

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

**Seventy-Fourth Session
May 14, 2007**

The Committee on Education was called to order by Chair Bonnie Parnell at 3:47 p.m., on Monday, May 14, 2007, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/74th/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Bonnie Parnell, Chair
Assemblywoman Debbie Smith, Vice Chair
Assemblyman Bob Beers
Assemblyman David Bobzien
Assemblyman Mo Denis
Assemblyman Joseph P. (Joe) Hardy
Assemblyman Ruben Kihuen
Assemblyman Garn Mabey
Assemblyman Harvey J. Munford
Assemblyman Tick Segerblom
Assemblyman Lynn D. Stewart

GUEST LEGISLATORS PRESENT:

Senator William J. Raggio, Washoe County Senatorial District No. 3
Senator Valerie Wiener, Clark County Senatorial District No. 3
Senator Barbara K. Cegavske, Clark County Senatorial District No. 8



STAFF MEMBERS PRESENT:

Kristin Roberts, Committee Counsel
Carol M. Stonefield, Committee Policy Analyst
Denise Dunning, Committee Secretary
Rachel Pilliod, Committee Manager

OTHERS PRESENT:

Keith Rheault, Superintendent of Public Instruction, Department of Education
Cliff Ferry, President, Board of Education
Dotty Merrill, representing Nevada Association of School Boards
Anne Loring, representing Washoe County School District
Ray Bacon, representing Nevada Manufacturers Association
Craig Kadlub, Director of Government Affairs, Clark County School District
Alison Turner, representing Nevada Parent Teacher Association
Julianna Ormsby, representing Nevada Women's Lobby
Stephanie Hartman, Social Studies Consultant, Department of Education
Byllie Andrews, President, American Association of University Women
David Fraser, Executive Director, Nevada League of Cities and Municipalities
Daniel Klaich, Vice Chancellor, Nevada System for Higher Education

Chair Parnell:

[Call to order. Roll call.]

I will welcome Senator Raggio to the table and open the hearing on Senate Bill 184 (2nd Reprint).

**Senate Bill 184 (2nd Reprint): Revises provisions governing education.
(BDR 34-419)**

Senator William J. Raggio, Washoe County Senatorial District No. 3:

I am here to introduce S.B. 184 (R2) for your consideration. I am doing this as Chairman of the Legislative Committee on Education, which met during the 2005-2006 Interim. I had the pleasure to serve as Chairman and to work with Chairwoman Parnell as our Vice Chair. We had a hard-working committee and a lot of meetings, this bill is one of the recommendations.

The bill before you today, which is the second reprint, relates to academic standards, student performance, and accountability measures. You have been

provided with a summary of the sections of the bill that may be useful as we discuss the proposals ([Exhibit C](#)). I want to draw your attention to two of the items that I think are the more important provisions. Carol Stonefield is available to respond to any specifics regarding this bill. She served our committee as our staff person.

The members of the Legislative Committee on Education were very impressed with a presentation from the Washoe County School District (WCSD) on what was termed the Gateway Curriculum for high school curriculum. That is essentially a default curriculum and means all students are automatically enrolled in specific courses. Only with approval of a parent and a school official may a student withdraw from any of those courses and take different ones. This is prompted by the fact that for some the senior year in high school is used for very minimal learning. Too many students were deciding not to take a fourth year of math or English. When you are looking at passage rates for the high school proficiency exam, a lot of failure is due to math or writing. There are compelling reasons to direct our attention to what students are learning or failing to learn in their fourth or senior year of high school. The fourth year of high school should be an important part of the learning experience and not just time that students can deviate from a full course of instruction.

Senate Bill 184 (R2) would require that every district provide a default curriculum, which would consist of four English courses, one during each of the four years of high school, four math courses, including algebra I and geometry or the equivalent, three science classes, three social studies classes, including American government, history, and world geography. Those are generally the core subjects and the emphasis is that a fourth year of math and English would be required. It is my understanding that the Clark County Board of Trustees has also approved a default curriculum similar to WCSD, after the Legislative Committee on Education adopted this Bill Draft Request (BDR).

You can see that most of the high school students in this State will soon be required to meet these provisions. I believe it is important that the Assembly and Senate establish the parameter for that requirement. We would be derelict and deficient in our responsibility to see that adequate education is provided and that students are prepared to meet the requirements to pass high school proficiency exams. My direction is not only to have them pass, but to make sure that graduating students are prepared to compete in the world after they leave high school.

The Legislative Committee on Education was concerned about the middle school curriculum and the failure of those students to go from middle school to high school. Many matters came to our attention, such as discovering that many

middle school students did not know what they were going to be up against when they got to high school. They were not prepared and received a rude awakening. We directed our attention to that and our study of the high school curriculum led to consideration of middle school preparation for high school. The Legislative Committee on Education learned that the regulations of the State Board of Education only require students to earn passing grades in language arts and math in order to be promoted from eighth grade to ninth grade.

We heard testimony that some eighth graders do not bother to pass social studies and science classes because they will be promoted to ninth grade anyway. That does not prepare these students to begin the rigors of a high school curriculum. So much of their future life is dependent on what they are able to accomplish and what they are able to do in high school. We need to send a clear message that says that you need to prepare yourself in middle school if you are going to be able to compete. So S.B. 184 (R2) would direct the State Board to provide regulations requiring passing grades in English, math, science, and social studies. I would ask anybody, how can you expect less and how could you be unwilling to put that into a required regulation?

The bill also addresses retention in eighth grade. Existing statutes prohibit a Board of Trustees from promoting a student if he or she fails to complete the course of study that is required for promotion. The Legislative Committee on Education received testimony from school districts stating that those who remain in eighth grade have an increased chance of dropping out. So, if a student has already been retained once in the eighth grade and still does not earn the credits needed to be promoted to ninth grade, S.B. 184 (R2) directs the districts to provide a program of remedial study for that student. If the student successfully completes the remedial course, he can then be promoted to ninth grade. We have similar requirements for a tenth grader who fails the high school proficiency exam. What we are addressing here is this—too often when someone has been retained in the eighth grade and still has not earned the credits that are necessary to go into ninth grade, they are merely passed along. That does not solve the problem but rather aggravates it. We want to give these students every opportunity to earn the credits to prepare themselves and to be adequately ready for high school.

