

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

**Seventy-Fifth Session
February 9, 2009**

The Committee on Education was called to order by Chair Bonnie Parnell at 3:47 p.m. on Monday, February 9, 2009, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4406 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/75th2009/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
Assemblyman Mo Denis, Vice Chair
Assemblyman David P. Bobzien
Assemblywoman Marilyn Dondero Loop
Assemblyman Joseph (Joe) P. Hardy
Assemblyman Ruben J. Kihuen
Assemblywoman April Mastroluca
Assemblyman Richard McArthur
Assemblyman Harvey J. Munford
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Brenda Erdoes, Legislative Counsel
Carol M. Stonefield, Committee Policy Analyst
Danny Peltier, Committee Manager
Scarlett Smith, Committee Secretary
Cheryl McClellan, Committee Assistant

OTHERS PRESENT:

Paul Dugan, Superintendent, Washoe County School District, Reno, Nevada
Bryn Lapenta, Senior Director Public Policy Accountability and Assessment, Washoe County School District, Reno, Nevada
James Wells, Deputy Superintendent, Administrative and Fiscal Services, Department of Education
Nicole Rourke, Director, Intergovernmental Relations, Government Affairs, Clark County School District, Las Vegas, Nevada
Francisco Aguilar, Chief Policy Officer, Charter School Development Foundation, Las Vegas, Nevada
Chris Ferrari, representing Imagine Schools of Nevada, Las Vegas, Nevada
Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development, Sparks, Nevada

Chair Parnell:

[Roll called.] Brenda Erdoes will be our legal counsel today; she is substituting for Kristen Roberts. For the February 16th meeting, I would like to extend an invitation to all students and teachers who would like to participate.

It is important for everyone on this policy committee to understand what the Quality Counts document contains. I would like you, as members of this Committee, to give me input as to what areas concern you the most. You may end up chairing a subcommittee delving into that particular issue to a greater degree. This is the policy committee. We cannot worry about what is going on in the budget committee with K-12, and we must forge ahead and continue to create policy that is going to benefit the students in this state.

Are there other Committee members who have researched the Quality Counts document enough or have their own issues that they would like to bring before the Committee? Mrs. Mastroluca would you like to discuss what you have in mind?

Assemblywoman Mastroluca:

One of the things I would like to discuss is creating a pilot program in Washoe and Clark Counties where we would have a handful of middle and high schools participate in student-led conferences. Currently we do not offer parent-teacher conferences in any county. In order to get more parent participation and involvement, we would pilot a program to see if we can improve parent involvement and also improve our graduation rates and the rates of students staying in school at the middle and high school levels by having student-led conferences.

For those of you who are unfamiliar with the concept, in a student-led conference the student has full responsibility. The student prepares the conference with the help of the teacher, sits down with the parents and explains to them about the student's grades, and sets goals for the rest of the year. This has been done in quite a few states across the country. I am working with Research to put all the numbers together, and I have done some preliminary research on my own. I think this is something that we can try that will have a positive impact based on the research that I have seen.

Chair Parnell:

I believe this could possibly be tied in with the ninth grade academic plan. When I was researching high school graduation information in the State of Nevada, I found it a positive outcome. I read what some states are calling their latest great-bill-passage ideas for increasing high school graduation rates and found that 90 percent of their new ideas the State of Nevada has already done. We often blame ourselves for not doing better, yet I think it is also important to recognize what we have done at this stage in the game. We are a group of people that do not want to stop with where we are now. We want to continue to do anything possible to increase our graduation numbers and to give our students a better chance of educational success and of leaving with a high school diploma.

With that, I would welcome Mr. Paul Dugan to the table. Mr. Dugan is Superintendent of Washoe County School District and head of the superintendents group in the State of Nevada this year. Washoe County School District has been working for a couple years on looking at high school graduation data, and he will be presenting the Blueprint for Student Success on graduation to the Committee.

