

**MINUTES OF THE  
JOINT MEETING OF THE ASSEMBLY COMMITTEE ON EDUCATION  
AND THE  
SENATE COMMITTEE ON HEALTH AND EDUCATION**

**Seventy-Fifth Session  
April 1, 2009**

The Joint Assembly Committee on Education and the Senate Committee on Health and Education was called to order by Chair Bonnie Parnell at 3:44 p.m. on Wednesday, April 1, 2009, in Room 1214 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/75th2009/committees/](http://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](mailto:publications@lcb.state.nv.us); telephone: 775-684-6835).

**ASSEMBLY 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

**SENATE COMMITTEE MEMBERS PRESENT:**

Senator Valerie Wiener, Chair  
Senator Joyce Woodhouse, Vice Chair  
Senator Steven A. Horsford  
Senator Shirley A. Breeden  
Senator Maurice E. Washington

Senator Barbara K. Cegavske  
Senator Dennis Nolan

**COMMITTEE MEMBERS ABSENT:**

None

**GUEST LEGISLATORS PRESENT:**

Senator Keith King, Colorado State Senate District No. 12

**STAFF MEMBERS PRESENT:**

Kristin Roberts, Committee Counsel  
Carol Stonefield, Research Analyst for the Assembly Committee on Education  
Mindy Martini, Research Analyst for the Senate Committee on Health and Education  
Danny Peltier, Committee Manager  
Sharon McCallen, Committee Secretary  
Sherwood Howard, Committee Assistant  
Shauna Kirk, Committee Assistant

**OTHERS PRESENT:**

Andre Agassi, Founder, Andre Agassi Foundation, Las Vegas, Nevada  
Marsha Irvin, Chancellor, Andre Agassi College Preparatory Academy, Las Vegas, Nevada  
Ben Sayeski, Chief Education Officer, Andre Agassi Foundation, Las Vegas, Nevada  
Keith Rheault, Superintendent of Public Instruction, Department of Education  
Anne Loring, Reno, Nevada, representing Washoe County School District, Reno, Nevada  
Delane Pennington, Director, Special Services, Silver State Charter High School, Carson City, Nevada  
Anthony Ruggiero, President, State Board of Education; State Board for Career and Technical Education, Las Vegas, Nevada  
Kathleen Conaboy, Reno, Nevada, representing K12, Inc., Herndon, Virginia  
Chris Ferrari, Reno, Nevada, representing Imagine Schools Nevada, Las Vegas, Nevada

Shaundell Newsome, Las Vegas, Nevada, representing Imagine Schools  
Nevada, Las Vegas, Nevada  
Michele Robinson, Board President, Charter School Association of  
Nevada, Las Vegas, Nevada

**Chair Parnell:**

The Joint Committee of the Assembly Committee on Education and the Senate Committee on Health and Education is called to order. [Roll called.] We have two charter bills to look at today, and they have the same intent. The intent is to create a new authorizing body. Because we have a singular issue, I would like to give you some information and background on what brings us here to discuss this bill.

*Nevada Revised Statutes* (NRS) 386.515 provides that school boards of trustees, the colleges and universities of the Nevada System of Higher Education, and the State Board of Education may sponsor charter schools.

By the fall of 2007 many school districts, including our two largest, Clark County School District and Washoe County School District, had established moratoriums on accepting new charter schools. At the November 30, 2007, meeting of the State Board of Education, the members voted to temporarily suspend approval of new charter school applications. These actions left the future of charter schools in limbo. It appeared there would not be an available sponsor for any new charter school looking for sponsorship. In response to those developments and as Chair of the Legislative Committee on Education, I held a meeting on February 21, 2008, at the Andre Agassi College Preparatory Academy to address this issue. Individuals from a number of charter schools spoke, and we began to explore options to the existing sponsorship structure.

Assembly Bill 489 is the bill that came out of the Legislative Committee on Education, and the similar bill Senate Bill 385 was a Committee introduction from the Senate Health and Education Committee.

With that, I am pleased to, once again, welcome to this Committee Mr. Andre Agassi. He will be joined this afternoon by Marsha Irvin, Chancellor of Andre Agassi College Preparatory Academy, and Ben Sayeski, Chief Education Officer of the Andre Agassi Foundation.

We have this great group for a dual reason to talk about the successes of at least one of the charter schools in this state. We have a number of wonderful

charter schools serving many different populations. We will not only hear about the school, but also speak to the bills before us.

**Andre Agassi, Founder, Andre Agassi Foundation, Las Vegas, Nevada:**

It is an honor to be here with all of you who are leading and guiding our state into the future. We are here to talk about the future of education in Nevada. I would first like to share with you what we have been doing and learning. It is a story of innovation, iron will, and some very big hearts. We believe this is just the beginning of the story.

We began our foundation in 1994, and in spite of a demanding career at the time, helping children quickly became my real life's work. We opened Andre Agassi Preparatory Academy as a public charter school in 2001. We wanted to create something bold and lasting. Our school is still a work in progress, so we look at ourselves everyday with fresh eyes and ask how we can be more effective. The spirit of innovation drives our strategy at Agassi Prep and has created many success stories. Unfortunately, the educational system is often a confined environment, making it difficult for new thinking to thrive. As a reform-minded school we have found the ability to maneuver and innovate to be an uphill battle. Combine that with a shortfall in funding, and it is unnecessarily hard to forge a new path. It is time to encourage and reward the spirit of reform. Why? Though we are all proud of our state, the tough news is, every way you measure education, Nevada comes up short. In fact, we rank at, or near, the bottom nationwide in dropout rates, per pupil spending, and college attendance. We are failing an entire generation of children.

Out of one hundred ninth-graders, only half will graduate; only ten will graduate college. Nine out of ten young lives will be left unprepared for the twenty-first century. Not only is this a blemish on our system, it will take a heavy toll on our society in the future.

I am here to ask you to do the hard work of reform. I know we can do better; we have to do better. I personally know what it feels like to underachieve and come in last, because I slipped to an embarrassing low at one point in my career. My ranking was a tennis equivalent of a state that comes in fiftieth. I knew I had to take ownership of my choices, and I learned a great lesson by falling so low. It can actually become a dramatic moment for change. Being last in the country in education may sound hopeless, but I know it is a ripe opportunity to seize the situation, be bold, and reprioritize. I know firsthand you make big news on the way up when you can turn things around.

