

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

**Seventy-third Session
April 27, 2005**

The Senate Committee on Human Resources and Education was called to order by Chair Maurice E. Washington at 1:35 p.m. on Wednesday, April 27, 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 Cegavske, Vice Chair
Senator Dennis Nolan
Senator Joe Heck
Senator Bernice Mathews
Senator Valerie Wiener
Senator Steven Horsford

GUEST LEGISLATORS PRESENT:

Assemblywoman Sheila Leslie, Assembly District No. 27
Assemblyman R. Garn Mabey, Jr., Assembly District No. 2
Assemblywoman Debbie Smith, Assembly District No. 30

STAFF MEMBERS PRESENT:

Marsheilah D. Lyons, Committee Policy Analyst
Cynthia Cook, Committee Secretary

OTHERS PRESENT:

Cherie Jamason, President, Food Bank of Northern Nevada
Pat Marble, Special Projects Manager, Food Bank of Northern Nevada
Joyce Haldeman, Clark County School District
Gloria Dopf, Deputy Superintendent for Instructional, Research and Evaluative Services, Department of Education

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Steve G. George, Public Information Officer, Office of the Secretary of State
Judith F. Simpson, Director, Nevada Campaign for the Civic Mission of Schools
Rahela Džidić, Executive Director, Civitas at Bosnia and Herzegovina
Zijad Pašić, Minister of Education and Science, Federation of Bosnia
Herzegovina
Milovan R. Pecelj, Minister of Education and Culture, Republic of Srpska
Jožo Marić, Minister of Education, Science and Sport of West Herzegovina
David Byerman, Chairman, Advisory Committee on Participatory Democracy
Dan Driver, Student, Incline High School
Cynthia E. Sharp, Elementary and Secondary Education Consultant, Department
of Education
Susan H. Davis, Director, Northern Nevada Teaching American History Project,
Washoe County School District
Andrew Morss, Teacher, Spanish Springs Elementary School, Washoe County
School District
Larry D. Struve, Religious Alliance in Nevada
Andrew D. Heilman, Advisory Committee on Participatory Democracy
Dr. André Walton, Director, Relevant Education About the Law
Anne K. Loring, Washoe County School District
Kendyl Depoali, Assistant Superintendent, High School Education, Washoe
County School District
Juanita Y. Jeanney, Director, Public Policy, Accountability and Assessment,
Washoe County School District
Loretta Evenson, Nevada Parent Teacher Association
Lucille Lusk, Nevada Concerned Citizens
Randall C. Robison, Nevada Association of School Boards
Craig Kadlub, Clark County School District
Frank Brusa, Nevada Association of School Administrators
Raymond Bacon, Nevada Manufacturers Association
Kyle Zive, Intern to Assemblyman Bernie Anderson
Dr. Jerry Hughes, Executive Director, Nevada Interscholastic Activities
Association
Frank Schnorbus, Nevada Homeschool Network

CHAIR WASHINGTON:

We will open the hearing on Assembly Concurrent Resolution (A.C.R.) 5.

ASSEMBLY CONCURRENT RESOLUTION 5 (1st Reprint): Urges school districts in Nevada to participate in federally funded School Breakfast Program. (BDR R-208)

ASSEMBLYWOMAN SHEILA LESLIE (Assembly District No. 27):

This bill is about children and nutrition. While working as a nutritionist in the Peace Corps, I was able to experience being around families with children who did not have enough to eat. I was the first director of the Food Bank of Northern Nevada and I have experience with food and hunger issues. According to the census of 2000, there were over 176,000 children at risk of hunger in Nevada. Of those children, more than 44,000 may experience hunger on a regular basis. The issue needs to be addressed and I believe A.C.R. 5 will help. The federal government provides an entitlement of school breakfast and lunch to children who are below 130 percent of the poverty level. Therefore, all Nevadans are paying a certain amount of taxes to provide breakfast and lunch in the classroom. Since we already provide lunch in our schools, the facilities and staff are in place. We cannot expect children to be able to pay attention and learn when they are hungry. There are many health benefits to children when they eat breakfast, including fewer illnesses and fewer visits to the school nurse. There are educational benefits to children including increased test scores. The Food Bank of Northern Nevada has been trying to encourage the school districts in Nevada to start school breakfast programs and initiate new and more effective feeding programs. They have not had a great deal of success yet. This bill will encourage every school to offer a breakfast program, to increase the number of children who are eating breakfast at school by 15 percent in each of the next two years and to report back to the Legislature.

