:

I believe the wording on page 3, lines 21, 22 and 23 addresses your concerns.

Ms. EDWARDS:

If you look on page 2, line 9, it begins with "if a private school"

CHAIR WASHINGTON:

I see what you are saying.

Ms. EDWARDS:

I am not opposed to having homeschooled students participate in sports. I believe they must participate under the same guidelines as public school students. Perhaps these issues can be addressed in the work session.

Ms. HAMNER:

The provisions of subsection 3 of section 1 of S.B. 221 provide for public schools to treat homeschooled students in the same manner as students enrolled in the public schools. Additionally, public and private schools are prohibited from treating homeschooled students in a more restrictive manner than they treat the enrolled students.

CHAIR WASHINGTON:

Does that answer your concern Ms. Edwards?

Ms. EDWARDS:

Yes, it does. Thank you.

CHAIR WASHINGTON:

We will open the hearing on S.B. 223.

[SENATE BILL 223](#): Revises provisions governing education. (BDR 34-73)

SENATOR CEGAVSKE:

Senate Bill 223 provides for a voucher school program for public school choice and for stipends to help parents with the education of a child who receives education at home. The bill establishes a voucher school program to be administered by the Department of Education. It is designed to address the needs of students in low-performing schools and other at-risk pupils. The measure authorizes the Department to certify a private school to operate as a voucher school. To become certified the school must apply under the provisions of the bill and be licensed under Nevada law. The Department may revoke the certification if the voucher school fails to comply with the acceptable provisions of the law or if the license to operate is revoked.

The measure further provides that a child may participate in the program if the child attends a school that has been designated as needing improvement for three or more consecutive years under the school accountability law, or the child is from a low-income family that is at or below the federal poverty level. No more than 10 percent of students in each school district may be approved by the Department to participate in the program. The bill provides for a lottery system if there are more applicants than available space. Additionally, if a parent or guardian requests, participating schools may not require a student to partake in religious activities.

Pupils enrolled in a voucher school must be included in the count of pupils in school districts for purposes of apportionment and allowances from the State Distributive School Account (SDSA). The Department is required to provide the parent of a pupil who is approved for the program with a voucher to be endorsed and submitted to the voucher school. The voucher school will then submit the vouchers from all participating pupils to the Department for payment. The Department must pay a voucher school an amount equal to the per-pupil amount of money apportioned to the school district in which the voucher school is located, or the amount of annual tuition charged by the voucher school, whichever is less. The Department of Education is authorized to recover its costs, up to 1 percent, for administrative services. The voucher program provisions of the bill take effect July 1, 2006.

Beginning at section 33 on page 16, S.B. 223 provides for an open-enrollment component for public school choice. This type of program allows a parent or guardian to choose the public school the student will attend. Under existing law, school districts are allowed to establish attendance zones that prescribe which

pupils attend each school within the district. The bill authorizes a parent or guardian to apply for the student to attend a public school outside the attendance zone or in another district. The application must be submitted to the board of trustees of the district that the pupil wishes to attend. The open-enrollment provision of the bill would take effect July 1, 2005. The stipend for homeschooled students provides financial assistance to parents and guardians who have chosen to homeschool their children. The existing law allows the child to be exempt from compulsory attendance to receive instruction at home. This bill provides that to the extent money is made available by the Legislature, the parent or legal guardian of a homeschooled student may request from the Department a stipend of \$500 or \$1,000 per school year. The amount would depend on the age and grade level of the student. Stipends would be made available after July 1, 2006, for students schooled during the previous school year. Vouchers encourage competition among public, private and parochial schools. School-choice programs have the potential to motivate positive changes in the public education system and level the playing field by giving low-income and minority students access to a high-quality education.

We have received a letter from the Las Vegas Chamber of Commerce in favor of S.B. 223 to be entered in the record ([Exhibit D](#)).

CHAIR WASHINGTON:

I will open the hearing on S.B. 241.

SENATE BILL 241: Provides for school choice, revises provisions governing appointment of Superintendent of Public Instruction and authorizes certain local governments to veto decisions of boards of trustees of school districts. (BDR 34-45)

CHAIR WASHINGTON:

As we continue, please combine testimony for S.B. 223 and S.B. 241, since the provisions concerning school vouchers and school choice are in both bills. Sections 43, 44 and 45 of S.B. 241 will be eliminated from the bill.