Paul Dugan, Superintendent, Washoe County School District, Reno, Nevada:

([Exhibit C](#)) I applaud you for recognizing the number one priority of all K-12 programs throughout this state is improving the graduation rate. In November of 2008, the Washoe County School District Board of Trustees adopted the

"Blueprint for Student Success." It identifies the following as the guiding mission in all that we do. It reads, "While maintaining rigorous academic standards, every child in the district will graduate career and/or college ready." Among other strategies, the Blueprint addresses several areas of focus and plans of action, as you can see listed here, which I will refer to in more depth later.

First, what is the graduation rate for Washoe County School District? Currently, and for a number of years, the State of Nevada has used the Leaver Rate. The Leaver Rate divides the number of students who leave high school with a diploma by the total number who leave. Using this formula, the Washoe County School District graduation rate for 2007 was 77.6 percent. However, several years ago at the National Governors Conference, the Governors adopted a different formula, commonly referred to as the Cohort Graduation Rate. This formula is to be used by all states, effective for the 2010/2011 school year. This formula divides the number of students earning a diploma in four years by the total number of students who started in that Cohort. This formula requires tracking students individually, which will not be easy for the State of Nevada under the current accounting system.

However, due to the work of our Education Alliance, which is a partnership with Truckee Meadows Community College, University of Nevada Reno, Washoe County School District, and the business community, Washoe County School District has been able to calculate our graduation rate using the Cohort method for the past two years. Both the Leaver Rate and the Cohort Rate do not include students who earn an adjusted diploma certificate of attendance or a GED in their graduation rate. (Nor is including these adjusted diplomas a federal requirement.) Using the Cohort Rate, the Washoe County School District's graduation rate is about 55 percent. If you look at the circle graph, everything that is a Standard Diploma, Advanced Diploma, or an Honors Diploma is considered part of that 55 percent. However, as I mentioned before, what is not considered are the Adjusted Diploma of 4 percent: Certificate of Attendance refers to those students who stayed in school, had all the graduation credits to graduate, but did not pass one or all of the high school proficiency exams; and Credit Deficient students, who are students who stayed in school and even passed their proficiency exams but for some reason did not have enough credits to graduate on time.

The Drop-Out figure is 12 percent. Those are students we have identified as students who, between their freshman and senior year, actually dropped out of school. The Vanished number refers to those students we have been unable, due to our system, to know where they went. We do not know if they transferred to another school and enrolled and graduated, dropped out, or even

passed away. The Vanished category is the biggest difference between the Leaver Rate and the Cohort Rate; the Leaver Rate does not take into account that 18 percent. That is a number which we will hopefully be able to decrease as our capability of following students improves as they leave school.

The most important part of this presentation is solving the graduation challenge. The Committee on Education has had a great deal to do with helping address this issue. In 2007, Assembly Bill No. 212 of the 74th Session was passed which identified the need for 4-year academic plans. It is very similar to the involvement of students with their parents in determining a plan of action for the next four years in high school. In addition, we were able to form small learning communities. Hug High School has received much deserved press regarding their Freshman Houses and their Houses in general. Almost all of our high schools in Washoe County have identified Freshman Teams and also a relatively new program called Response to Intervention. This is a required activity for all school districts, not only in Nevada, but throughout the United States. It is one that Washoe County School District has embraced as a way to hopefully address the graduation rate. Response to Intervention refers to students being identified early on as having the need for assistance of some kind, whether it is at a significant or moderate level.

In addition, in 2007 we had Senate Bill No. 184 of the 74th Session which matched almost identically to Washoe County School District's Gateway Curriculum. It differed in that while both Gateway and S.B. No. 184 require four years of math and three years of science, in Washoe and Clark County Algebra 3-4 is required as one of those four years. There is also the issue of promotion to high school on academic probation for credit deficient eighth graders. In Washoe County we believe that this was a very wise move. There is debate about the benefit of retaining students. Yet, when you look at the research and talk about retention in general, retention is not the answer. It is what action you take with students that are having issues that is the answer. Washoe County School District is identifying two ways to try to address the needs of those eighth graders who have been identified as students in need of academic help.