Some of the provisions of S.B. 184 (R2) were recommended by the Department of Education or the local school districts. In the annual accountability reports the number of eighth grade students who drop out of school after the eighth grade would have to be reported. The technical assistance partnerships are repealed. Support teams for schools designated as demonstrating a need for improvement for three or more consecutive years are

modified. That is recognizing what we could adequately do in those situations. The Commission on Educational Technology would conduct a needs assessment of the school districts in the spring of the even numbered years—something we have not done and definitely need to do. We need to know what we are funding and whether we are addressing the need.

Under this bill the Council to Establish Academic Standards must submit proposed academic standards to the State Board of Education for review and comments. Currently, the State Board has the responsibility to hold public hearings on the proposed standards, but it has not had the authority to question the standards or return them to the Council for further consideration. A research project is being proposed to analyze the assignments and standards for particular grade levels and to determine the percentage of assignments that are actually challenging the students at that grade level. This research project would come under the purview of the Legislative Committee on Education and next session this will be chaired by the Assembly Committee on Education.

We are waiting for Senate Finance to come up with some funding to have the ability to survey 100 schools and determine whether or not there is a proper alignment of courses taught. I will have to leave, but Carol Stonefield will be here to answer questions.

Assemblyman Mabey:

To get a credit, do the students have to get at least a grade of "D?"

Carol M. Stonefield, Committee Policy Analyst:

Yes, a "D" is a passing grade.

Chair Parnell:

For clarification—when I look at the high school curriculum, we add the fourth-year of math and a third year of science, but the other two subjects remain the same. English and social studies remain the same.

The other interesting conversation we had during the Legislative Committee on Education, with regard to the fourth year of math, was about whether or not the State should be dictating what the math curriculum should look like, and whether or not we should just first make sure that all students have at least the four years of algebra I and geometry. That ended up being at the pleasure of the Committee. It was a fairly controversial issue. The other thing was the concern that eighth graders only had to pass math and English, nothing else to progress to high school. I will ask Ms. Stonefield, why did we change the subgroup to group?

Carol M. Stonefield:

I should add that I was the Research Analyst for the Legislative Committee on Education for the 2005-2006 Interim. I am testifying at the request of the Chairman and will neither advocate nor oppose any of the provisions of this bill.

With regard to the term "subgroup," it was a request from a school district. The suggestion was to change "subgroup" to "group" because the term "subgroup" had some type of derogatory or diminishing quality to it.

Chair Parnell:

I cannot help but make an editorial comment because I do not like the subgroup part of the No Child Left Behind (NCLB) Act. If there was one thing that I could change during the reauthorization period of NCLB, it would be to eliminate the subgroup testing—maybe continue to test, but not something that ended up labeling an entire school. I hope that by changing it in this bill, it does not conflict with anything to do with regard to NCLB.

Carol M. Stonefield:

If I may draw the Committee's attention to another handout that was distributed ([Exhibit D](#)). It is a visual display of the structure created to comply with NCLB. In it, you can see that in years two and three, the technical assistance partnership was required under Senate Bill No. 1 of the 19th Special Session. The Legislative Committee on Education recommended eliminating the technical assistance partnerships because of testimony from the Department of Education and the school districts that these have generally become a paper exercise and have not contributed to student achievement improvement. There are some other changes to the school support team that begins in year four. These are again suggestions from the Department and the school districts.

Assemblyman Stewart:

I am always in favor of higher standards. I can see some problems with staffing math teachers for a fourth year. We already have a problem getting enough math teachers right now.

Carol M. Stonefield:

That could be. The districts would be in a better position to respond to that.

Assemblyman Hardy:

Recognizing that there are some people that are good with math and some that are not, the test is not geared towards calculus or towards people taking a fourth year of math. Do we need a fourth year of math or are we looking at repeating a year of math? I do not know if there are enough math classes to

take if you know you are not going into science. Was this part of the discussion that the Legislative Committee on Education had?

Carol M. Stonefield:

The bill requires algebra I and geometry or the term, "their equivalent," which was requested from one of the school districts because they group their math courses somewhat differently. As to the other two years, there was some question of requiring algebra II, but in the end opted only for four years of math. There is research to suggest that completion of a rigorous math curriculum is one of the best predictors of completion of college. For that reason, both the Gateway Curriculum in Washoe County, and I believe the default curriculum in Clark County, include four years of math, although only two are specifically identified. The others could be any other sort of math course including a general math, consumer math, or business math course.

Assemblyman Stewart:

Do we have enough math courses to allow the students to take one every year?

Carol M. Stonefield:

That would be a question more appropriately answered by one of the school districts representatives.

Chair Parnell:

I was very vocal on this discussion during the Legislative Committee on Education. My concern, especially when there was talk about mandating algebra II, is that we have students that may be involved in Career and Technical Education that could probably use and would like to take algebra II, but there is also construction math. There are other kinds of math that students can take to help them in higher education or to prepare them for the workplace when they graduate from high school. There is not just a one-size-fits-all when we are looking at mandating our math curriculum.

Assemblyman Munford:

Some students will opt to take math in summer school. In summer school you really do not get the full benefit as it is only eight weeks long or so. The challenging math classes may be hard to pass in this amount of time.

Keith Rheault, Superintendent of Public Instruction, Department of Education:

We strongly support this bill, but I do have one concern with Section 20. We strongly support the elimination of technical assistance partnerships. It has been explained that it has not been effective. We support the eighth grade promotion remedial work, the Academic Standards Council review by the State Board, and the changes to the school support teams. Currently the wording

requires a department staff person to be on every school support team. We estimate that over 100 of them will be in place next year. I have 130 people on staff, so I had to place my secretaries and my auditors on them, so that would be a great change.