CHERIE JAMASON (President, Food Bank of Northern Nevada):

We are talking about federally funded United States Department of Agriculture (USDA) child-nutrition programs. Presently, the programs generate more than \$45 million in federal money to feed Nevada's children. Increased participation in school breakfast, summer-lunch and after-school programs could bring more than \$10 million into Nevada to feed children. Nevada receives approximately 70 cents for each dollar sent to the federal government. We are presently receiving \$8.8 million for school breakfast for all of the participants. If we were feeding every child who qualifies for free and reduced-priced breakfast, we would be receiving more than \$14 million annually. The program is not the only federal nutrition program that is underutilized. The USDA Food Stamp Program is underutilized by approximately \$110 million in federal funds. Just 48 percent

of the people who qualify for the program make use of it. Twelve percent of students throughout the State participate in the school breakfast program. Less than 1 percent of those eligible utilize the summer-lunch and after-school program. These meals have no cost to the State of Nevada. Nevada's participation in school breakfast is approximately 30 percent of those who qualify. Benefits from school breakfast include increased test scores, less tardiness, fewer behavioral problems and suspensions, increased student alertness and greater classroom participation. The school-breakfast program is available to all children for a small fee. Research indicates that young girls who participate in school breakfast had a lower tendency to eat foods that are poor in nutritional value. The problem is not the lack of funds, lack of nationally model programs or the lack of basic infrastructure in the schools. The problem is lack of commitment and lack of leadership. For many decades it has been difficult for children to participate in the school-breakfast program. We would like Nevada to take a stand to increase the participation, so all children have the benefits that will accrue.

CHAIR WASHINGTON:

I am amazed there are approximately \$8 million of federal funds being utilized for school breakfast, and with total participation it would be approximately \$14 million. What commitments have you received from the school districts to increase participation?

MS. JAMASON:

We have been working on this project for three years. Clark County School District has made tremendous strides in increasing participation. There are a number of schools that have introduced breakfast in the classroom for all students in all grades. That has a dramatic impact on participation. We would like to see more breakfast-in-the-classroom programs in Washoe County. This is a part of the regular school day. When a district utilizes breakfast in the classroom, there is no need to change bus schedules or add additional personnel.

SENATOR CEGAVSKE:

What is the content of the breakfast in the classroom?

PAT MARBLE (Special Projects Manager Food Bank of Northern Nevada):

The breakfast meets minimum daily requirements of the National School Lunch Program. A menu might consist of yogurt, muffin, a cup of peaches and milk.

SENATOR WIENER:

Barriers were overcome at an elementary school in the district that I represent because of their positive attitude. There are barriers such as where to store the food carts, how to access electricity to warm or cool the food and arranging special garbage pick ups. One principal, in order to increase the participation level, received approximately 98 percent of the required parental forms because she promised a pizza party. Is there any stigma attached for those who receive free breakfasts?

MS. MARBLE:

My experience in Washoe County has been successful. The teachers were surprised that within the first week they noticed a change in the students. We encouraged the teachers to eat with the children, which made the classroom seem to be a type of family surrounding. When I introduced the program to one of the elementary schools in Washoe County, I made sure the principal, the teachers, the custodians, the food-service staff and the parents were for the program. I met with those groups and told them if the program did not work they could go back to the old way. Out of a school with a population of 400 children, we were feeding 375 each day. That program is nearly four years old and continues to be successful. School districts, administrators and food-service departments have to think of new ways to provide these meals. Obviously, the cafeteria is not always going to be the place where children will come.

MS. JAMASON:

The reporting requirements requested of the school districts are on page 3, lines 7 through 14 of A.C.R. 5.

SENATOR HORSFORD:

I would like to commend the Food Bank of Northern Nevada for all of the work they have done.

JOYCE HALDEMAN (Clark County School District):

We are in support of A.C.R. 5. When the Food Bank of Northern Nevada wanted to implement this program in Clark County, it was met with resistance. Some of the principals feel at the breaking point in the number of things expected of them. We requested an outstanding principal in the district to try the program. The faculty did not want to participate. The principal asked the faculty to try the program for two weeks. By the end of the two weeks, the faculty was

convinced this was a worthwhile program. The attention span of the children improved, the students were on time and visits to the nurse were reduced. We will continue to encourage and use the examples of the schools that are making the program work.