Our state is under the most difficult strain since its beginning, so there are no easy answers. I am here to advocate for children all across Nevada and make clear we have to make resources available to improve the reality our children face everyday. We must also hold every educator and school more accountable for their performance. Our resources may be finite, but our children's potential is infinite. On their behalf, I ask that funding for the education of our children to be our greatest priority. I also ask that we harness the bold, can-do, resilient spirit Nevada has long been known for, and direct that toward how we allow our schools to work.

Our state became great by bucking the system when something did not work and by rewriting the rules until they did. I am asking to bring that ingenuity to a system desperately in need of fresh thinking.

I thank you in advance for doing everything possible to make our children your number one priority.

I would like to introduce Marsha Irvin, a gifted woman with unique insights, who does a great job of managing Agassi Prep.

**Chair Parnell:**

If I may, before you begin, I would like to congratulate you. You talked about being bold, and the first time I met you and visited your school was about December 2004, and you had not even started your high school program. I think you were going to start with your first group of ninth-graders the next year. In a very short period of time, congratulations on having this first high school graduation. It can happen, and it does not even have to take long.

**Chairwoman Wiener:**

On a personal note, as the resolution was read on the floor today, I saw the foundation was started in 1994 honoring Andre Agassi. That was when my family connected with Mr. Agassi. My dad was one of Mr. Agassi's first foundation members. In 1996, I had an early morning conversation with my dad. I asked him where he was going, and he said, "Andre is having a meeting and I have an early flight." That was the last time I saw my dad. I am glad that you had him beyond my time with him, because he loved what you did and was a strong supporter of your dream. He would be very proud of what you are doing with it.

**Marsha Irvin, Chancellor, Andre Agassi College Preparatory Academy,  
Las Vegas, Nevada:**

I have had the honor of working and serving the children of the Clark County School District for over 26 years. On January 14, 2009, I began an exhilarating adventure as the chancellor of the Andre Agassi College Preparatory Academy. There is such tremendous excitement on our campus on a daily basis and it permeates the elementary, middle, and high school where we have approximately 600 students.

Today, it is our pleasure to share with you a snippet of the joy we observe on a daily basis. We are a public charter school. Our children do not pay a fee to attend, but they receive a very exciting education.

We have prepared a video to share with you showing our beautiful, sprawling, 178,000 square-foot campus. You will also witness in this video our students and how articulate they are. They demonstrate a sense of pride; they have strength, they are intelligent, and they are committed to academic success. You will also view how our school signifies a culture of achievement in a nurturing environment. Beginning in kindergarten, our children are taught about college and are expected to be college bound.

Our founder and namesake has set in motion a chain of events that will, indeed, impact the future—instilling hope in all of our children.

The video you will see clearly portrays the love and affection Andre has for our children and the love and affection they have for him as well. On behalf of the Andre Agassi Foundation, and many of our foundation members who are in the audience today, we are very proud to show you our educational environment. We provide an intimate atmosphere of success while building self-esteem in each one of our children.

Students on our campus believe they are special, and they accept the privilege of attending our academy. We welcome them and their parents with open arms.

Ladies and gentlemen, we would like to share our video with you.

[Video ([Exhibit C](#)).]

Madam Chairwoman, thank you for letting us share our beautiful children with you today. I have a couple of comments I would like to share with you. As we speak, we have fifth-grade students who are in Atlanta, Georgia, visiting four

colleges. They will come back and talk about their experiences, and that builds enthusiasm for them to move forward to twelfth grade, graduation, and pursue college.

You heard about partnerships today in the video. We have 25 students who are spending two weeks in France, learning about the culture, and they will bring that back to share at our school. This is our first graduating class—we are so excited. Over 70 percent of our students, in terms of our seniors, have been in our school for four years. Over half of our students have already been accepted to four-year colleges. They are certainly college bound.

I have a unique perspective having worked for the Clark County School District for so many years and now serving as a chancellor at a charter school. When I was the Assistant Superintendent for Special Education in the Clark County School District, I received a call from Wayne Tanaka who was the first principal at the Andre Agassi Academy. Wayne had called and asked for services to assist him. I had to think very clearly about where this fit as far as priorities. I was responsible for the special education services for many thousands of children. Yet, the charter school was also asking for assistance. Even though it was a priority, the District's resources are very scarce and very thin, with all other priorities to be placed on hold. I am here today to wholeheartedly support Assembly Bill 489. Having a Charter School Institute will allow an entity to advocate for our charter schools in the State of Nevada.

We have a good working relationship with the Clark County School District, and charter schools work primarily through the office of Dr. Edward Goldman. However, it will become increasingly difficult in the future for the District to provide charter schools support, which we so rightfully need for our children in terms of technical assistance. If we had our own institute, we would be able to contract for services through the Regional Professional Development (RPD) program under the leadership of Bill Hanlon. We would be able to seek input from different consultants throughout the country who are prominent in the field of working with charter schools. The institute would certainly hold charter schools accountable while nurturing creativity and offering families choices. They also would not necessarily have to cap the number of charter schools within our state. The concept is great, and it would benefit our children tremendously.

As someone who has been assisting as a sponsor for charter schools, and now the instructional leader, I am asking you, on behalf of charter schools, to please consider your support of Assembly Bill 489.

**Chair Parnell:**

You bring out a good point. When the school districts felt they needed to impose a moratorium, none of us felt it was critical. It was an overload of responsibilities. As you point out, now more than ever, because of the budget, districts and the State Department of Education are all under more stress and would find that task even more difficult than when they initiated the moratorium.

**Ben Sayeski, Chief Education Officer, Andre Agassi Foundation, Las Vegas, Nevada:**

I think you have seen how these two things fit with one another with this bill and then what we have been able to do at Agassi. What we wanted to do today was to make sure there was a clear connection between those two things. At this point in time, we are happy to take any questions the Committee may have.

**Senator Horsford:**

I want to commend our panel for being here and thank Mr. Agassi for his vision. While looking at the video, it reminded me of the fact that where the school sits today was a vacant plot of land in a very blighted community. Now, with the facilities you have built and the instruction that is happening, it has become the education corridor of a historic community important to Las Vegas. Again, I want to thank you for investing in our children the way you have.