RAYMOND BACON (Nevada Manufacturers Association):

The Nevada Manufacturers Association supports both of these bills. There is an education gap in the State of Nevada between the minority population and the mainstream population. The State will not move forward educationally until the gap is closed. Alabama, Mississippi and Louisiana do a better job of closing the

gap than Nevada, although their problems are as large and their funding, in some cases, is lower. In the southern states, there are remnants of the private school programs that started after the end of segregation. Those schools are not public schools, and those students are not counted. The students in Louisiana and Arkansas are closing the gap at a faster pace than those in Nevada, even with the removal of the urban white population.

CHAIR WASHINGTON:

What is your opinion of the constitutionality of school vouchers?

MR. BACON:

Voucher programs in Cleveland and Milwaukee have been tested in the courts. I believe both of the programs have been modified. These bills appear to contain the same modifications, although there will probably be some kind of a challenge. The provisions found in sections 13, 14 and 15 of both bills make them constitutionally sound.

LYNN P. CHAPMAN (Home Educators of Faith):

I will read testimony in support of the bills ([Exhibit E](#)). In Washington, D.C., a partnership was formed with the federal government with the purpose of improving student learning. Programs across the country demonstrate that school choice translates into better schools and stronger communities. A Florida State University report shows that within two years of the organization of its school-choice program, the lowest performing schools showed improvement. Vermont and Maine have programs that have increased school performance in regions where they have produced competition among providers. The Maine and Vermont programs provide evidence that the concept of allowing public funds to follow students to the schools of their parents' choosing is as old as the American public education system itself.

I am concerned with the issue to provide a stipend for homeschooled students. By receiving public funds, we may be required to teach our children things we may not want to teach.

SENATOR WIENER:

Does the bill mandate the parents of homeschooled students accept the stipend?

MS. HAMNER:

The parent or legal guardian of a student who receives instruction at home may receive a stipend.

DAVID K. SCHUMANN (Nevada Committee for Full Statehood):

I will read testimony in support of S.B. 223 ([Exhibit F](#)). This bill will allow students in Nevada to receive a world-class education. The Supreme Court of the United States ruled that when parents make the final choice, there is no reason for anyone to think the state endorsed that choice so there is no possible state "establishment of religion." Each generation of Americans has outstripped its parents in education, literacy and economic attainment. For the first time in the history of our country, the educational skills of one generation will not surpass or equal those of their parents.

The teachers' unions and others will claim that voucher schools diminish the financial strength of government schools. Many voucher schools charge less than the SDSA amount allocated for each student; thus the government schools are granted extra money.

I have a question about page 6, line 6 of S.B. 223. Does the section mean that each year the child must participate in the lottery, and could possibly be required to change schools after the first year? I believe the program would be strengthened if the bill was amended to include clear language that the Department of Education has no control over curriculum, selection of text or teachers. It should be made clear the voucher schools have total control over teacher qualifications.

CHAIR WASHINGTON:

Please write up your recommendations for amendments and submit them to staff for consideration.

MR. SCHUMANN:

I will submit my amendments. I believe this program will be so successful that all parents will want to join.

DR. KEITH RHEAULT (Superintendent of Public Instruction, Department of Education):

There are 162 private schools in Nevada. The bill requires the private schools to be licensed, and there are 95 licensed private schools. Using figures for the

current school year, there are 19,000 students in private schools. Of the 95 licensed private schools, 59 provide kindergarten. There are 19 faith-based licensed private schools in Nevada. The four counties that have licensed private schools are Clark, Washoe, Douglas and Carson City. Of the four counties, approximately 36,000 students would be eligible to participate in the program. Many of the numbers are limited although the bill sounds as if it might serve the entire State. It is stated in the bill there are two ways to qualify. A student can be at a school that has been designated for three or more years as in need of improvement. Currently there are two of those. The first year of the program, almost all of the applicants would come from at risk schools, and approximately 38 percent of the schools are considered to be at risk. Applications submitted to the Department of Education will be reviewed and approved. When the parents or guardians of the students apply for a voucher school, the capacity probably will not be there. Voucher schools require application to the Department of Education and it is clear we need to outline the process for application. The Department does not collect achievement data on private schools and has no way of knowing if the school is on the Adequate Yearly Progress (AYP) list. If the bill requires, as a part of the application process, that private schools provide evidence of student achievement with the application, there would not be a problem.

CHAIR WASHINGTON:

We will put in statute that the board of trustees of the school district will develop regulations.

DR. RHEALT:

The bill allows for a 1-percent administrative fee. If there are 8,000 applications to be reviewed and approved and we do not collect the money until the end of the school year, we cannot hire staff to send out the reviews. There should be funds advanced up front.