The first is the traditional summer school program that focuses on academic needs. The one that we are most proud of is Jump Start, which we were able to implement with the assistance of S.B. No. 184. This program is for students identified in eighth grade as at risk for potential failure when they get to ninth grade. We put them in the Jump Start experience at the high school that they will attend where they will receive intensive help. It will most importantly acclimate these students to the high school way of life. Our statistics have shown that 94 percent of students involved in this program have received

credits and have been more successful in their freshman year than those students who were not able to be involved in that program. Senate Bill No.185 of the 74th Session has also been beneficial to districts throughout the State of Nevada, and certainly in Washoe County. It has allowed us to implement these programs that we believe will have a direct impact on improving our graduation rate.

When I began teaching in the 1970's, it was not unusual to say that when students come to me it is their responsibility to be able to read and write, and it is my responsibility to teach them the curriculum I am trained to teach. Unfortunately, not all of our students do get to middle and high school ready to read at the level they need to be. For us to have ignored that for as long as we have certainly has been unacceptable. Yet I am happy to say that no longer is the case, and every one of our middle schools and high schools in Washoe County have programs that take into account that not all students are ready to read and that we need to put in the effort in the middle school and high schools to ensure that they are up to the correct level.

We also know that the graduation rate is not a secondary issue; it is a pre-kindergarten through twelfth grade issue, and it truly is a community issue. One of the examples of the programs we have been able to implement in Washoe County School District, which has been on a pilot basis for the past three years, is called New Horizons. This program acknowledges that our best chance for students' success when transitioning into high school is to make them successful in their elementary years. This program identifies second graders who are having reading difficulty and removes them from their normal classroom setting to undergo an intensive 12-month instruction in reading, writing, and math. Therefore, by the time their Cohort Group enters fourth grade, these students are able to re-enter with their classmates and be successful. We have the data that shows that this has absolutely been successful. We did not invent this program; it has been tried in other places as well.

The next thing I want to discuss, in relation to Drop-Out Prevention, is the 3 R's. These 3 R's are rigor, relevance, and relationships, which are absolutely critical. Rigor is important since we want graduated students to have a meaningful diploma that prepares them for either college or the world of work. Relevance has to do with engaging students in activities in a meaningful way that brings meaning to what they are doing and the coursework they are involved in.

The final R is relationships. Many of these students are lost at a very early age either in elementary school or from the transition from middle school to high

school. The reason is these students become lost and forgotten, not intentionally, but because no purposeful intention has been placed into the curriculum before to address the fact that these students need personalized attention. That is why we often turn to examples of what is going on at Hug High School. The statistics there are dramatic. The number of students now involved in getting credits on time has dramatically increased. The rigor for these students has increased, but I do not believe that they would be as successful as they are without the relationship piece that has been put in place there, where students are with a group of administrators and teachers who truly get to know them and realize when there is trouble that they need to do something about now. Too often what has occurred in the past is that those ninth graders become credit deficient, they then are not moved on as sophomores, and as time goes on become more and more discouraged and do not graduate. Therefore, relationship is a critical component in increasing the graduation rate. The 90 percent of students that are involved in that program read at grade level and score higher on our math bench mark.

The Drop-Out Prevention statistics are very dramatic. When a student does not arrive to class we no longer just mark truant or absent in hope that we will hear from the parent. Phone calls are made at a higher rate than ever before. We have student attendance officers who go out with counselors, find students, and bring them back to school. Our average attendance rate has increased dramatically due to these efforts. Now we have more students who are transitioning from ninth to tenth grade, and we will begin to see an increase in our graduation rate in the years to come. The key point about Jump Start is that students have earned more credits, higher grades, and better attendance. We will be able to follow these students and come back to this Committee to statistically demonstrate that those students involved in this program have, in fact, graduated with a diploma.