GLORIA DOPF (Deputy Superintendent for Instructional, Research and Evaluative Services, Department of Education):

The State Board of Education received a presentation from the Food Bank of Northern Nevada. They have unanimously supported the resolution.

SENATOR WIENER MOVED TO ADOPT A.C.R. 5.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR MATHEWS WAS ABSENT FOR THE VOTE.)

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CHAIR WASHINGTON:

We will now have a presentation by the Nevada Campaign for the Civic Mission of Schools.

STEVE G. GEORGE (Public Information Officer, Office of the Secretary of State):
Senate Bill No. 309 of the 72nd Session established the Advisory Committee on Participatory Democracy (ACPD) within the Office of the Secretary of State. The partnership has been successful. In 2004, Nevada had a record voter turnout. Our percentages were 64 percent of voter registration and 70 percent participation. Nevada is moving towards the goal of 75 percent registration and 70 percent participation as stated in the bill. The ACPD and the Nevada Campaign for the Civic Mission of Schools are teaching a new group of students the advantages of becoming an active citizen.

CHAIR WASHINGTON:

Does the program include educating young people about how democracy works and how they can participate in the process?

JUDITH F. SIMPSON (Director, Nevada Campaign for the Civic Mission of Schools): Nevada was awarded a \$150,000 grant to carry out state advocacy and policy activities. The grant was awarded because our Legislature indicated their support of any efforts that would help students be better citizens. The Nevada Campaign for the Civic Mission of Schools consists of a coalition of members throughout Nevada. There are 28 agencies, schools and nonprofit organizations involved in the coalition. In addition to learning the Bill of Rights, civic education is about learning the attitudes and skills needed to be a good citizen. In order to follow the requirements of S. B. No. 309 of the 72nd Session, we directed a survey of all the public-school principals in Nevada concerning civic education. We found the results were marginal. We then asked the teachers to complete the same survey. Those results were more realistic. We are looking at every approach to teaching civic skills and attitudes. There is statistical data showing that when children are taught citizenship they behave better and classrooms have fewer discipline problems. The primary priority is to have a social studies consultant for the Department of Education. I hope that can be a recommendation to come from this Committee.

I have been able to work in Bosnia and Herzegovina to help democratize their educational system. Today, we have the opportunity to hear the top education officials of Bosnia and Herzegovina.

CHAIR WASHINGTON:

If there is a social-studies consultant for the Department of Education, will there be a standards committee to review the curriculum?

MS. SIMPSON:

The social-studies standards have been written. We have received permission from the Nevada Council to Establish Academic Standards for Public Schools to put them together in a way that aligns them. For example, teaching about the colonists includes the geography, economics, civics and history of the era. I think we can help make the curriculum understandable.

RAHELA DŽIDIĆ (Executive Director, Civitas at Bosnia and Herzegovina):

Civitas has been a partner with Arizona, California and Nevada. Through this partnership, we have managed to include civic education as part of the official curriculum in the educational system. Bosnia has two entities, and two ministers are here. We needed to include a comprehensive curriculum, kindergarten through high school. We looked into the most important components to make

young people learn about democracy, democratic values and practices. Over the past 9 years, we have trained 21,000 teachers and donated more than 500,000 civics books through a grant from the United States Department of Education. We are appreciative of the support from Nevada educators. We can testify that civic education improves students' problem-solving skills and in helping their communities after they leave school. The following testimony will be interpreted by Advan Mrkva.

ZIJAD PAŠIĆ (Minister of Education and Science, Federation of Bosnia Herzegovina):

I want to thank the United States and the State of Nevada for all you have done for education in Bosnia and Herzegovina. With the partnership program of civil education we do with Nevada, Arizona and California, we give our children something that is best for them. We are trying to establish a society of knowledge and democracy. We believe, with you in Nevada, Arizona and California, we are on our way to establishing this. I come from Tusla, the second-largest city in Bosnia. In our city, we have a statue of Martin Luther King. We are proud that one of the biggest names in American history is in front of our city hall. Once again, I want to thank you all for everything you do for our country.

MILOVON R. PECELJ (Minister of Education and Culture, Republic of Srpska):

Democracy was born in the Balkans 2,000 years ago. We are here in the United States to see how you organize your democracy. As a dean at a philosophy university, I introduced civic education five years ago. As the Minister of Education and Culture of the Republic of Srpska, I am in the position to implement this in 300 schools. I am sure this will be positive for all of Bosnia and Herzegovina. It will bring trust between people. It will keep our children in Bosnia and Herzegovina to build a better future, and to build a new, civilized democracy. We know that we lost many people in the last war, but that is a price a country must pay for democracy. Thank all of you for allowing us to come before you.