Based on the Administration's goals of making charter schools a greater national priority, one of the things the President has talked about is accountability and ensuring established charter schools have the flexibility to be innovative and do the things you have done at Agassi Prep. He has also said there should be very strict evaluation criteria for those charter schools that are not doing well. I would like to ask your general thoughts regarding how this structure will help make charter schools a priority, but also how we can hold those charter schools, which are ultimately approved, to the highest level. That is our goal for all students in the state.

**Marsha Irvin:**

It is very important to have strong accountability. All charter schools will want to make sure the accountability process is in place, and certainly we are held to a high standard in terms of the expectations our sponsors have with regard to reporting, and audits that are conducted routinely. It is very important for the institute to also have a check and balance system. There should be strong criteria for any school to become a charter school. It needs to be monitored, and we are not afraid of that. When it comes to the evaluation component,



speaking for myself personally, you also have to have people from the private sector, community members, and educators. They all need to be a part of that evaluation process. There needs to be a written type of evaluation as well as an on-site visit. We all want to make sure this Charter Institute has very high standards because our children deserve that.

**Senator Cegavske:**

I have had the pleasure of being at the school several times, and I am very impressed with it and would love to meet the young man who wants to kiss his muscles in the video. He was pretty cute.

One of the things that comes into my mind when we hear about successes is, are we sharing with each other? Are the charter schools coming together? I know we all have great hopes for the collaboration with the Charter Institute to share our pros and our cons. I know you have had growing pains. I know there are things you look back on and think that you should have done it another way or wish you could have done it faster. Some of the charter schools we have talked about have had concerns and problems, and some of them cannot start as fast as you have been able to because of funding issues. Funding really does make a difference in what you can bring to a charter program. Do you see any way where the collaboration is coming together today, more than in the past, and where we are able to share more with each other and to help the other charters?

**Marsha Irvin:**

It is really important for the charter schools to start working collaboratively. I have to say, having just started on January 14, 2009, there has been one meeting already, and we are in touch with other charter schools. Last week we had a conversation with two other charter schools. We are making our campus available to students within the community, as well as other charters right in our own community, to visit and participate in different activities we have at our school. Together, we can become a lot stronger when we utilize all of our resources. Since I have been on the job, I have seen more collaboration, and with the Charter Institute you will see even more. We all want it to succeed. We all bring something to the table as well as support to the State of Nevada. Everyone wants to come together and help. Yes, we are very open to having those discussions, and I think this will build a strong charter school foundation.

**Senator Cegavske:**

Thank you. I really appreciate those comments. When I look at the collaboration you have, another thing comes to mind for me. In the interim, particularly in the Education Interim Committee, and then while we are in

session when we are writing and rewriting charter legislation to try to get it right, we need input from the charter schools to ensure we are writing necessary things and not duplicating. We need to ensure that we have meaningful charter growth each time we come to the Legislature to do something new—that it is growth and we are not going backwards. I would hope you would share with us so we could be educated as to the best practices and what it is that makes charter schools so great. Those are the suggestions that I would ask for when you are all together collaborating; to share with us.

**Assemblyman Munford:**

I want to congratulate Ms. Irvin for her appointment, and I know she will bring a great deal of experience, knowledge, and background to the school. I apologize for not having been in to say hello to you yet, but I will make that appointment. Also, to you, Andre, I cannot find the words to express my appreciation of you for selecting our community to build your school. It has impacted our community in a positive way and made people more aware of the value of education. You have done a marvelous job. Keep up the good work.

**Senator Washington:**

Being the only northerner on this Committee, besides Chair Parnell, I had the opportunity to visit Agassi Prep for the first time this past summer and was quite impressed with the operation, the staff, the excitement, and the enthusiasm of the children. I want to commend you for being one of the flagships to begin this adventure in charter schools along with Odyssey and I Can Do Anything. They were all the flagships of this state to establish this movement for charter schools.

In its infancy, when we were creating the legislation and the statutes for charter schools, we surveyed the country to see who was on the forefront of this movement. There was a young woman who was a representative in the state of Wisconsin, Representative Polly Williams. Polly Williams was a kind of innovator, the trailblazer for charter schools in the country. She went against the norm. It was not an acceptable practice to venture outside the public arena. She saw the need to do something different that was innovative and would create some flexibility and allow teachers who wanted to teach to the heart and reach out to these children. She took the idea of charter schools, embraced it, and went after those children who were at-risk and underachieving—not that they could not achieve; they were just underachieving.

In about 1994 or 1995, we looked into Polly Williams, looked into the legislation, followed her movements, and watched the success of charter schools in Wisconsin, Minnesota, and a couple of other states. Myself, along

with Senator Wiener, Senator Porter, and Senator Adler, took all of the information, the best practices, and all of the innovative ideas out there to draft a piece of legislation we thought would move Nevada into the forefront, or at least bring us up to speed with charter schools. There was tremendous opposition and trepidation as far as seeing this piece of legislation pass. In our naivety, or lack of wisdom, the four of us collaborated; one from the north, one from the rural area, and two from the south; two Democrats and two Republicans representing all factions and constituents of the state. We had the idea in mind to create an opportunity for Nevada's children to succeed and be successful in their educational pursuits. It was a tough fight.

To put this into perspective, while we were working this piece of legislation, there was a young man who was lobbying for R & R Partners. They had assigned him to watch over educational matters. He came by my office, and I remember to this day, as he was actively pursuing charter legislation, he had the bill folded up and stuck into his back pocket. He knocked on my office door as I was rushing out, and he caught me in the hallway. He said, "Do you want to get this passed?" I said, "Yes, we want to get this passed. This is going to be great; this is going to be something new." He told me he would help me do it. As this was only my second session and realizing I did not know what was going on, I asked him who he worked for. He responded that he worked for R & R Partners and was representing Andre Agassi. He took that piece of legislation and started working the other side, and that was just the beginning of it. I will tell you another time how we got that legislation passed. That young man was Senator Horsford who is now the majority leader. He was just a kid at that time.

After saying all of that to just give you a little insight, there have been many who have worked wholeheartedly on charter school legislation to move Nevada into a position that could be in the forefront, not only as far as schools, but in the forefront of legislation that will allow the proliferation of innovation and creativity for the success of those students. I think of your school, along with all of the others that have flourished in this state, as a testimony of goodwill and of people who do the right thing and put good public policy together to ensure the success of our state. Kudos to you and all of the others who have worked in the charter school arena.