We know that there is no silver bullet, and we know that the policy changes that we have implemented, thanks to the work that this body has done, are going to take time. The 2006 graduation rate using the Cohort method for Washoe County School District was 56 percent, and this year it was 55 percent, yet we are not discouraged about the efforts we have put in. We believe that in two to three years we will have the statistics to show that Jump Start, New Horizons, Small Learning Groups, and the Freshman Teams have in fact shown these results. We also believe in the importance of the funds available through S.B. No. 185. Not every high school or elementary school throughout this state has identical needs, and we believe in the importance of allowing individual school districts to present to the School Board individual programs that we believe meet the needs of our students. I appreciate what this body has done to recognize the importance of graduation

rates and look forward to this session in regard to what we need to do, from a policy point of view, in dealing with this all-important topic of the graduation rate.

Chair Parnell:

That was very enlightening.

Assemblyman Stewart:

I am frustrated about the ways of computing this graduation rate, in particular the Vanishing group. Have we compared our methods with other states to see how they handle this Vanishing group? Do other states that have high rates have a better way of tracking and following up on those in the Vanishing group? It seems that some could go into the military, trade schools, and some remain a mystery to us. Can you give us any enlightenment on that?

Paul Dugan:

I am not an expert on the formula for graduation rate, but what I have heard is that those states that have been able to use the Cohort System, have been able to deal with that Vanishing group because of their ability through either their accounting system or the number of people they have in the department that are able to follow up, and they are able to have a low Vanishing rate. Our problem is not having the capability to sufficiently follow up with students who supposedly transfer schools. With this Cohort Rate, it has to do with the accounting system and the ability to track these students. This will present the biggest problem for the State of Nevada. I will try to get a better answer for you if we have specific information about those states that have been using the Cohort Group and what they are doing that we are not that may help us deal with the Vanishing Rate.

Assemblyman Stewart:

When a student transfers to another school, no matter what state it is in, they still send for the records from you so you do have a record of that, correct? Yet if they enter the military or some other entity there is no way of following up?

Paul Dugan:

That is correct.

Chair Parnell:

I would also like to add that Dr. Keith Rheault will be speaking Wednesday on this issue as well. He has been very intimately involved with this issue.

Assemblyman Munford:

You were mentioning quite a bit about Hug High School in your presentation. How many high schools are there in Washoe County?

Paul Dugan:

We have 13 traditional, standard high schools.

Assemblyman Munford:

What are the demographics at Hug High School in terms of racial population?

Paul Dugan:

It is a minority majority with the highest minority being Latino/Hispanic with around 40 percent; the Afro-American is around 14 percent; Tongan, Caucasian, Native American, and Asian are also prevalent.

Assemblyman Munford:

Does Hug High School have the lowest graduation rate of the 13 schools?

Paul Dugan:

I believe that is correct.

Assemblyman Munford:

What is their percentage of students that graduate?

Paul Dugan:

I do not know, but I can get that information for you. What may be helpful to know is that the Cohort graduation rate of 55 percent is an overall rate. When you desegregate it and begin to look at our Latino population, you will find that in the 30's and our African-American population is also in the 30's, so the discrepancy is not only worrisome, it is also unacceptable.

Assemblywoman Mastroluca:

Could you expand on the concept of Freshman Teams? How are you using them and how successful are they?

Paul Dugan:

Each high school has addressed this differently. Sparks High School has actually grouped students in teams where they will have a teacher/mentor who will be a part of that team. Every one of our high schools has done some form of teams, with the primary concept being that you have a group of adults that are responsible for a smaller group of students. The students are then able to have more contact with those teachers, but more importantly that group of adults are responsible to follow those students on a regular basis and check up

on them. It is that relationship point of view. It is nothing dramatic as far as needing special training to do Freshman Teams; therefore, it was implemented quickly. Every one of our high schools has some form of a Freshman Team concept that they have implemented. Damonte Ranch High School has what they call activity classes. Built into their schedule is a certain period of time when students can go to a certain teacher for help in a specific subject. While the help is obviously an important component of it, the relationship that is able to be developed in a smaller setting between the student and that teacher will bear as much fruit as the academic instruction that the student receives.