The only concern I had was on Section 20. I handed out to you ([Exhibit E](#)) the adjustments made to the advanced diploma at the last State Board meeting. If you look at the requirements for the advanced diploma, there were temporary regulations while the Legislative Session was meeting, that match the course-work requirements in this bill. The only difference in the advanced diploma is that we do not specify which math or lab courses. If they were to take this curriculum, they would qualify for the advanced diploma. We also require a 3.25 grade point average (GPA). If you look, it also matches the current requirements for the Millennium Scholarship. The difference between the advanced diploma and what is required in this bill, and the regular diploma, is an additional science, math, and social studies course. To get a regular diploma you currently only need two social studies classes.

My concern is with the wording on page 45, and it is not with specific course work requirements. I know why "a pupil is not required to earn the minimum credits required" was put in. That was the opt-out piece that both Clark and Washoe Counties have. I interpret it to say, "With permission of the pupil, parent, school counselor or administrator, a pupil may be enrolled in a modified course of study." What needs to be added would be a clause stating that they can mutually agree with it, but it can be no less than the regular diploma requirements. Otherwise there is nothing to default to. They could agree to drop three classes and still graduate. I know the intent, but it does not really get to the point that there should be some minimum base they have to meet in order to graduate.

Chair Parnell:

Have you submitted an amendment to clarify this or is Mrs. Roberts just working with you on that?

Keith Rheault:

I did not submit an amendment. It came up during the State Board discussion last Saturday.

Chair Parnell:

So we could reference back to the current requirements of the *Nevada Revised Statutes* (NRS)?

Keith Rheault:

I think the regular diploma is identified in the NRS, but the actual requirements are in the *Nevada Administrative Code* (NAC).

Chair Parnell:

We will take care of that and present it in a work session.

Cliff Ferry, President, Board of Education:

With the exception of Section 20, I and the Board support this bill. I say confidently we would be happy to develop regulations for eighth graders to have to pass all of the core subjects. Quite frankly, I did not know that they could fail social studies and so forth and still move on to high school. There are many good sections of S.B. 184 (R2).

The graduation requirements in Section 20 and particularly the four years of math, is troublesome for me. As a matter of fact, it was in the discussion among the members of the Committee and I will repeat at least one: that the fourth year of math will create greater dropout rates. If you imagine a freshmen failing math in the ninth grade, if there is no opportunity or if he does not take the opportunity to take a summer course in math, that student presumably would sign up for two math courses in the tenth grade. This person is probably someone that is not very good with math, just does not like math, or had poor preparation in elementary school. Facing two years of math in the tenth grade may be the thing that would send him or her out of school.

I am concerned about additional requirements that take away the opportunity for elective courses, such as career and technical, art, and music courses, and so forth. Requiring more credits in math could effect the student's enrollment in these other courses. Those elective courses are really what engage many high school students.

The final reason that I am not speaking for Section 20 was mentioned by Assemblyman Stewart. We have a hard time in Clark County hiring qualified math teachers. This will to add a workload burden statewide and in particular Clark County. We believe that taking this projected curriculum—four years of math, three years of science, and calling it the advanced diploma, is a good solution. The advanced diploma is already in the NAC. Students that opt out would then get the regular diploma, which is what it is—a regular diploma. If this remains as the advanced diploma and it does not work, it would be far easier to change those graduation requirements at the district level rather than to wait for another Legislative Session. My recommendation is to make the increased curriculum the advanced diploma, and make the default curriculum the regular diploma.

Assemblyman Hardy:

What do we do with the advanced kids? Can we adapt the curriculum for them?

Keith Rheault:

Many districts utilize the dual credit courses and in that case they could take university or community college courses.

Chair Parnell:

If the bill that was voted on today in the Assembly goes through, they could attend the Davidson Academy.

Assemblyman Munford:

In terms of the four years of math and science, the Advanced Placement (AP) students and the honor students are usually going to take four years of these courses anyway because their goals are entirely different. This seems to be geared towards the marginal student.

Chair Parnell:

At the top of page 45 there is an opt-out provision. If the parent or the legal guardian, the student, administrator or counselor determine that that fourth year is not the right thing for that student, they can have a modified course of study that would allow the student to receive a standard diploma.

Dotty Merrill, representing Nevada Association of School Boards:

We appreciate the work that was done by the 2005-2006 Interim Legislative Committee on Education and its responsiveness to the suggestions that were made by the school districts and the school board members. Sections 1 through 7 of the bill, regarding the accountability reports, and the plans for improvement, and sections 9, 10, and 24, eliminating the requirement for the technical assistance partnerships, had a number of reports passed along to the members of the Legislative Committee on Education about the fact that this was a duplication of efforts. Section 19 looks very promising in that perhaps this needs assessment will lead, more specifically to the needs for technology. Those needs can be addressed earlier through the legislative process with recommendations coming from the Legislative Committee. We agree that clarification is needed in Section 20, and we believe that expanding the focus of content areas for science and social studies in the middle schools will ensure greater accountability from the students.

Anne Loring, representing Washoe County School District:

I am here in support of S.B. 184 (R2). We concur with Ms. Merrill's assessment. I would like to refer specifically to Section 20. The language

Senator Raggio offered the Senate Human Resources Committee was to amend a change to the graduation requirements in the original draft of this bill.

It differed somewhat from that intent after it came out of drafting. There may be a reason why that had to happen. The language that was originally proposed in subsection 2 stated that high school students must enroll in a course of study which included a minimum list of classes and it concluded "with permission of the pupil, parent, or school counselor or administrator, a pupil may be enrolled in a modified course of study." It was clear from that language we were not talking about graduation requirements. It is obvious from comments some are jumping to the conclusion that is what that list is. There may be a way to revert back to the previous language or there may be a reason why this language should remain. We concur with Dr. Rheault's suggestion on page 45, lines 3 through 7 be made clear that the modified course of study cannot just be anything goes. The State Board intended it to be the regular diploma.