**Chair Parnell:**

At this time, I will open the hearing on Assembly Bill 489 and Senate Bill 385.

Assembly Bill 489:      Revises provisions governing charter schools.  
(BDR 34-297)

**Senate Bill 385: Revises provisions governing charter schools. (BDR 34-279)**

These bills are very similar, and we are fortunate to have the research team of Mindy Martini, Research Analyst to the Senate Committee on Health and Education, and Carol Stonefield, Research Analyst for the Assembly Committee on Education. They will be presenting a side-by-side look at these two bills. Welcome to you both.

I will make note for the Committee members that you do have copies of their presentation. There is a side-by-side comparison ([Exhibit D](#)), a narrative chart ([Exhibit E](#)), and one is information on the difference in the fiscal of the two notes ([Exhibit F](#)).

**Carol Stonefield, Research Analyst, Legislative Counsel Bureau:**

Mindy Martini and I were the staff people to the interim committee, and we are here to present the contents of Assembly Bill 489 and Senate Bill 385. As staff members of the Legislative Counsel Bureau, we will neither advocate nor oppose any of the provisions in these bills.

I would like to draw your attention to the table comparing the bills ([Exhibit D](#)). This is a section-by-section analysis that can be used as a table of contents to the two bills. The sections shaded in gray are included in these bills for the purpose of changing existing statutes that provide some function or responsibility exercised by either the State Board of Education or the Department of Education. References to the Board and/or the Department are deleted, and the new Charter School Institute is inserted and authorized to perform that function. Unless someone has a specific question regarding those sections throughout this table, I will skip over those and go to the sections in white. They are the sections relating to the actual creation of the Charter School Institute.

Section 21 establishes that the Nevada Charter School Institute (NCSI) will have seven members appointed as follows: two by the Governor, two each by the Senate Majority Leader and the Speaker of the Assembly, and one by an association of charter schools. No legislators may be appointed to the NCSI. The term of each member will be three years. The members will select their own chair and vice chair who will serve for terms of two years. Section 23 provides that the institute shall appoint a director. Section 26 provides that the institute may employ staff. Section 27 establishes an account for the Nevada Charter School Institute. The account may retain any interest and income it earns. Any money remaining at the end of a fiscal year does not revert to the State General Fund, and the Director may accept gifts, grants or bequests.

By deleting the State Board of Education throughout *Nevada Revised Statutes* (NRS) Chapter 386 and inserting the Charter School Institute, the authority granted to the State Board to sponsor charter schools is repealed, and the Institute is granted that authority.

There are a couple of examples I would like to draw your attention to. Section 30, will amend *Nevada Revised Statutes* 386.515, and provides that if the Institute itself approves an application, it shall sponsor that charter school. And in section 35, for example, NRS 386.540 grants to the NCSI the authority to adopt regulations prescribing the application process. This would apply to all charter school application processes throughout the state. The new language provides that the Department of Education maintains the authority to adopt regulations relating to finances and budgets.

The State Board of Education, in that section, is also granted the authority to disapprove any regulation adopted by the Institute only if the regulation threatens the efficient operations of schools or creates an undue financial hardship. This language actually exists in statute as it applies to the Commission on Professional Standards in Education. That Commission is within the realm of the Department of Education and in the statewide education structure, and yet it has considerable independence because the State Board of Education can only overturn one of its regulations under very specific conditions. The same language has been applied to the Charter School Institute, thereby enabling it to maintain a considerable degree of independence and yet fit within the education structure of the state. Principally, it is because the State Board of Education has oversight for all public schools. The Superintendent of Public Instruction is a constitutional officer. The Department of Education has expertise the Institute would need to duplicate if it were to provide the same services.

**Senator Washington:**

Concerning section 35, where the State Board may disapprove any regulations that have been adopted by NCSI, we are currently going through another piece of legislation, Senate Bill 330, which may reconfigure the State Board. Does any other state use another institute or agency or approval body outside the state board? Instead of having the State Board disapprove any regulations adopted by the Institute, maybe we could have our regulations, as we currently do, go through the Legislative Commission?

**Carol Stonefield:**

As I recall, the Committee heard testimony at its February meeting...

**Senator Washington:**

I remember the testimony.

**Carol Stonefield:**

...from Senator Keith King from Colorado, and we spent some time looking into the Colorado structure. That charter school institute is within their statewide governing structure as well. I believe the State Board of Education in Colorado has some authority over that institute.

**Senator Washington:**

But nothing would preclude us, if we decided to amend it, from having those regulations go before the Legislative Commission?

**Carol Stonefield:**

No, there is nothing to preclude that.

Section 38 of A.B. 489 and S.B. 385 provides that the Institute may receive up to 2 percent of a charter school's apportionment.

Section 47 of the bills repeals NRS 386.507, which is the subcommittee on charter schools of the State Board of Education. I believe Ms. Martini would like to direct your attention to one of the charts she has provided.

**Mindy Martini, Research Analyst, Legislative Counsel Bureau:**

Looking at the yellow handout ([Exhibit E](#)), on the first page, you will see a picture of what was intended under these two measures. If you look to the right, you will see the structure of sponsorship. The colleges and universities and the school districts could make recommendations to the Nevada Charter School Institute, but it would be the Nevada Charter School Institute that would adopt all of the regulations for the charter schools statewide. To the left you can see that the new Institute is essentially under the State Board of Education. Underneath that you will see the language under which the State Board of Education would be able to disapprove a regulation only if it threatened the efficient operation of public schools in the state.

Finally, you have the State Department of Education. Their role would remain to review applications that come in for completeness. They would then submit those applications to the correct sponsor, whether it is to a school district, the university, or to the new Institute.

The second page of this handout shows you the staff for which the fiscal note under Assembly Bill 489 was derived. That shows you there would be a

director, and at least four different staff members were envisioned. The fiscal note will be presented a little bit later.

**Carol Stonefield:**

Beginning at section 48 of the bill table ([Exhibit D](#)), the two bills begin to differ. Up to this point the bills have been identical. Section 48 provides an appropriation under Assembly Bill 489 and another condition under Senate Bill 385. I will start with the provisions of A.B. 489 and then go to S.B. 385.