Chair Parnell:

I might recommend to the new members on this Committee that you read A.B. No. 212. In this bill we tried to address reforming our high schools, and much of what Mr. Dugan has referenced today came out of that piece of legislation. I get very disturbed that we are going to start using a graduation rate that totally dismisses Adjusted Diplomas, Certificates of Attendance, and the GED. Thirty-seven states currently consider a GED as graduating students, while Nevada does not. Therefore, their numbers would be very different from what our numbers look like now. These students who have achieved a GED are students who have made it through high school, yet for some reason we are now going to have a calculation that does not recognize these students just because they did not receive a Standard, Advanced, or Honors diploma. Is there any room for discussion on this formula that we are all going to have to use? I believe not including alternative diplomas in this calculation reflects negatively on Nevada when we know that is not a valid assessment of what we are doing. Is there anywhere for us to go?

Paul Dugan:

I agree one hundred percent. I need to point out that the Leaver Rate that we have been using here in Nevada also does not count the Adjusted Diploma or the Adult Diploma, and that is a federal issue. I am not sure if we do have room. Certainly I think that should be shared. That was my sense when I heard what our graduation rate was under this new Cohort system. Those students who received an adjusted diploma did graduate. They did exactly what their plan told them to do and they should be given credit for that. From the point of view of a superintendent of a large school district, if I added the 4 percent and I added the Adult Diploma, the bottom line is that number is not good enough either. Therefore, I agree that is a separate issue. We should address it as far as identifying that we have a graduation rate problem; that does not change if we are able to eventually take care of what I consider unfair practice.

Chair Parnell:

When we were talking about Hug High School and what great success they had, I know they started talking about the Houses about the same time we started working on A.B. No. 212 with the "ninth grade school within a school" language. In terms of an expansion of A.B. No. 212, we need to look at what we started and did not finish. Where can we go now to better that bill? As you mentioned, Mr. Kelly has done a great job at Hug High School. Are there things that we can continue to legislate? Or, in the case of Hug High School, does it basically come down to leadership style?

Paul Dugan:

I feel very fortunate to have been able to get Mr. Kelly here. His leadership style is fantastic, yet I do not believe he could have done what has been done at Hug High School without some very strong support and additional finances that were given to that school in the form of additional staff. Perhaps one of the biggest benefits that he received was the ability from working with the teachers union to identify staff that did not have the energy, motivation, or belief system to remain at Hug High School. We were then able to move several teachers and administrators from that school to different schools. That was a luxury that none of the other high schools have had. Yet, back in 2004, Hug High School was without a doubt at a crisis state, and severe, dramatic steps needed to be taken. With regards specifically to legislation, under the current staffing model it is difficult to do what Mr. Kelly has done since additional resources were necessary. I will never regret the additional resources that were given to that school; my regret is that we are unable to do the exact same thing for the other high schools.

Assemblyman Stewart:

I would suggest in the future, when we release the graduation rate figures to the press, that we include this pie chart. Often when the public sees the 54 percent, they are led to believe these people are doing a terrible job. That pie chart explains part of the problem that the public is unable to see with just the 54 percent figure. Secondly, I hope as the Superintendent of the Washoe County School District that you will extend your congratulations to Mark Towel, the We The People instructor, and the team We The People for their championship over the weekend.

Paul Dugan:

I will thank you for recognizing that.

Chair Parnell:

I want to thank you as Chair of this Committee for judging that. It is exciting to see kids and acknowledge how bright they are.

Assemblyman Kihuen:

Throughout your presentation two words that I wanted to hear were parental involvement. I am not sure whether you have established anything regarding parental involvement. Parental involvement helped with my success in education. Has Washoe School District developed any type of external or internal program to help alleviate the drop-out rate that has to do with parental involvement?