Assemblyman Stewart:

Are you going to have a hard time getting enough math teachers? Are you going to have to develop additional math curricula? I agree with my colleague about the difficulty with the required four years of math. I would suggest that we could put a mandatory Career and Technical Education (CTE) course instead, which would qualify as a math course. Lines 3 through 7 concern me. Can you address some of my concerns please?

Anne Loring:

We are working on adding additional math classes since we made the policy decision to do this in December of 2004. It will start with the class of 2010, who will be the first to graduate under the Gateway Curriculum, which gave the Washoe County School District five years to work it in. We have already been working for one and a half years to develop a menu of classes for that fourth year. All students will take algebra I/II, geometry, then algebra III/IV, and for the fourth year there will be a variety of courses that they can choose from. Since 1999, all of our students have been required to take geometry.

Assemblyman Stewart:

Can a CTE class be utilized as part of the fourth year of math?

Anne Loring:

We believe that our CTE classes are an extraordinary way to support what is happening in the math room by practical application, but letting a CTE class substitute for algebra or geometry, no, this is not something we support.

Ray Bacon, representing Nevada Manufacturers Association:

Last year, according to Bill Hanlon, Clark County was short about 300 teachers. Approximately 40 of those were math teachers. Those classes were typically being taught by long-term substitutes. They may not have a math background at all.

Craig Kadlub, Director of Government Affairs, Clark County School District:

We support the bill and the amendment offered by Dr. Rheault for Section 20. Our district went through many of the same discussions and we know that research indicates that a rigorous high school curriculum is the best indicator of a student's success after high school. We have all heard that Nevada has one of the lowest college continuation rates and of that small population that move on to college, few complete college. We think there is a direct correlation between offering a rigorous curriculum and having our students succeed in, and complete college. There will be some challenges in finding math teachers. As of February, we had 23 middle school math teacher openings and somewhat less than that in the high schools. We need to come up with better ways to attract qualified math teachers.

Chair Parnell:

I have a question regarding the highly qualified status from NCLB. If you are a secondary algebra teacher, do you have to be highly qualified in algebra?

Keith Rheault:

If you hold a math major endorsement you can teach any math course through calculus as "highly qualified." If you hold a math minor, you can teach up through algebra II.

Alison Turner, representing Nevada Parent Teacher Association:

We support S.B. 184 (R2) with the minor changes and clarifications already discussed for Section 20. We appreciate the efforts to raise accountability to ensure that eighth graders finish middle school prepared for high school, and that high school graduates are prepared for higher education or employment.

In response to concerns raised in other areas, these are teenagers. As much as they want to be treated as adults, they are kids. This is one of my missions, to remind parents that secondary school students are still children. To this end, the Nevada Parent Teacher Association (PTA) agrees that the senior year of high school should continue to prepare these kids for path to employment or higher education. It involves curriculum through all four years of high school.

Chair Parnell:

I will close the hearing on S.B. 184 (R2) and open the hearing on Senate Bill 247 (2nd Reprint).

Senate Bill 247 (2nd Reprint): Creates the Nevada Youth Legislative Issues Forum. (BDR 34-52)

Senator Valerie Wiener, Clark County Senatorial District No. 3:

I am here today to urge your support of S.B. 247 (R2). This bill would create the Nevada Youth Legislative Issues Forum. To establish the needs and benefits of this Forum, I simply ask that we take three minutes to read the preamble to the bill. In the preamble we learn the effects of civic disengagement, disillusionment, voter apathy, or lack of knowledge and the unwillingness to participate in a meaningful way by the youth of our nation, and Nevada is no exception. You will read how young people are affected by government, yet have no voice in government decisions.

With this disconnect, what happens to their concern for, or interest in our civic process—a process that needs their commitment and involvement. What level of engagement do they have? According to the 2006 McCormick Tribune Freedom Museum Poll, more young people know about the Simpsons cartoon characters than the rights protected by the first amendment. In 2003, the National Conference of State Legislatures (NCSL) Trust for Representative Democracy, along with the Center for Civic Education and The Center on Congress at Indiana, published a study entitled: *Citizenship, A Challenge for all Generations*. We learned that more than 80 percent of 15- to 25-year-olds could identify the most recent American Idol, while fewer than half knew the party of their state's Governor. Half of those 15- to 25-year-olds regularly or sometimes follow government news and believe that this helps to be a good citizen; however, 75 percent of those over 26 were engaged in civic activities.

We know from the same study that 70 percent of teenagers and people in their early 20s who have taken a government course believe that voting is a necessary component of good citizenship but less than 60 percent of those who have not taken a civics class believe this. Forty percent of those who have taken a civics class experience an increased interest in government. Young people who have taken a civics or government class are more inspired to see themselves as personally responsible for improving society. They also have a broader concept of the qualities of good citizenship. In 2005, Assemblywoman Parnell and I were privileged to attend a congressional conference on civic education held in Washington, D.C. It was at that eye-opening conference I pledged to return to our State and sponsor this legislation

to establish a youth legislative forum. Chair Parnell agreed to be the cosponsor of this measure. That bill is before you today.

Each year I visit all 16 schools in my Senate District as well as Wiener Elementary School. I talk to the children about their involvement in government and in their communities. I let them know that any one of them could take my seat after I leave the Senate.

I want to assure you that this legislation is fiscally sound. It is in a second reprint. The first reprint made some changes where I had initially included three bill drafts for the forum, and we fine tuned the application process. You will now see one bill draft for the forum. After it was brought to the floor, the amendment was accepted, and it was rereferred to Senate Finance with a substantial fiscal note, which was erased because the Forum will be provided with volunteer support services rather than an administrator.