JOŽO MARIĆ (Minister of Education, Science and Sport of West Herzegovina):

From a personal point of view, I can say what democracy and civil education means to my country and my family. For 17 years, I was a high school teacher. After democratic elections, I became involved in politics. Twice, I served as governor of a western Herzegovina canton. Cantons are provincial units used in the Federation of Bosnia and Herzegovina. Currently, I am a minister of

education. My two oldest children did not have a chance to obtain a civic education. My two youngest children have learned the process, and you can clearly see that in their lives today. After I became a governor, I met Ms. Dzidic and supported her program. Currently, as a minister of education in my canton, I am trying to advance the program. I want to thank you all. A special thanks to Ms. Simpson, who has been to Bosnia and Herzegovina 17 times. She is one of the reasons for the success of this program. I hope you use this experience in the State of Nevada.

CHAIR WASHINGTON:

What is the structure of the Bosnia and Herzegovina government?

MS. DZIDIC:

There is a three-member presidency and a bicameral legislature. The constitution recognizes Bosnia as a state officially composed of two entities, the Serb Republic and the Federation of Bosnia and Herzegovina. All governmental functions not given expressly to the central government belong to the entities.

SENATOR HORSFORD:

In Southern Nevada, 1 percent of the population is Bosnian.

MR. MARIĆ:

That is one more reason for you to support this program.

SENATOR WIENER:

I request the Committee send a letter to the Senate Committee on Finance to strongly support the request by the Department of Education to have a social-studies consultant, so that we can continue to grow with the kind of example we have heard today.

DAVID BYERMAN (Chairman, Advisory Committee on Participatory Democracy):

What the Committee heard today is a way to show what the ACPD is accomplishing. The ACPD is comprised of ten citizen volunteers. We are working to promote civic education, civic involvement and the strengthening of the foundations of our democracy. Working with the Office of the Secretary of State has been a good partnership. We will soon be screening programs eligible for funding under the Help America Vote Act of 2002. There is an irony in having people from other countries learn about what is happening in the

United States. In many ways, they are doing a better job in educating their students.

DAN DRIVER (Student, Incline High School):

I am fervent about civics. With civic learning, students will be able to become active and better citizens. The students at Incline High School enjoy the, "We the People," course that is sponsored by the National Endowment for the Humanities. Taking civics a step further, by showing students their privileges and responsibilities as a citizen, is a good idea.

MR. BYERMAN:

The ACPD will have a formal report to the Legislature that I will submit. I encourage you to read it and contact me with any questions.

CHAIR WASHINGTON:

I am concerned about the lack of participation by students in civic education.

MR. BYERMAN:

There is a need for a change in mind-set about the role of civic education in schools to show it is important. Teaching civics inspires people to become more active in their community and improves behavior and school attendance. The benefit stretches across many disciplines. We need to begin looking at civics as a value-added proposition and a way to improve educational performance.

CYNTHIA E. SHARP (Elementary and Education Consultant, Department of Education):

I believe we need to have a permanent position for a social-studies consultant in the Department of Education.

CHAIR WASHINGTON:

Can you provide the members of this Committee a copy of the standards for civic studies?

MS. SHARP:

The standards are on the Web site of the Department of Education.

SUSAN H. DAVIS (Director, Northern Nevada Teaching American History Project, Washoe County School District):

I will read my testimony in support of the recommendations to fully fund a permanent position for a social-studies consultant in the Department of Education ([Exhibit C](#)).

ANDREW MORSS (Teacher, Spanish Springs Elementary School, Washoe County School District):

I will read my testimony in support of the recommendations to fund a social-studies consultant in the Department of Education ([Exhibit D](#)).

SENATOR CEGAVSKE:

Do you include the reading of newspapers in your classroom?

LARRY D. STRUVE (Religious Alliance in Nevada):

I was honored to receive the Jean Ford Democracy Award today. I know if Jean Ford were here, she would be pleased with this Committee and the State of Nevada. Today's testimony has shown the implications of the policy set in motion by S.B. No. 309 of the 72nd Session.