CHAIR WASHINGTON:

The No Child Left Behind Act of 2001 (NCLB) states that if a school is found in need of improvement for three consecutive years, a student may apply for a voucher.

DR. RHEAULT:

The school is required to provide school choice but only to a public school that is making AYP. It is a requirement that schools needing improvement must offer school choice.

CHAIR WASHINGTON:

As I read the bill, it states the parents of a pupil enrolled in a public school may apply to attend another school if the pupil is enrolled in a school demonstrating need for improvement for one or more years, or the pupil is from a family of low income. I would assume that means a public school. Then, if the school is designated for three years in need of improvement and the student meets the federal designated poverty level, 10 percent of the students can apply for vouchers.

DR. RHEAULT:

The eligible recipients have to be from schools that need improvement for three years. There are just two schools that presently meet those criteria. I am not familiar with any other provisions in NCLB; however, I will review and clarify this for the Committee.

CHAIR WASHINGTON:

What would happen if you were challenged, under the allowable provisions of NCLB, to provide vouchers?

DR. RHEAULT:

I do not think that is possible.

Most of the students will qualify as being from a low-income family. In order to assure they are, we would have to request sensitive information as a part of the application process.

This bill requires the State Senate to confirm or reject the appointment of the Superintendent of Public Instruction. The way the law is worded, if the reappointment comes between Legislative Sessions, does the current serving superintendent go on interim status until approved a year later?

CHAIR WASHINGTON:

It would be for future superintendents. That will be clarified.

DR. RHEAULT:

I would think a person would not move to Nevada if they are on an interim basis and subject to approval. The bill specifies that the State Board of Education may not reappoint the superintendent to any other position if that person is rejected by the Senate. I just want to state the Board only has authority to hire one person, the superintendent. The rest of the positions are appointed or hired by the superintendent.

CHAIR WASHINGTON:

We will also clarify that point.

SENATOR HORSFORD:

Do you feel these bills are in conflict with Article 11, section 2 of the Constitution of the State of Nevada (Nevada Constitution)?

DR. RHEAULT:

I think that needs to be examined. It has been done in other states. It could be perceived that the legislature is affecting public schools. I do have concerns that would need to be considered if these bills pass.

AL BELLISTER (Nevada State Education Association):

The association is in opposition to both of these bills. On behalf of the public schools, we must remember they helped create the greatest country on earth. We are concerned that sections 15 of both bills, as well as section 23 in S.B. 241, do not comply with the Nevada Constitution. There is an expressed prohibition that public money of any kind cannot be used for sectarian purposes. To say it is by parental request, does not meet the requirement of the law.

You have heard previous speakers testify about the benefits of these programs. If you look at other research, you will find opposing conclusions. The Wisconsin Legislature terminated the evaluation of the Milwaukee program in 1995. Since that time it has been found there is no difference in reading and mathematic scores between voucher-school students and public school students. Research conducted in Cleveland has indicated public school students made greater gains in Grades 1 through 5 than the voucher-school students. Florida conducts no state evaluation program. A study from Princeton University looked at black students and their progress in public schools versus voucher schools. The study found the greatest advantage for those students was to be in a school with a small class size.

People want greater accountability for the public schools. Here we propose to create a system to allocate taxpayer funds to private schools without accountability. In Milwaukee, \$87 million goes to voucher schools with no accountability. The 10-percent cap on enrollment in the voucher program could equate to 40,000 students. At \$5,000 per student, that is \$200 million to potentially go to private schools. This will create three systems of schools at taxpayer expense: the public schools, the voucher schools and the homeschools. I would encourage the Committee to consider the fact that in order to get to the proficiency required in NCLB, it would cost from 20 to 40 percent more than present funding.

CHAIR WASHINGTON:

Could you provide a copy of the Princeton study and the reports you mentioned concerning Cleveland, Florida and Washington, D.C.?

MR. BELLISTER:

I will be happy to get that information to you.

CHAIR WASHINGTON:

On the question of constitutionality, we will not know until the measures are implemented and then contested. The Legal Division of the Legislative Counsel Bureau (LCB) contends these measures are constitutional. We will be reviewing class-size reduction this Legislative Session. One argument is that voucher schools already have smaller classes. We could save money because tuition per student is one-half that of the SDSA amount per student. I agree private schools should be accountable if they are to participate in the voucher program. Why would we leave children in a school that does not meet their AYP? It seems to be counterproductive and we are penalizing the children.