In the fall of 2008 when the Legislative Committee on Education developed this proposal, it desired to fix a particular date at which time the Institute would become operational. At that time all of the charter schools sponsored by the State Board of Education would be transferred to the Institute. To do that, the Committee decided the Institute would need some start-up funding. That would occur, and at the same time the State Board of Education would be winding down its sponsorship of the schools it has. At the time, the Committee opted to request an appropriation, and you can see those figures in this table. These appropriation figures were based on the fiscal estimate presented to the Committee in August 2008. Times are a little different now. This section provides that any money remaining from the appropriation would revert at the end of the biennium.

Section 49 provides that the Department will transfer to the Institute on September 1, 2010, any balance collected from the charter schools through their administrative fees.

Section 50 provides that the Governor will appoint the first director, on or about July 1, 2009, for a three-year term.

Section 51 provides that the Director may hire staff at different dates. These are the staff on the other organizational chart ([Exhibit E](#)).

Section 52 provides for the staggered expiration of the terms of the initial members of the Institute.

Section 54 provides that the State Board of Education regulations will remain in effect until the Institute adopts regulations to repeal or replace them, which would ensure a smooth transition.

Section 55 provides that the State Board of Education charter schools will be transferred to the Institute on July 1, 2010.

Sections 53 and 56 relate to revising the statutes and employment for any individuals who lose their jobs as a result of this act.

Subsequent to requesting the legislative bill draft, an option was identified to delay the formation of the Institute until sufficient funds would be available from administrative fees, rather than a direct appropriation for start-up costs. Essentially, under Senate Bill 385, the process would be that the Superintendent of Public Instruction shall administer the account and shall report its balance to the Legislature and certain committees. When the Superintendent thinks the account has enough money, he will report that to the Interim Finance Committee (IFC). When IFC thinks there is enough money, it will issue a resolution authorizing the transition to begin. At that point, the Governor will appoint a director who will hire staff, and the members of the Institute will be appointed. The transfer of funds and the sponsorship of charter schools will begin. Those are the differences.

**Chair Parnell:**

Please refer to section 30, NRS 386.515, of the mockup, where it says, "Technical: If the NCSI approves an application ... NCSI is responsible for evaluation, monitoring, and oversight of the charter school." We have to make sure all of our public schools are special education compliant. The language says the NCSI would be responsible for those things. My question is this—was the intent for them to have the staff and expertise to be able to go to the charter schools and make sure those schools are compliant?

**Mindy Martini:**

Dr. Rheault may be able to help answer your question, but on the second page of the handout ([Exhibit E](#)) we did talk about the need for somebody at the new Institute to have a background in special education, and you will see that the educational consultant would have that expertise.

**Chair Parnell:**

In referring to how the language reads now, just having a background in special education, I do not know if that makes somebody expert enough to go to a school and make sure that school is complying with federal and state special education regulations and laws.

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

The language in the bill reflects what a sponsor of a charter school does, and that is monitor and evaluate. We did build one consultant into the fiscal note, which could be a special education licensed person. Regardless, we still have the State Department of Education's Special Education Office, and we would



provide technical assistance as needed regarding oversight of the special education students, similar to any school district or non-institute-sponsored charter.

**Chair Parnell:**

I wanted to make sure that was on the record and we understood, in those more technical areas, it would still be the Department of Education that would visit the school and determine whether or not that charter school was compliant.

**Keith Rheault:**

Correct.

**Assemblyman Munford:**

I remember discussing this during the interim. I do not see anywhere where the charter school board itself is involved. Are they involved in this in any way? What is the position of the charter school board?

**Carol Stonefield:**

These bills are a vehicle to transfer the responsibility of the State Board of Education, as a sponsor, to a new Institute. These bills do not go into the rights and responsibilities of governing bodies for charter schools. These bills do not affect their roll in all of this.

**Assemblyman Munford:**

The operation at the school level?

**Carol Stonefield:**

Not at the school level, no.

**Senator Washington:**

I have a question on section 30, which is an important section of this bill in setting up the Institute. There has always been a question of who was responsible as the primary agency for the local education agency (LEA)—whether it was the actual school or the state itself. This bill sets up the Institute, and makes the Institute now the primary agency for the LEA dealing with special education. There will still be some technical oversight for special education.

**Senator Horsford:**

I have several questions, some of which are for clarification on whether or not they were addressed in either of the bills.

The first is whether a current charter school that is not sponsored by the state and that desires to convert to sponsorship under the Nevada Charter School Institute is allowed to do so? If so, what is the provision?

**Carol Stonefield:**

Yes. This bill transfers the charters that are sponsored by the State Board of Education. There is an existing statute providing that any charter school can request a change in sponsor at any time, and certainly at the point where its charter is renewed. There would be nothing to prevent a charter school sponsored by a school district from transferring to the Institute if it wanted to.

**Senator Horsford:**

That is part of what I would like to follow through on. It was my understanding you would have to go through the process again. My question is really about conversion. This was not an option for some charter schools that may have been chartered through their local school district, but maybe now this would be a more suitable sponsorship.

**Keith Rheault:**

It could probably be easily built into the bill so that any other school district-sponsored charter school that wishes to convert at the same time could put this request in their application so it would not cause a whole new paperwork flurry trying to get them approved.

**Senator Horsford:**

Secondly, this has come up throughout the discussion regarding the federal stimulus money. After the stimulus money goes away, will the NCSI be able to apply for grants directly to the Department of Education for funds relating to charter schools?

**Keith Rheault:**

If I understood your question correctly, I would view the Director of the Institute like an eighteenth superintendent of schools. I envision the Institute applying for any competitive monies or funding provided through the state, similar to a school district. If funding was made available to a district, they would be the entity I would provide the funding to, and then they would be responsible to distribute it out to the schools within the Institute.

**Senator Horsford:**

The bills allow for them to apply? There has been some issue where the Department, for whatever reason, has chosen not to apply for available funds.

Therefore, some charter schools are not able to get money they would otherwise be entitled to.

**Keith Rheault:**

If it is specifically for the federal funding, there is a section we passed in 2007 giving charter schools the authority to go directly to the Institute as the entity which would seek federal funding for all of the schools under their jurisdiction.

**Senator Horsford:**

What was the rationale for the appointment by an association of charter schools? Is there any concern for real or perceived conflicts of interest if that entity is also the one doing the oversight of the charter schools?