We have already established a coalition to staff the Forum. Our initial set of participants is the League of Women Voters, the Nevada League of Cities, the Women's Lobby, and as of today The American Association of University Women. Also, we have Stephanie Hartman from the Department of Education, who is the social studies program consultant and has already been working with social studies teachers statewide to energize them about this program. We have a \$34,000 pledge from the campaign for The Civic Mission of Schools and when this is signed into law, I will write a check for \$2,000 to help fund the initial activities of the Forum. I would encourage all Assembly members to participate collaboratively in the selecting the appointees. You will see that it is a Forum of 21 members appointed by Senators by application process. That is to get started. My hope is to someday have a Forum of 63. Senate Bill 247 (R2) provides us and the young people of our state an extraordinary opportunity to connect on important issues. This legislation will give Nevada's young people a powerful voice and inspire them about the democratic process in profound ways. I hope you will support S.B. 247 (R2).

Chair Parnell:

I have to say that the conference we attended in Washington, D.C. was one of the best I have ever attended on any subject. I taught social studies for 26 years and was very passionate about getting kids involved. If this passes, I will match your \$2,000.

Senator Wiener:

The coalition that we created had to get the fiscal note off the bill. The volunteer part was the way we could do that. The enthusiasm has been wonderful.

Assemblyman Kihuen:

I want to commend you for doing this. There is much cynicism among the youth and they are undereducated as far as government is concerned. I would love to help you out in any way possible.

Assemblyman Munford:

I also stand in strong support of this bill. I used to be involved in a program called "Close Up" when I taught American government.

Assemblyman Beers:

I agree that this is a good program. Can we put the two bill drafts together despite of what the Senate said?

Chair Parnell:

We may not want to do that. You can have a bill draft that has various sections. My concern is if we put it back in and it increases the fiscal note it may lose steam.

Senator Wiener:

I appreciate that support, but we can always come back and say that one was great, and add the other next Session once we have a track record.

Chair Parnell:

We would want to know what the sponsor is comfortable with.

Senator Wiener:

It took a lot to get the one here and we should work towards getting the others next Session. We will have a strong case for more after we have the track record.

Assemblywoman Smith:

This is a great opportunity for the young people. I was a little concerned with the language about employing a person or paying the costs incurred. It does not really lend itself to the fact that these are volunteers. I am worried about the obligation there.

Senator Wiener:

Before the bill draft was to go to the Legislative Counsel Bureau (LCB) the fiscal note was the choice of \$214,000 or close to \$240,000 for the biennium. It does not preclude us from paying someone to administer the program if we had a way to pay that salary. Right now we are talking about a volunteer based organization, but down the road maybe we would want an administrator.

Assemblywoman Smith:

If we make any changes I would suggest we say "or pay the cost when funds are available." It currently says that we will pay the cost of a volunteer and if we do not have the money to pay the cost of a volunteer there is an obligation there.

Senator Wiener:

That was not my intent, so I apologize if that was the interpretation.

Kristin Roberts, Committee Counsel:

On line 4 of page 5, it says that the Forum "may within the limits of available money." If you go to line 13 it says, "employ a person to provide administrative support ... or pay the costs incurred by one or more volunteers."

Assemblywoman Smith:

Are all of the appointments made by the Senators? Could it say in consultation with their Assembly representative?

Senator Wiener:

That is why I said that I encourage the collaboration. I have no problem with that; it could encourage working with the Assembly members. I would prefer not to see how the original language was written. With a similar issue, I had to meet with all of the Assembly members in my district. It was extremely difficult to figure out which ones were actually in my district as some of the districts abutted with mine. I did not want it to get confusing.

Assemblywoman Smith:

I want the two houses to meet to give Assembly members an opportunity for input.

Senator Wiener:

That is fine.

Julianna Ormsby, representing Nevada Women's Lobby:

We support S.B. 247 (R2). I am personally committed to helping with this endeavor. The Youth Legislative Forum is a concept that has proven to be successful in other states. We hope that you will support this bill as well.

Stephanie Hartman, Social Studies Consultant, Department of Education:

I am here to show my support for S.B. 247 (R2). This is an excellent opportunity for students to get real world experience, which is what they need in order to get involved with politics. Politics out of a textbook does not work.

Byllie Andrews, President, American Association of University Women:

We have seven branches in Nevada and over 100,000 women nationwide that are part of our group. One of our missions is equity for women and girls, but also positive societal change. We support this bill.

Chair Parnell:

I want to note that we have letters of support from our Attorney General and from the League of Women Voters of Nevada ([Exhibit F](#)).

David Fraser, Executive Director, Nevada League of Cities and Municipalities:

I am also here appearing as a member of the advisory committee for Participatory Democracy, a statutorily created committee which operates under the office of the Secretary of State. We support S.B. 247 (R2). This demographic is at risk in terms of their voter turnout and future voting patterns, so this is fantastic. I do want to indicate that the League is committed as part of the consortium to further this not only in terms of our human resources in house at the League, but many of our members are excited about these kinds of things. This will have a positive effect in those that participate in this and will also have a ripple effect.

Chair Parnell:

I will close the hearing on S.B. 247 (R2). [Short recess at 5:19 p.m.]. Meeting called back to order [at 5:21 p.m.]. I will open the hearing on Senate Bill 239 (1st Reprint).

[Senate Bill 239 \(1st Reprint\)](#): Creates the P-16 Advisory Council. (BDR 34-416)

Senator Barbara K. Cegavske, Clark County Senatorial District No. 8:

I am presenting S.B. 239 (R1) at the request of Senator Raggio who was the Chair of the 2005-2006 Interim Legislative Committee on Education which proposed this Bill Draft Request (BDR). We devoted much of our time studying high school.

In the course of this study we heard testimony about the efforts of the existing P-16 Council to coordinate elementary and secondary education with college education and workforce preparation. Keith Rheault and Jane Nichols suggested a permanent statutory council might be more effective than the existing council because the existing Council has more than 30 volunteer members representing education, business, and community interests.