MR. BELLISTER:

Your question assumes AYP is a valid measurement. This country is based upon choice. I would urge you to consider that just 300 families have exercised the option to change schools. Let us not leave behind the thousands of students at schools that need the resources, programs and smaller class sizes.

MS. EDWARDS:

Nevadans for Quality Education opposes both S.B. 223 and S.B. 241. No Child Left Behind already provides school choice for students enrolled in schools that do not meet their AYP. I believe the opposite of what you are trying to achieve

is likely to happen. You do not provide for transportation. It is likely to be discriminating against low-income families and those families that have two working parents. I believe we will see higher levels of segregation. The issue of magnet schools is not addressed. Magnet schools have the ability to choose their students. Clark County is under a voluntary-desegregation program. I do not see how we can comply if children can choose to go to any school.

Concerning S.B. 221, NIAA regulations specifically state a student can only participate in sports within their zoned school.

Also, different counties receive different per-pupil funding. The counties most likely to receive students from other counties will be the larger school districts. If a child comes from another county, does the district receive the per-pupil funding from the county of residence?

CHAIR WASHINGTON:
We will note your concerns.

DOROTHY (DOTTY) MERRILL (Washoe County School District):
I would like to remind you that Article 11, section 10 of the Nevada Constitution states: "No public funds of any kind or character whatever, State, County or Municipal shall be used for sectarian purpose." The provision is more restrictive than the Constitution of the United States (U.S. Constitution). A Florida court-of-appeals case considered whether a tuition voucher violated a state provision that stated: "No revenue of the State shall ever be taken from the public treasury, directly or indirectly, in aid of any sectarian institution." The court held the provision was more restrictive than the U.S. Constitution and found the voucher program violated the provision. Nevada is one of 30 states that have adopted similar language.

Public policy shapes decisions about the use of tax dollars and accountability. Voucher programs propose to take funds from public schools and award them to private concerns. These bills eliminate much of the accountability that is demanded of publicly funded institutions. Private schools are not required to do any of the following: obey open meeting laws, hire certified teachers, require a college degree of their teachers, release information on wages and benefits and be subject to school designations as required by NCLB. To take funds from public schools and turn to private ventures seems to give a different shape to public policy.

Our second concern with S.B. 223 has to do with the open-enrollment provisions as outlined on page 17 of the bill. The Washoe County School District (WCSD) has options available. In any school year, we have between 6,000 and 9,000 of our 62,000 students who are on variances from one school to another. We have considerations in place about school capacity and other issues that may impact a variance decision, but we believe we have many opportunities, and students are taking advantage of them. The process described in section 33 would have a fiscal impact on the district. It would be difficult for our schools with regard to allocations, staffing and master scheduling if decisions could not be made less than three months in advance. We have provided a fiscal note about the impact of the homeschool stipends mentioned on page 18, section 34. The language appears to be permissive; if it were to be mandatory, the total cost in the WCSD would be in excess of \$580,000.

CRAIG KADLUB (Clark County School District):

The Clark County School District (CCSD) opposes the voucher program. There is a fiscal impact to vouchers. The argument that the district is not serving the student has been made. There are approximately 19,000 students in private schools and 4,000 homeschooled students in Nevada with no public money being apportioned those students. If 10 percent of those students were to qualify for vouchers, that would result in a \$13 million expense for the State. We have mechanisms for zone variances, magnet options, administrative transfers, choice provisions as outlined in NCLB, special education and academic program options. More than 25,000 students are attending schools other than those to which they are zoned. The CCSD considers a number of factors which are not addressed in the bill. There is an impact on the sending and receiving schools, current and projected enrollments, space availability, staffing, compliance with provisions of NIAA that prohibit school shopping for athletic purposes and capacity formulas to determine whether a school will be on a nine-month or year-round schedule. We have concerns with the mechanics of the proposal. The school board would be inundated with thousands of applications. The zone-variance process should begin at the school level and allow for appeals as necessary. The current policy accommodates as many requests as practicable, particularly in light of the transient rate of our students and annual enrollment growth of between 10,000 and 15,000 students. The district supports flexibility in school assignments. Approximately 10 percent of the students in CCSD attend schools out of their zone.

Section 34 of S.B. 223 proposes a stipend for homeschooled students. As with vouchers, taxes levied for public education should be used to support public schools. It is not appropriate for the State to begin supporting private schools and homeschooled students.