**Senator Washington:**

This past summer, we had former Senator King, who has since been reelected, come in to testify with regard to the Colorado model. We tried to adopt versions of the legislation in Colorado in setting up the Institute within the confines of how their board or institute was actually appointed. We followed the same procedure of appointments we normally follow: by the Majority Leader, the Governor, and the Speaker. That is where that came from.

**Senator Horsford:**

I get that. I was really asking for that one appointment by an association of charter schools.

**Senator Washington:**

During the testimony, it was requested by Ricci Elkins and the Nevada Charter School Leadership Alliance, that there be at least one appointment by the collaboration or the consortium of charter schools throughout the state. That is where that came from.

**Chair Parnell:**

The question, now that we have the state leadership team that you are familiar with, concerns the definition of a charter school association. With the term "an association of charter schools" in the bill there would have to be an interpretation, of whether that necessarily references the Charter School Association of Nevada. We might want to have that in there to make sure we know what association we are talking about.

**Senator Horsford:**

I have two other points, although they are not specifically germane, as this is dealing more with the structure and infrastructure of the Institute. I wondered

whether the interim committee discussed the conversion of existing schools to charter schools, particularly if they do not meet Adequate Yearly Progress (AYP). Was there any discussion on that?

Also, concerning the qualifications of the staff positions, for instance, the education consultant or the director, do we have specific qualifications for those positions other than the titles that are on the sheet in ([Exhibit E](#))?

**Mindy Martini:**

When we developed this organizational chart, we met with the Department of Education to determine what type of positions should be included. Dr. Rheault will have a much better idea how these relate in the Institute.

**Keith Rheault:**

Other than the director of the Institute, which is an unclassified position for which you will want to be very specific on the criteria for that person, the other positions listed are all classified positions with specific skills and abilities already listed in state positions. When you hire those positions, particularly the education consultant classification, you can put in additional priorities for that position. For example, we have Career and Technical Education (CTE) consultants under this same classification, so when we look for a business and industry person, we add that into the criteria when we hire these people. The rest are all classified; they are already structured with the duties spelled out at the state level.

**Senator Cegavske:**

I looked at section 26, "The NCSI may employ staff," and it is pretty broad. In trying to determine how broad we want to make it—if there are any limits—and in looking through sections 18 through 27, I also found out that we would pay the chairman a fixed rate of \$80 per day plus per diem. Is this something the state will help with? How are we going to help them structure that and make sure they have the funds and then the ongoing funds? I know that the 2 percent can add up to quite a bit. How many people will that employ in the state, total for north and south?

**Keith Rheault:**

Currently, the administrative fee that we charge to the state-sponsored charter schools has funded one position that has been approved by the Legislature. The rest is either in reserve, or we use it for technical assistance.

As part of the fiscal note, we are projecting, at a very conservative level, \$136,000 this fiscal year to be carried over and available to the Institute.

We have not collected any of the administrative fees this school year for the charter schools because regulations say the Department will collect it at the end of the year. By the time the District and charter schools adjust their budgets by August 15, we bill them and get paid in September. This year we are projecting that is going to be another \$345,000. When you add the projected carryover with the new funds already due to us, there will be \$481,000 available to support the Institute on October 1.

**Senator Cegavske:**

I am looking at the salaries of the staff. That will limit them, and they have to also project the benefits. Correct? Is the cost-of-living increase also projected in there?

**Keith Rheault:**

The amounts for the four classified positions were taken from the paid employee/employer salary, plus the benefits that are currently available. If they go up or down, it will have to be built into future budgets.

I looked at a description of the director's position corresponding to a staff of four or five people, and the Western Interstate Commission for Higher Education (WICHE) director seemed to be the closest unclassified, so \$82,000 or \$81,000 was put in the budget.

**Senator Cegavske:**

When we say they may employ staff, do we need to state "within the limits of funding?" Do we need to add anything to ensure that we are not responsible for the state?

**Chair Parnell:**

Ms. Martini and Ms. Stonefield also have a document on the fiscal notes and the difference in addressing the fiscal needs between the two bills ([Exhibit F](#)). Do you want to address that issue now since there have been questions regarding fiscal?

**Carol Stonefield:**

In Assembly Bill 489, section 51 provides specific dates for hiring certain positions. Within the limits of this bill, those positions are specified.

**Chair Parnell:**

It is also important to note that it is "may."

**Assemblywoman Mastroluca:**

I have a question regarding section 21, the makeup of the membership of the Nevada Charter School Institute, especially with reference to the member representing the actual charter schools. Dr. Rheault, can you tell me how many charter schools we have in the state?

**Keith Rheault:**

We have 25 functioning charter schools this school year. Seven of them are state-sponsored and the rest are sponsored through local school districts.

**Assemblywoman Mastroluca:**

I want to be sure that this is a fair representation of the charter schools. We have large and small charter schools; we have virtual charter schools, and charter schools based on specific needs and standards such as the Academy for Career Education (ACE). I do not want to make this body any larger, as it is hard to get seven people to agree on something, so I do not want to make it nine. I want to make sure we have language in this bill to ensure we have someone who is representative of the entire group. I realize that we have three-year terms, but it is very easy to continually appoint the same school year after year because you have a good working relationship with them.

**Chair Parnell:**

There is information on the total number of charter schools and some background on the second sheet of the organization chart ([Exhibit E](#)).

It is important to remind the Committee that I did want to present the information side-by-side and the bills in general. After today's meeting is adjourned, the Senate will take up the issue of Senate Bill 385, and the Assembly Committee will go back and take up Assembly Bill 489, and we will proceed from there. There will be time to ask more technical questions.

**Senator Washington:**

Due to some time constraints, can we hear from Senator King from Colorado before we leave? I believe he has some unique insight into the operation and formation of the Institute in Colorado.

**Chair Parnell:**

That is why I have invited him to speak today. I would first like to make sure Ms. Martini and Ms. Stonefield have completed their presentation.

**Carol Stonefield:**

Yes, Madam Chair, we have completed our presentation.

**Senator Washington:**

I know there are several amendments that will be offered on the bill from the school districts, as well as Ms. Conaboy and other stakeholders who have an interest in this bill. Prior to us having to make our exit, I would like to offer another amendment on the funding mechanism for both bills.