The council was created several years ago to work on the American Diploma Project to align the Nevada High School Proficiency Exam with college placement tests. The proposal before this committee would create a permanent

council with eleven members. The Governor would appoint five members, including at least one to represent business, one for elementary and secondary education, and one for higher education. The Senate Majority Leader and the Speaker of the Assembly would each appoint a member of his or her respective house and one other representative of elementary, secondary education, higher education, or business. The Minority Leader in each house would appoint a member of the general public. The proposal would require the Governor to appoint the chairman from among the members who represent business or the general public and provide administrative support.

The Council would address the following needs: teacher preparation, curriculum and transition from elementary through postsecondary education, and collaboration among various sectors to ensure economic growth and diversification workplace development. This bill offers an opportunity to coordinate our efforts to ensure a quality of life for children in Nevada.

Assemblyman Denis:

I have served on the P-16 Council in the past and see an important appointment is missing—the parent.

Senator Cegavske:

We talked about all of the aspects and where we felt the parents should be appointed to this council. This is more generic and does not close it to parents.

Assemblyman Denis:

It does not read that way. The only way you could get a parent, is if the Minority Leader appoints a parent as that person from the general public.

Senator Cegavske:

A member of the Parent Teacher Association (PTA) could be the representative of elementary education. The parent could fit in one of these categories.

Assemblyman Denis:

I think it is important to specifically state that there should be a parent representative. A teacher should be included too.

Assemblywoman Smith:

I agree that a parent and a teacher representative should be written in. If you look at all of our other statewide boards or councils, we have accommodated that. I support the concept of this bill. This bill has a fiscal note. Did go to Finance to get here?

Senator Cegavske:

It did have a fiscal note, but it was removed because it is now in the Governor's budget. It was transferred there and is now under his office.

Assemblyman Denis:

I do think that this is a great bill.

Senator Cegavske:

When we started talking about members for the P-16 council, it started getting out of hand. We had to get it under control and name certain areas that needed to be represented and not specifically name the businesses and such that would be part of the council.

Assemblyman Stewart:

I applaud you for doing a great job with this bill. I think that a student should also be appointed to this council.

Senator Cegavske:

That was another name that was asked to be put on the list. There were debates as to how many and from what schools—middle school, high school? We had to limit it somehow.

Chair Parnell:

In the discussion during the interim, I was the one that asked for student and teacher representation. Many times students do not come to the Education Committee meetings even though we hold them after school hours. Teachers do not come very often to testify. A student may be active if they were on this P-16 Council.

On page 2, lines 38 through 40, where the Governor may appoint the Chancellor and the Superintendent of Instruction, would they be non-voting members? It does not really say.

Senator Cegavske:

I can let Ms. Stonefield address that.

Chair Parnell:

I just had that clarified for me. It references back to "a" or "b" so you can end up with the Governor appointing the Chancellor as "a" and the Superintendent of Instruction as "b."

Senator Cegavske:

Correct. We wanted them involved.

Chair Parnell:

It would be more appropriate that they both be invited to serve as ad hoc members and not as actual voting members of the committee.

Senator Cegavske:

I personally would not have an issue with that. When the original bill came out, they were going to be like co-chairs and then we changed our minds. I do not think they would have an issue with that.

Chair Parnell:

It would give everyone more breathing room with who "a" and "b" would be.

Senator Cegavske:

We just wanted to make sure they were involved.

Chair Parnell:

There were people appointed to the council that were likely not going to be able to attend those meetings.

Assemblyman Denis:

I serve on the Commission on Education Technology, and the Superintendent of Instruction is involved there and in the past he was involved in all aspects, but was not a voting member.

Assemblyman Mabey:

I support this bill. Why are there 11 members?

Senator Cegavske:

The original committee was big so we looked at other commissions, and we wanted 7 to 9 members only, but after discussion, moved that to 11. We did not want to go over that number as it would get difficult to get anything done. There are money issues also, if you pay for the per diem for more than the 11 people.

Chair Parnell:

In the original draft it was 15, and a student was identified. Can you tell us how the discussion went on the Senate side, so we understand why the student was deleted?

Senator Cegavske:

We talked about the list of people that needed to be on it and compromised on eleven.

Daniel Klaich, Vice Chancellor, Nevada System for Higher Education:

I have followed this bill through various hearings. We fully support this bill.

Chair Parnell:

When you look at Section 6, number 2(a), the representative of Higher Education, who did you see in that position?

Daniel Klaich:

We originally saw the Chancellor sitting in that position and there was much discussion about whether the Chancellor or the Superintendent of Instruction should be voting or non-voting, and I think you have hit that one hard. The way the current P-16 Council sits is exactly what Senator Cegavske was concerned about. We talked about so many groups that we ended up with thirty or so people. This made the group too big. We needed to choose people that could actually sit down and work and have the time to do that. This could be anyone that would support the interest of higher education. That could cover a whole variety of people.

Chair Parnell:

I think this comes down to almost a policy issue. We create so many committees, councils and such with upper management involved. There are teachers that know what is going on and could give great input. I would feel better knowing that a student, teacher, or parent, or all, are involved. All of the voices of public education should be represented.

Daniel Klaich:

I agree.

Assemblywoman Smith:

If we are going to look at another bill with the student involved, then one of the agenda items could be for them to make recommendations to the P-16 Council. That way they would have a forum of all students.

Craig Kadlub, Director of Government Affairs, Clark County School District:

Our concern is not with the formation of the Council. We think that is a terrific idea and we have been active participants all along. Our one concern is with the matter of representation. There is only one slot for a K-12 person. I am not sure that one person could represent all of the grade levels in all of the counties in Nevada.

Assemblyman Denis:

Could we have three people representing K-12?