CHAIR WASHINGTON:

We will ask staff to draft a letter in support of a social-studies consultant in the Department of Education.

ANDREW HEILMAN (Advisory Committee on Participatory Democracy):

I am here to speak in support of all of the testimony you have heard today. I have the privilege of sitting on the ACPD and the Nevada Commission for National and Community Service (NCNCS). The NCNCS administers AmeriCorps programs statewide and other programs related to volunteerism in Nevada. We provide tutoring for at-risk children, violence and drug-prevention programs, access to medical care, nutritional education, crisis intervention, peer counseling and adult literacy to underserved citizens, serving our Nation's veterans with shelter, food, legal assistance, life skills, family support and rehabilitation toward self-sufficiency, or by promoting environmental studies and service with direct conservation initiatives.

DR. ANDRÉ WALTON (Director, Relevant Education About the Law):

The nonprofit organization, Relevant Education About the Law (REAL), is funded by Irwin Molasky, a Las Vegas developer and philanthropist, and Sam Lionel

who was a law partner of former Governor Grant Sawyer. The mission is to help young people understand more about our judicial system. We promote citizenship and the understanding of democracy. The pledge of \$500,000 over the next 2 years came about because these gentlemen perceive there is a disconnect occurring between young people and society. Engaging people in society can be achieved by their understanding the system. This society incarcerates more people than any country and we are one of the few countries to impose capital punishment. Those laws do little to reduce crime. One of the reasons for that strange phenomenon is people do not understand the legal system and the democratic process. As a result, they choose to believe legal information received via television. If we are able to reverse this, and use techniques to engage our children in the judicial and democratic processes, there will be a real understanding of what happens when laws are not obeyed.

ASSEMBLYWOMAN DEBBIE SMITH (Assembly District No. 30):

I am the chair of the Council to Establish Academic Standards for Public Schools. I believe the Committee will enjoy reading the social-studies standards. For the record, the Council supports a social-studies consultant within the Department of Education.

CHAIR WASHINGTON:

We will open the hearing on A.B. 76.

[ASSEMBLY BILL 76 \(1st Reprint\)](#): Authorizes boards of trustees of school districts to accommodate medical absences in policy for attendance of pupils at school. (BDR 34-607)

ASSEMBLYWOMAN SMITH:

I am here today on behalf of the Assembly Committee on Education to present A.B. 76 for your consideration. The bill was initiated at the request of the Washoe County School District (WCSD). I will read testimony ([Exhibit E](#)) to summarize a brief history of this measure.

SENATOR CEGAVSKE:

I am in full support of A.B. 76.

SENATOR NOLAN:

I am in support of this bill.

ANNE K. LORING (Washoe County School District):

I request that a copy of testimony provided by Nancy Hollinger, Legislative Representative, Board of Trustees, WCSD, to be entered into the record ([Exhibit F](#)).

KENDYL DEPOALI (Assistant Superintendent, High School Education, Washoe County School District):

The most significant change in the *Nevada Revised Statute* (NRS) 392.122 during the 72nd Legislative Session was that medical absences were no longer automatically exempted from the minimum number of days required by the board of trustees of the school district. In accordance with that change, we revised our policy and generated notification letters for parents. The statute provided that if a parent or legal guardian affirmed the absences were of a medical nature, the absences would, upon appeal, be credited toward a student's days of attendance. This has created a huge problem for WCSD. The number of attendance letters tripled in the first year. Administrators reported that much of their time has been consumed with appeals. The number of appeals for the 2002 school year for high school students was approximately 30. During the following year, the appeals processed were as follows: elementary schools had 491 appeals, the middle schools had 200 appeals and the high schools had 3,618 appeals. Parents and legal guardians have been outraged when they received letters, after they had sent notes explaining the medical absences.

JUANITA Y. JEANNEY (Director, Public Policy, Accountability and Assessment, Washoe County School District):

I will read my prepared testimony concerning A.B. 76 ([Exhibit G](#)).

SENATOR HECK:

How do you plan to tackle the problem of the misuse of medical absences? Unless a child has a known chronic illness, it seems unlikely an otherwise well child would miss more than 18 days of school. A note allegedly signed by a parent does not necessarily hold true. If this was supposed to be a checks and balances process for the misuse of medical absences, how is the system going to remain intact?

MS. DEPAOLI:

When we have a student with a chronic illness or injury, we ask for medical verification. If we see a student whose medical absences are becoming excessive, we would call the parent or guardian and review them.