The districts have requested that there be some unity across the board for all schools that are currently sponsored, whether state-sponsored or sponsored through the school district and whether it is at 2 percent or 3 percent. The current funding method for state-sponsored charter schools is 2 percent for the first year, and then it drops to 1.5 percent each additional year thereafter. Based on the information and testimony from Senator King, we found that 2 percent would not be sufficient to sustain the operations of oversight and the formation of the function of the Institute. Stability would be a struggle, based on his expertise. He made the suggestion that we might consider going to 3 percent. With that, I asked Dr. Rheault if he could run the numbers for us using 3 percent just for the state-sponsored charter schools. That would take us above the necessary funding not only for the director, but also for at least three out of the four positions. It gets us to the operating level of \$652,000.

**Chair Parnell:**

Could you get that information to staff? Senator King is ready. Senator King has a long background in the charter school movement and testified at the meeting I referenced a year ago February. Welcome, Senator King.

**Senator Keith King, Colorado State Senate District No. 12:**

Thank you for allowing me to do this by phone. We are working on the School Finance Act here today and trying to figure out how to make it work with the stimulus dollars.

Do you want me to answer specific questions or give you specific thoughts? How would you like to proceed?

**Chair Parnell:**

There is one thing that everyone was curious about when you presented to the Legislative Committee on Education. Could you remind us of the administrative fees? The most specific questions will be about the funding source and also how the existing schools handled the conversion into the state authorizing body.

**Senator King:**

All of the schools in Colorado are funded according to a School Finance Act. Because we fund them based upon size, how many at-risk children they have,

and the economic conditions of the school district, we used the exact same formula when we put the Institute schools into our School Finance Act. We did not fundamentally change that particular aspect. What we did change was how much we withhold from each of the charter schools once they are chartered by the Institute. We withhold 5 percent in Colorado. As you start your progress in Nevada, until you get to a certain level of charter schools chartered by the Institute, you will probably need 5 percent. In Colorado, 2 percent went to the Department of Education, and 3 percent went to the funding of the actual district or Institute; however you want to classify that. We have now reached enough charter schools in the State of Colorado where we are changing that formula.

Today, we have 17 schools authorized with approximately 6,400 students. Next year, we will have 19 schools authorized with approximately 6,900 students. We have a difficult time funding facilities in Colorado, especially for Institute schools since they are not part of a school district. What I am proposing in our Institute bill this year is to take the Colorado Department of Education (CDE) requirement down from 2 percent to 1 percent. We are capturing 1 percent in a facility funding pot to help fund the facilities of the Institute charter schools, because they do not have the opportunity in Colorado to do bonds or mill levy overrides. That is going to capture roughly \$400,000 per year that we will then try to put toward funding facilities, either for bonding or for different issues of our most needy institute-chartered schools.

This year, we put into the bill that we would leave it at 3 percent. But on an annual basis, we want the schools to sit down with a council of schools, or a kind of accountability committee of all of the schools involved. We will meet with the board of the Institute, which is appointed by our Governor, the executive director, and the people who run the Institute to see what services we want to continue to purchase at the Institute level and what services we want to provide at the charter school level.

Let me quickly qualify that particular discussion for you. The Charter School Institute is evolving in Colorado, from more of an authorizer to a service provider. For example, Power School, doing data mining and management of student records, is being paid for by the 3 percent. Also, we have a special education coordinator who helps coordinate things for our special education children. As we establish more schools in Colorado, we will look at doing more of the actual charter school's expenditures as more of a buy-back, as opposed to a mandatory buy-back of the 3 percent. I put into our Charter School Institute bill this year that we will have a discussion annually among the governing board, the staff, and the charter schools concerning what we want to



provide in services. I would encourage you, as much as possible, to keep your Institute more of an authorizer as opposed to a service provider. We are going to evolve to that in Colorado.

**Chair Parnell:**

Have you had an opportunity to read both bills?

**Senator King:**

No, I have not read them.

**Chairwoman Wiener:**

In the numbers of schools that you cited and the numbers of students, do you have virtual schools also appearing on your landscape?

**Senator King:**

We do. The school that is already chartered by the Institute is called Sedalia; it is an online program. The Institute in Colorado was specifically authorized to try to serve more at-risk children than a regular public school system would. We define at-risk as children who are eligible for free lunch in Colorado. We have tried to focus on that particular issue with the Institute.

**Chairwoman Wiener:**

Of the number you cited, how many participate virtually?

**Senator King:**

That number is around 300 to 400 this year.

**Senator Cegavske:**

How many of your charter schools are for special needs?

**Senator King:**

Strictly defining them as special needs and being eligible for special education, it is obvious we do not discriminate against special education in our Institute charter schools. Many of these schools are oriented toward high-risk students. These are kids who are not making it in the traditional public school system, and kids who are at-risk of falling behind academically and also dropping out. One of the schools that I had created, Colorado Springs Early College, is now in its second year and targets kids in Colorado Springs who would never finish high school or have the academic expertise to go on to college. We started that school specifically and are working with a lot of those particular kids.

**Chair Parnell:**

Are there any other questions for Senator King?

**Senator King:**

I would like to caution you with one final thought: Do not make it too difficult for schools that want to start in the State of Nevada to apply to your Institute. We have, what we call in Colorado, exclusive chartering authority, which I think has been detrimental to choice because we put a high threshold for charter school applicants to the Institute, and we have made it quite difficult. The more windows of opportunity there are for more competition of ideas, as well as the more opportunities for kids to get educated, the better you will be able to serve your students in Nevada.

**Chair Parnell:**

So you would suggest that we be sure to keep options open with school districts and our system of higher education, as well as any new authorizing board we might create.

**Senator King:**

Correct.

**Chair Parnell:**

Thank you. I do not see any other questions at this time. With that, I will go to those who have signed in. There is no one signed in in opposition to either of these bills. This is a good time to speak generally about why you think this is needed and if you have any issues with either of the bills.

**Anne Loring, Reno, Nevada, representing Washoe County School District, Reno, Nevada:**

The amendment we would like to propose to you is a collaborative effort by the Washoe County School District, Clark County School District, Charter School Association of Nevada, Nevada Association of School Boards, Nevada Association of School Superintendents, Nevada Association of Administrators, K12, Inc., Nevada Virtual Academy, Connections Academy, Imagine Schools, Agassi Prep, ACE, and Odyssey Charter Schools ([Exhibit G](#)).