Cliff Ferry, President, Board of Education:

I have been a member of the P-16 Council. I would say that one of our charges to the Superintendent in the review of his work is to ask him to try to stay away from any more committees. Dr. Rheault has asked me to say that he would prefer not to be a voting member. He travels quite a bit already to attend meetings and such.

I do not understand why there is only one K-12 representative on this council. That does not fit with all of the discussions we have had thus far about this. I know that the committee was too large before, but it handled a lot of information. We should have had a teacher there before. While large, it was an exciting group. What we really needed was money to hire an Executive Secretary. The other thing that I would like to say is that the original P-16 was a partnership between the Board of Regents and the Board of Education. I do not read much of that in the current bill. In some of the amendments it was higher education, but that has been changed.

Ray Bacon, representing Nevada Manufacturers Association:

I was also part of the P-16 Council at its formation. We started with a goal of having a nine member commission, but by the time it came down to making invitations, it had grown to thirteen, and before we had the first meeting it went up to seventeen and it is now at thirty. Regardless of what you do in this bill I think it will grow over time.

Anne Loring, representing Washoe County School District:

We are here in support of this bill.

Chair Parnell:

I will close the hearing on S.B. 239 (R1) and open the hearing on Senate Bill 400 (1st Reprint) and welcome Senator Cegavske to the table again.

Senate Bill 400 (1st Reprint): Establishes the Program of School Choice for Children in Foster Care. (BDR 34-875)

Senator Barbara K. Cegavske, Clark County Senatorial District No. 8:

Senate Bill 400 (1st Reprint) establishes the scholarship program for children in foster care, which would allow students who are in foster care to enroll in public schools other than those that they are zoned to attend. Students who are in foster care stand to benefit educationally and socially from a higher degree of individualized attention; and with the accommodations to their circumstances in the school environment. The placement of a child into foster care is often a profound disruption of a child's established routines and

relationships. The child is separated not only from his parents or previous caregiver, but also from the community of which he was a part.

It is not uncommon that these kids are placed with more than one family during their time in foster care, which means that they may have to withdraw and reenroll in a new school each time. Our State has a vested interest to promote stability in that child's life by assisting foster families and keeping children in the schools that they have been attending, and by helping them to sustain pre-existing relationships with their teachers and friends. This bill will allow children who are in foster care to attend public schools outside of their regular school district. This measure requires the State Board of Education to establish the process by which the child's legal guardian or custodian would apply to participate in the program, and the Department of Education is responsible for approving their applications if they are properly submitted as long as the student is in good standing with the school. The transportation costs would not be assumed by the school district.

Chair Parnell:

Thank you for drawing attention to this issue. This is a great bill. Kids should not have to start a new school every time they are taken into a different foster home.

Senator Cegavske:

This bill originated because one of the young men that I talked to had eight children in his family that were all in foster care, now owns his own home. He is the second oldest and he was in eighteen different foster care homes. He told me about how many different schools he went to every time he changed foster homes. It was very hard for him to be bounced back and forth.

Chair Parnell:

The child needs that additional stability in this time.

Assemblywoman Smith:

I appreciate this bill. I wonder if the transportation issue was discussed in the other Committee. How does that occur? Do the foster parents have to agree to transport the kids?

Senator Cegavske:

Yes, the foster parents will assist with that. There are some of the homes that have multiple boys or girls and are driven by a county agency to the schools. It would work the same way as if you had a zone variance. In those cases the transportation is not provided by the school district.

Assemblyman Denis:

Is this a zone variance issue? I want you to explain what the difference is between this and a zone variance. I just want to know why this is being put into law if they can already get a zone variance for this.

Senator Cegavske:

This is putting special recognition on a certain population that we need to take a little more notice. The typical zone variance could just be because a parent wants their child to have a certain teacher at a school, or to be close to where their child care is. I think these foster kids are a special niche of students. The one thing that they are asking for is stability because they get moved more often than under normal circumstances. As a society we are trying to not only find foster homes or adoptive parents, we are trying to help them even more with this bill. We viewed it differently than the regular zone variance.

Assemblyman Denis:

Would they be treated, as far as sports and those type of things, as if it was a zone variance?

Senator Cegavske:

That question was not brought up before. They should be treated as any other kid that goes to school there.

Craig Kadlub, Director of Government Affairs, Clark County School District:

I want to say that we do support this bill. Yes, the provisions of a zone variance would apply. The child has already attended the school and could participate in sports there.

Assemblyman Denis:

Maybe the sports issue should be considered as part of this bill. The child should not be told that they cannot participate in sports.

Assemblywoman Smith:

I think the big difference between a regular variance and this, is that these are kids that do not have advocates. They do not have anyone saying what they need. I think that it is important that we be the advocates for these kids.

Keith Rheault, Superintendent of Public Instruction, Department of Education:

We support this bill as amended. Foster kids should not be shuffled around between schools.

Chair Parnell:

I will close the hearing on S.B. 400 (R1).

ASSEMBLYMAN SEGERBLOM MOVED TO DO PASS
SENATE BILL 400 (1ST REPRINT).

ASSEMBLYMAN BEERS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

I will open the Work Session with Senate Bill 264.

Senate Bill 264 (1st Reprint): Revises provisions governing the licensure of teachers. (BDR 34-910)

Carol M. Stonefield, Committee Policy Analyst:

[Read from Work Session Document ([Exhibit G](#)).]

Chair Parnell:

I think there was some concern initially, but when the Commission on Professional Standards was adopting the regulations, everyone was comfortable with the bill.

ASSEMBLYMAN BEERS MOVED TO DO PASS
SENATE BILL 264 (R1).

ASSEMBLYMAN MABEY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN HARDY WAS
ABSENT FOR THE VOTE)

Chair Parnell:

I will open the Work Session on Senate Bill 284.

Senate Bill 284 (2nd Reprint): Revises provisions governing sports in certain public schools located in certain larger school districts. (BDR 34-50)

Carol M. Stonefield, Committee Policy Analyst:

[Read from Work Session Document ([Exhibit H](#)).]