MS. JEANNEY:

I understand Senator Heck's concerns. It is possible to abuse the proposed policy. We have an absence code, and if we disagree with a parent's request, we code it differently. If a student is having excessive absences, for example, more than four times in a quarter, the school is encouraged to contact the parent.

LORETTA EVENSON (Nevada Parent Teacher Association):

The Nevada Parent Teacher Association is in favor of A.B. 76. Parents have a responsibility to ensure the physical and mental well-being of their children. Currently, parents are afraid to keep their child home because of the appeals process and this bill will put the authority into the hands of the parents.

LUCILLE LUSK (Nevada Concerned Citizens):

We are here in support of A.B. 76. The appeals process was intended to be implemented when the school district questioned the validity of a medical absence. What happened in the WCSD was not the intention.

RANDALL C. ROBISON (Nevada Association of School Boards):

The Nevada Association of School Boards supports A.B. 76.

SENATOR CEGAVSKE MOVED TO DO PASS A.B. 76.

SENATOR HORSFORD SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WASHINGTON:

We will open the hearing on A.B. 206.

ASSEMBLY BILL 206 (1st Reprint): Provides for issuance of special license for persons with certain graduate degrees and work experience to teach pupils in public schools. (BDR 34-996)

ASSEMBLYMAN R. GARN MABEY, JR., (Assembly District No. 2):

The concept for this bill began when I decided to teach a high school class. In order to do so, I would be required to have 14 additional university credit hours. I worked with others to draft the legislation for A.B. 206. The bill will help to fill more teaching vacancies in our secondary schools. Clark County School District has been to the Philippines to recruit teachers. There are people who have a doctorate degree or a master's degree who cannot go back to the university. If an individual wants to substitute teach in a secondary school, the only requirement is a high school diploma. This bill would have the Commission on Professional Standards in Education issue a special license to a qualified individual.

SENATOR CEGAVSKE:

I have heard from teachers who have moved here and say they cannot get hired. I do support this bill.

ASSEMBLYMAN MABEY:

I made a commitment that I would teach a health or biology class if this bill passes.

CRAIG KADLUB (Clark County School District):

The Clark County School District is in support of this bill. We believe it is important to have many pools from which to draw teachers. There are many projected vacancies for the next school year. Concerning teachers who have not been hired, I can only say that when someone applies there may not be an opening in their field. Additionally, there are occasions when we cannot open up a person's file to the public.

SENATOR CEGAVSKE:

I do appreciate that. I know there are circumstances whereby an individual cannot be hired. When a substitute is placed in a special education class, would it not be better to use a certified teacher?

MR. KADLUB:

Teachers need a specific endorsement to teach in a certain subject matter. They cannot work in one field if they hold a degree in another. We tell an applicant as much as we can if they are not selected for a position. Often, when people give a confidential reference, it is with the understanding it will remain so.

SENATOR HORSFORD:

I think we need to have a greater focus on recruiting people here in Nevada and the United States. I am concerned about the efforts to recruit teachers and nurses outside of the country.

SENATOR MATHEWS:

Who does the background checks on these recruits from outside of the United States?

MR. KADLUB:

I am not fully qualified to answer that question. I do know that the Federal Bureau of Investigation does a fingerprint check and there are transcripts from the universities from which the applicant graduated.

SENATOR MATHEWS:

I do support this measure. Are any of the teachers being brought in from outside of the United States from third-world countries?

MR. KADLUB:

As far as I know, there are not any recruits from third-world countries. However, if there are applicants who are qualified, they could be hired.

MS. DOPF:

Dr. Mabey has worked with Dr. Keith Rheault, Superintendent of Public Instruction, Department of Education, on this measure. We are in support of the bill. We will bring the concept forward to a workshop for the Commission on Professional Standards in Education to review.

SENATOR HORSFORD:

Will you update the Committee on the program which encourages educational-support employees to take courses towards becoming licensed teachers?

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MR. KADLUB:

I will respond to you when I respond to the question asked by Senator Mathews.

SENATOR HORSFORD:

Is A.B. 206 limited to specific fields?

ASSEMBLYMAN MABEY:

No, it is not.

FRANK BRUSA (Nevada Association of School Administrators):

The Nevada Association of School Administrators is in favor A.B. 206.

Ms. LUSK:

Nevada Concerned Citizens are in favor of the bill.