Paul Dugan:

Washoe County School District, realizing that without parental involvement we go nowhere, has put extraordinary effort into identifying our schools as parent-friendly. Specifically, we have spent hundreds of thousands of dollars from a Parent Information and Resource Center (PIRC) grant to improve parental involvement in our schools. We have a parent involvement coordinator; we are one of the first districts that have a parental involvement coordinator on staff whose sole job is to work with parents and schools to increase involvement. We have a parental involvement committee that is very active and meets on a regular basis to make recommendations. We have just completed an extensive survey of all our schools with our parents to identify areas that we need to concentrate on, not only generally, but specifically for each school. Parental involvement has been a key part of everything that we have done in Washoe County.

Assemblyman Kihuen:

Many people believe that the high school level is already too late for the parents to get involved with their kids education. Although the best time to get involved is from the start, I am a firm believer that the more the parents get involved at any time, the more helpful it is. We should not leave all the responsibility for high school graduation rates or for establishing the greatest programs in the school district to the teachers and principals. It is an important issue for the school districts to make sure they are creating programs that have to do with parental involvement to alleviate the high school drop-out rate.

Chair Parnell:

Washoe County has been so committed to parent involvement. The parent involvement coordinator has been serving for around 10-12 years, and I believe that is the only one in the state.

Paul Dugan:

That is correct.

Assemblywoman Mastroluca:

Clark County School District does have a parent involvement coordinator, but obviously we followed a great example.

Chair Parnell:

The next item on the agenda is the hearing on Assembly Bill 26.

[Assembly Bill 26](#): Revises provisions governing charter schools. (BDR 34-411)

Bryn Lapenta, Senior Director for Public Policy, Accountability, and Assessment Washoe County School District, will be presenting this bill.

Bryn Lapenta, Senior Director, Public Policy Accountability and Assessment, Washoe County School District, Reno, Nevada:

This is a bill that relates to charter schools. The first section, where we are asking for a change in current statute, came about during the re-application process of an existing charter school. Currently in statute, charter schools must apply 90 days from the end of their charter for renewal. It takes about 60 days for the District to review the application and the required 30 days at the end of that 90 to give the charter school the response on what the results of that application are. During the last period of renewal for one of our charter schools, we came to the end of that 90 days and still had some things we needed to work out. We are in danger of going to the Board and saying that they were not compliant in the area, which is something we did not want. We approached our charter schools as well as Ricci Elkins and John Hawk, who are both very active in the charter school association. Everybody thought this was a good idea to extend the period of time for application from 90 to 120 days.

The second part of our bill has to do with Assembly Bill No. 591 of the 74th Session. This allowed charter schools that met five different criteria to apply for monitoring every 3 years. We believed this was a great idea because the criteria have very good standards. What we did not find in this bill is what happens if you get to that monitoring piece and you find that one of those five criteria is no longer being met. What we would like to do is clear that up and say that we will monitor on a yearly basis until the criteria are met. The charter school can then re-apply to have the 3-year waiver for monitoring.

Chair Parnell:

This is a cleanup of A.B. No. 591. That is the bill that created the tiered system for charter schools, recognizing that we have some that have been in operation for a long time. They always had students making annual yearly progress and always had sound financial audits, and we had other new charter schools, which were floundering, that required attention. We thought there should be a

distinction between the two. Once charter schools met A, B, and C the sponsors allowed every other year accountability instead of the oversight needed for all other schools. What we failed to do was to determine what would happen to a school if it had made this higher tier but all of a sudden had an audit that was not good, so this addition is a clean up.

Assemblywoman Mastroluca:

What other school districts have you contacted that have agreed to this?

Bryn Lapenta:

Item 2 is also in a bill that the Department put forward. Clark County School District was also contacted on both items, and they are in support of this.

Chair Parnell:

Would the people signed in to testify please come forward? In Carson City we have Jim Wells from the Department of Education, and we have Nicole Rourke from Clark County School District.

**James Wells, Deputy Superintendent, Administrative and Fiscal Services,
Department of Education:**

The Department of Education supports Assembly Bill 26 and, as Dr. Lapenta said, we have a similar provision for the second piece of it, regarding the 3-years monitoring provisions and whether or not they continue to meet those criteria in Assembly Bill 100, which is scheduled to be heard Wednesday.