Chair Parnell:

Is this only for counties with a population of over 400,000?

Carol M. Stonefield:

Yes.

Chair Parnell:

This would only affect Clark County. This is one of those bills that when I read it, I said "I do not like this bill at all." I do not think that parents should have to pay fees for anything, but I remember from the discussion that if we do not have these fees, the middle schools will have no sports. I think this bill has a disclaimer that says if the fee does not need to happen, it would not. Can I have Dr. Kadlub come to the table and explain this bill?

Craig Kadlub, Director of Government Affairs, Clark County School District:

We had to cut programs about five to six years ago. This would be useful to get some of the sports back into the middle schools.

Assemblywoman Smith:

My concern is that, why are we requiring this instead of making this enabling? What do the smaller districts do, now? They have middle school sports in Washoe County.

Craig Kadlub:

This is permissive. It does not require us to adopt a policy. I cannot really address what other districts are doing, but I do recall that about five or six years ago, we had to undergo about \$90 million in cuts and this was one of those places. If you are wondering why other districts did not have to suffer from comparable cuts, I would point out that our per-pupil funding is about \$200 or \$300 below the statewide average. That is a significant amount.

Assemblywoman Smith:

You feel that you have to have legislation to set a policy like this?

Craig Kadlub:

I do not believe that we do. Senator Nolan came to us and asked if this would be a good thing.

Assemblywoman Smith:

I do not think that we should pass a bill that we do not need.

Chair Parnell:

You do not need this bill?

Craig Kadlub:

I believe that we could implement a program such as this without a change in statute.

Assemblyman Denis:

On the donation, two thirds goes to a certain school and the other one third is determined by the school district. Do you have the ability to do that now?

Craig Kadlub:

These are donations. I believe that we do unless the donor designates a certain school for a specific purpose.

Assemblyman Denis:

This legislation specifically says that if a donation was made to a school, one third of that would go to the district and the remainder allocated to other schools for sports.

Craig Kadlub:

If it is in excess of \$1,000 then it would.

Assemblyman Segerblom:

I support the idea of putting this into statute as it obviously has not happened so far. We need middle school sports in Clark County.

Chair Parnell:

Again, they can do this without this bill.

Assemblyman Segerblom:

The fact is, if a wealthy school gets a donation, then there is no way to divert this to lower income schools. They need to be able to help out other schools.

Chair Parnell:

Some schools may have to pay a fee to participate and then the other schools would get the donation. I would not want to encourage that.

Assemblyman Mabey:

If this can be done, why has Clark County not done this?

Craig Kadlub:

I would have to investigate that before giving a fair answer. Another point that I wanted to make is that in the initial version of this bill included \$250,000 for the reimplementation of middle school sports, but as you can see it has gone through many revisions and the funding has been deleted.

Assemblyman Munford:

Do the middle schools have sports now? I know they have basketball.

Craig Kadlub:

Basketball if the only middle school sport right now.

Chair Parnell:

I will close the Work Session on S.B. 284 (R2) and open the Work Session on Senate Bill 535 (R1).

Senate Bill 535 (1st Reprint): Revises provisions governing certain educational programs for pupils in public schools. (BDR 34-581)

Carol M. Stonefield, Committee Policy Analyst:

[Read from Work Session Document ([Exhibit I](#)).] I have handed out a mock-up of the amendment to S.B. 535 (R1).

Chair Parnell:

Ms. Roberts, could you clarify who you worked with on this bill?

Kristin Roberts, Committee Counsel:

I had asked a question when the bill was heard last week. There was an amendment proposed by Dr. Rheault in Section 10 and 11. Dr. Rheault has clarified the intent for me so that Section 10 relates to programs of Distance Education, and Section 11 relates to programs of independent study. The programs of Distance Education and independent study may meet the existing criteria, or may satisfy the requirements of a plan to operate an alternative program of education.

Keith Rheault, Superintendent of Public Instruction, Department of Education:

I did look at the amendments. The first one is attached to the Distance Education Program. Sometimes there is a separate Distance Education application that you can run in a school district and then there is an alternative plan that includes Distance Education. We put this amendment in because sometimes in the alternative plan they have slight variations to the requirements of the Distance Education Program. They may add something or change the teacher contact a little bit from the wording in the Distance Education Program. We wanted that flexibility, when approving alternative programs, to say that it met the Distance Education Program and the same for the independent study. We support the amendment provided by Kristin Roberts.

Chair Parnell:

Is there a motion?

ASSEMBLYMAN HARDY MOVED AMEND AND DO PASS AS
AMENDED SENATE BILL 535.

ASSEMBLYMAN KIHUEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

The meeting is adjourned [at 6:30 p.m.].

RESPECTFULLY SUBMITTED:

Denise Dunning
Committee Secretary

Rachelle Myrick
Transcribing Secretary

APPROVED BY:

Assemblywoman Bonnie Parnell, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: May 14, 2007

Time of Meeting: 3:45 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Committee agenda
	B		Committee sign-in
S.B. 184 (R2)	C	Senator J. William Raggio, Washoe County Senatorial District No. 3	Section Summary
S.B. 184 (R2)	D	Carol M. Stonefield, Committee Policy Analyst	"Improving Student Academic Achievement"
S.B. 184 (R2)	E	Keith Rheault, Department of Education	"Temporary Regulations of the Nevada State Board of Education"
S.B. 247 (R2)	F	Assemblywoman Bonnie Parnell, Assembly District No. 40	Memorandum and Letter of Support
S.B. 264 (R1)	G	Carol M. Stonefield, Committee Policy Analyst	Work Session Document
S.B. 284 (R2)	H	Carol M. Stonefield, Committee Policy Analyst	Work Session Document
S.B. 535 (R1)	I	Carol M. Stonefield, Committee Policy Analyst	Work Session Document