RAYMOND BACON (Nevada Manufacturers Association):

We are very supportive of alternative-certification programs. This may also solve some other problems we have encountered.

SENATOR MATHEWS:

You are right. A community college mathematics teacher with a Ph.D. cannot teach in the high school because they have not been through the certification process for high school.

SENATOR WIENER MOVED TO DO PASS A.B. 206.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR WASHINGTON:

We will open the hearing on A.B. 377.

ASSEMBLY BILL 377: Revises provisions governing association for interscholastic activities. (BDR 34-735)

KYLE ZIVE (Intern to Assemblyman Bernie Anderson):

I am presenting A.B. 377 on behalf of Assemblyman Bernie Anderson. The bill revises the NRS 386.420 to formally name the association that governs all interscholastic activities as the Nevada Interscholastic Activities Association (NIAA). In 1973, the Legislature enacted provisions to form an association to govern all interscholastic activities. From that legislation, the NIAA was formed and every school district must be a member to conduct interscholastic athletic programs within the public or private schools. The NIAA has been the governing body in the 17 counties. This bill names them as the formal body.

DR. JERRY HUGHES (Executive Director, Nevada Interscholastic Activities Association):

We are here for the minor reason of having our name in statute which has always been implied.

FRANK SCHNORBUS (Nevada Homeschool Network):

We support this bill, but it could impact homeschool students. I spoke to Dr. Hughes, and he has agreed the rules and regulations of the NIAA for high school students should work for all grades.

SENATOR CEGAVSKE:

Do you have a concern with the way this bill is written?

MR. SCHNORBUS:

Two years ago when we came to the Legislature, we thought the language in the NRS 386.420 covered all grades. We later found that the Legislative Counsel Bureau (LCB) and some districts determined the NRS 386.420 only applied to high schools. We came back to the Legislature to clarify the language. We are saying if Senate Bill (S.B.) 221 does not pass and A.B. 377 does, there may be a contradiction.

[SENATE BILL 221 \(1st Reprint\)](#): Provides for participation of homeschooled children in certain interscholastic activities and events. (BDR 34-1158)

SENATOR CEGAVSKE:

Dr. Hughes, are you saying every school district must be a member of the NIAA in order to conduct interscholastic athletic programs within the schools? Will the NIAA make all of the regulations and the districts will abide by them?

DR. HUGHES:

We have been set up, through statute, to regulate high school activities in the State of Nevada. Our board consists of two school-board members as well as superintendents and principals.

SENATOR CEGAVSKE:

This bill is giving you the governing authority over all of the activities for high school and middle school sports. If this passes, the school boards would no longer have jurisdiction over decisions. Is that correct?

DR. HUGHES:

No, nothing would change with this bill. The current statute reads "association." That has been the NIAA since 1972. This bill is to put our name into statute.

SENATOR CEGAVSKE:

Is it correct that there are no fees or dues?

DR. HUGHES:

There are dues, and there always have been. Depending on the size of the school, the dues are \$850 for a school with up to 700 students.

SENATOR CEGAVSKE:

Could a school district choose not to be a member?

Dr. Hughes:

That is correct. For the past several years, Mr. Schnorbus and I have worked with homeschool projects. The problem is that the NIAA is the association and there could be an interpretation about whether the middle and elementary schools should follow our rules regarding homeschool students. We are supportive of homeschool students participating in athletics.

SENATOR NOLAN:

Are there any alternative bodies that work with you when you make policy?

DR. HUGHES:

The school superintendents are the legislative counsel for the NIAA and they are in charge of all policy that is set. We have a control board made up of nine members represented throughout the State of Nevada. They vote on all regulations of the NIAA.

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SENATOR NOLAN:

Does everything ultimately come through the NIAA, or do the superintendents sometimes make decisions independently?

DR. HUGHES:

There are no other associations in Nevada. The statutes have set this organization to regulate high school activities. I take issues to the superintendents, and they make recommendations. Our board consists of five representatives from Clark County, two representatives from Washoe County, one representative from Carson City and one representative from the rural counties.

CHAIR WASHINGTON:

We will process this bill after S.B. 221 has been decided to make sure there is no conflict.

There being no other issues before us today, this meeting of the Senate Committee on Human Resources and Education will now adjourn at 4:30 p.m.

RESPECTFULLY SUBMITTED:

Cynthia Cook,
Committee Secretary

APPROVED BY:

Senator Maurice E. Washington, Chair

DATE: _____