Assemblyman Stewart:

On the last addition to the bill: if the charter school no longer satisfies the requirements of subsection 1 or good cause exists. What is good cause and who determines what good cause is?

James Wells:

One of the things our Department does is every year we collect the audit reports for each of the charter schools. If there were to be an audit report for a charter school that had qualified for the 3 year exemption that contained significant findings related to the finances of the school, in my opinion, that would be a good cause to go to annual monitoring. The five criteria that are at the top, A through E, lay out the requirements that they need to meet. All of those criteria in some way are reviewed annually to see whether the school continues to meet those criteria.

Assemblyman Stewart:

What I am concerned about is if they meet the criteria above then why should there be other criteria that you might come up with?

James Wells:

We would not add criteria. We would go back to annual monitoring if they fail to meet the criteria that are enumerated in A through E.

Assemblyman Stewart:

I am still worried about the definition of good cause. That seems to leave it wide open.

Brenda Erdoes, Legislative Counsel:

Mr. Stewart's description is a good one; it is a wide open standard. It is left to the department to determine what good cause is in this case, and in this bill we are not providing any particular specifics to help the department with that. The rest of the section goes to charter schools, and they are required to approve these applications from the beginning. One would believe that they would use that same standard, but there is not anything in the bill that would specifically provide what that good cause would be. Therefore, it is whatever the Department determines is good cause based on its judgment.

Chair Parnell:

The term good cause is in the preceding paragraph of this same statute.

Assemblywoman Mastroluca:

Being a child advocate, working with parents for the last 12 years, I believe good cause is a parent or a small group of parents who come in and say, "I think they're doing something wrong, I want you to check into them." Even if the school has met all five criteria, they still believe there is good cause. I think it is a very vague term, and I foresee it being abused.

Bryn Lapenta:

The term good cause was used in line 16 so that the charter schools could not be monitored every 3 years except for good cause. This protected the charter schools from the districts that have a not so good reason for wanting to go in and do the monitoring during that 3-year exemption. I believe the language that was used in line 18 just mirrored what already existed.

Assemblywoman Mastroluca:

I did see that, but the previous line did not refer to the requirements of subsection 1. So you went from having good cause to requirements or good cause. As Mr. Stewart alluded to, you really opened yourself up to add additional criteria.

Chair Parnell:

That is something we can certainly take under advisement. Would you have a problem if we, as the Committee, wanted to do something with the use of "or good cause"?

Bryn Lapenta:

Not at all.

James Wells:

The Department of Education would also not oppose making a change similar to that.

Nicole Rourke, Director, Intergovernmental Relations, Government Affairs, Clark County School District, Las Vegas, Nevada:

We are here to support A.B. No. 26 and the changes set forth. We also do not have a problem with changing the good cause language.

Chair Parnell:

We have a lot of folks in the audience who represent charter schools. I can certainly say that I have had no calls objecting to anything in A.B. No. 26, yet I would feel more comfortable if one of you could come up and put that on the record.

Francisco Aguilar, Chief Policy Officer, Charter School Development Foundation, Las Vegas, Nevada:

We did have some concern with the definition of good cause. I am glad it is being addressed, and we are here to work with anybody who would like to help define what good cause is.

Chris Ferrari, representing Imagine Schools of Nevada, Las Vegas, Nevada:

I am representing Imagine Schools of Nevada, and we echo the comments of the previous speaker.

Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development, Sparks, Nevada:

We also support A.B. No. 26.

Chair Parnell:

Thank you for testifying, and we will definitely take a look at the use of the term good cause in that line. Anyone else wishing to testify or comment on A.B. No. 26? Is there any public comment?

Meeting adjourned [4:50 p.m.].

RESPECTFULLY SUBMITTED:

Scarlett Smith
Committee Secretary

APPROVED BY:

Assemblywoman Bonnie Parnell, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: February 9, 2009

Time of Meeting: 3:47 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 26	C	Paul Dugan	High School Graduation – Our Top Priority (Powerpoint)