SENATOR CEGAVSKE:

The district cannot be all things to all people. I have visited schools like New Horizon Academy in Las Vegas and I was impressed with the fabulous opportunities for students who cannot be successful in the public school for many reasons. There are schools that can provide assistance to prepare a child for success in life, and those children need that assistance. This type of legislation is for those children and their parents, and it will help to facilitate choices for parents in the State of Nevada. Some parents cannot afford to pay the costs of providing extra help for their children. These bills do not present all of the answers; they are some of the answers for the needs of students that the public schools cannot provide. I am requesting, on behalf of the children of Nevada, that we do what we can to offer the best education.

CHAIR WASHINGTON:

I am requesting the Legal Division to define "sectarian purposes" as cited in the Nevada Constitution.

SENATOR HORSFORD:

There was earlier reference to a legal opinion given by staff about common schools and public schools. I would like to see that opinion also.

MS. HANSEN:

The Nevada Eagle Forum has long favored school choice. Many parents cannot make the choice, because they do not have the resources. I am concerned about government interference for homeschool parents. Senate Bill 223, on page 19, mentions the request for the stipend must include documentation satisfactory to the Department of Education that the child received instruction at home that is commensurate with the grade level of the child. We oppose this because government schools do not teach the same material.

CHAIR WASHINGTON:

Do you support the provision for accountability and testing?

MS. HANSEN:

That would be a decision to be made by each private school. Some schools will choose not to do so.

CHAIR WASHINGTON:

If the funds are accepted, then the school would be subject to the accountability provision.

MS. HANSEN:

I do not know if they need all of the accountability provisions. Private schools are accountable to parents and taxpayers; government schools are not.

CHAIR WASHINGTON:

What is your position on the idea of disbanding the local school boards and creating school boards within each school?

MS. HANSEN:

The closer governance is to the people the better the results. I have provided the Committee with information concerning tax credits in return for donations to scholarship organizations in Pennsylvania ([Exhibit G](#)).

SENATOR HORSFORD:

You are a strong defender of the Nevada Constitution. In Article 11, section 2 it states: "The legislature shall provide for a uniform system of common schools ... and the legislature may pass such laws as will tend to secure a general attendance of the children in each school district upon said public schools." There is no mention of funding education in private schools. How can you support this legislation if it contradicts the Nevada Constitution?

MS. HANSEN:

We do not have uniform education in Nevada. I do not know the answer to your question; however, I know our government schools are failing our children. Perhaps we need to look at this and change the Nevada Constitution. Our options to help children are limited.

CHAIR WASHINGTON:

I believe provisions in the Nevada Constitution caused concern in the past. As a result, the "Nevada Plan" *Nevada Revised Statute* 387.121 was implemented in order to comply with Article 11, section 2 of the Nevada Constitution.

V. ROBERT PAYANT (NEVADA CATHOLIC CONFERENCE):

I speak in favor of the proposal to create voucher schools in Nevada. Granting support for parents who would choose to have their children attend accredited private schools would give real credence to those who believe that parents should be directly involved and supportive of the schools their children attend. Religion and morality does permeate the entire program of study in Catholic schools and is a part of the day for each student.

CHAIR WASHINGTON:

Do the students at Bishop Manogue High School in Reno participate in religious activities?

MR. PAYANT:

Twenty-five percent of the students are not Catholic, and they are required to participate fully in the activities. They are not required to join the church, but they are not excused from participation.

MR. SCHNORBUS:

Many parents of homeschooled students have concerns with the provisions regarding vouchers. When public funds are allocated, there is a natural desire on the part of government to start intruding on a successful system.

BARBARA CLARK (NEVADA PARENT TEACHER ASSOCIATION):

We are opposed to both of these bills. We do not believe public dollars should go to private schools. If the funds travel with the child, that leaves an impact on other children. As we know, special education is not fully funded. We are in favor in fixing and making the public schools the best they can be. Ninety-seven percent of the children in Nevada attend public schools. Instead of directing resources toward a small minority, we believe the majority needs to have every resource available to make them successful. We do support charter schools, but the argument always is they will come forth with some unique way in which to improve public schools. I have yet to see that happen. Nothing has come out of the private schools that have been reproduced in the public schools to make education more successful.

Senate Committee on Human Resources and Education
March 30, 2005
Page 19

CHAIR WASHINGTON:

We will consider these three bills in a work session. There being no other issues before us today, this meeting of the Senate Committee on Human Resources and Education will now adjourn at 4:10 p.m.

RESPECTFULLY SUBMITTED:

Cynthia Cook,
Committee Secretary

APPROVED BY:

Senator Maurice E. Washington, Chair

DATE: _____