We are here in strong support of both of these bills. It is an exciting time for education in Nevada. We also applaud all of the work many of you put into assembling this bill before us today. We have spoken with both Senator Washington and Chair Parnell and have six areas we would like to suggest to you for consideration. In the interest of time, I will briefly summarize

them. Although we do not know what some of the legal language should be, we know you have outstanding people who could help with this.

When we spoke to Senator Washington and Chair Parnell, we learned that it was the intention of the crafters of this bill to have the Institute not regulate statewide issues such as graduation and the extensive education law that you have on the books, but to have very specific sections of statute that they will have the authority to regulate. Those are listed in section 35 on page 40 of the bills. It was also not the intention that the Institute would regulate the 17 other school districts, so we do have some amending language to clarify that the Institute would not promulgate regulations that impact school districts. We did find in section 35, in the litany of statute that involves charter schools, two sections that do impact public schools, and one that impacts graduation requirements. We suggest that those be deleted from the list. They are identified in the amendment.

We have also suggested some clarifying language that states the charter schools sponsored by school districts or higher education must abide by the regulations of the State Board as opposed to the Institute, especially where they are in conflict.

The second issue we suggest that you address by amendment is that currently each school district compiles an accountability report. Included in that report are separate reports for the charter schools that exist in that district regardless of whether they are sponsored by the district or the State Board, or, in this language, the Institute. We suggest, especially now in the sense of this being an 18th school district, that the Institute compile and prepare the accountability report for all of the charter schools it sponsors. That report would include the information on the other charter schools so that finally, after so many years, there would be a single report of accountability for the charter schools, with the information being provided, for those schools sponsored by the district or higher education. The third area that we are suggesting for your consideration is the one that Senator Horsford raised, and we had the same issue. That was trying to ensure that charter schools sponsored by school districts or higher education may change their sponsorship to the Institute but need not submit an application to do so. We found the section of statute it relates to. A sponsorship change should be a very easy and flawless process.

The fourth area relates to the topic that you have had considerable discussion about and that is the administrative fees. We all agreed that the fees paid by a charter school to its sponsor should be uniform regardless of the sponsor. Finances should not be the primary motivator for whether a school moves to

the Institute or not. In our draft amendment, we set 2 percent because that is what you had said in the bill, but the percentage is up to you, and obviously there has been discussion today from Senator Washington on that. We think the important policy issue is the uniform fees regardless of sponsor.

The fifth change suggested by one of the charter school representatives is that the title for the lead staff person at the Institute be changed from director to superintendent. The reason for this is if that Institute is the 18th school district, it should be led by a superintendent.

I would like to digress for a moment and indicate that Paul Dugan, the current Chair of the Nevada Association of School Superintendents, indicated that he and his colleagues are looking forward to welcoming the new superintendent or director to their group.

Finally, Dr. Rheault and the legal staff may want to weigh in on this, but we noticed the language that Dr. Rheault referred to was implemented a couple of years ago to meet federal requirements that the charter school district be an 18th school district. The current language says, "solely for the purpose of meeting the federal requirements." We think that language should be deleted if, in fact, this is going to be our 18th school district.

With that, all of us individually and collectively would be glad to work with you, Madam Chair, the Legislative Counsel Bureau, Legal, or anyone else at your request to finalize this important work.

**Chair Parnell:**

Good job. Thank you. I think everybody is pretty much in support of all of those recommendations. Is it your impression that sponsors of both the Legislative Committee on Education (LCE) bill and the Senate Committee bill were receptive to all of your recommendations?

**Anne Loring:**

That was our sense.

**Chair Parnell:**

Are there any questions for Mrs. Loring?

**Delane Pennington, Director, Special Services, Silver State Charter High School,  
Carson City, Nevada:**

We are a high-achieving school with approximately 500 students and 70 special education students. I am in agreement with the bill because we serve students

who others have said would not normally graduate. We are an online school, but also have brick and mortar; our students do come in.

I have attended numerous special education district administration meetings and have been told there is no funding. I attended a meeting today, and Frankie McCabe, Director of Special Education in Carson City, was telling all of the district special education administrators to attend the Special Education Law Conference that is coming up in April. She would be willing to give funding for that. When I asked if we could get funding for charter schools, it was a "no."

I would really like to impress upon you the importance of being an 18th district, so that we can also receive funding to teach the students who might not pass in a traditional setting for whatever reason. I tell everyone we are not a "better" school, we are just "different," and we work well for a lot of students.

**Anthony Ruggiero, President, State Board of Education; State Board for Career and Technical Education, Las Vegas, Nevada:**

I had a meeting with the State Board of Education, and we are encouraged by the discussions taking place with respect to charter schools. I would like to make clear the State Board of Education has always been a proponent of charter schools. We support charter schools, and just because we had a temporary suspension of receiving applications, it was not based on the approval of charter schools; it was the receipt of applications. That was not because we were averse to the charter school concept; it was because we were trying to be responsible. We were trying to be administratively, managerially, and fiscally responsible with respect to the staff and the Department of Education and all of the work they have to do regarding charter schools.

That being said, I appreciated Senator Washington's earlier comments regarding the funding of this Charter School Institute and how he perceives the fact fees may have to go from 2 percent administrative fees to 3 percent administrative fees. Let me tell you, it would be a boon to the Department and to the State Board of Education if we were to get that additional percent of administrative fees. We would be able to staff our charter school department the way it needs to be staffed.

My only concern with both bills is the fact you still give sponsorship and authorization ability to the school districts, and that the Nevada System of Higher Education gets to maintain their sponsorship authority as well. It is my opinion, and I think Senator King echoes these words, that we need more sponsors, not less. By taking away the sponsorship authority of the State Board of Education, I do not think we are experiencing the full effect of

what we can with these two bills. I am very appreciative of some of the public comments being made with respect to making this Charter School Institute the 18th district. I know I have spoken about this before. As a matter of fact, Chairwoman Parnell, I know during your Legislative Committee on Education at the Agassi Prep Academy, I had mentioned this as well. In the 2007 Legislative Session, there was the creation of the 18th school district and I felt we should have gone a couple of steps further and made it a true school district for all charter schools.

That is where the State Board stands. We are not in opposition to this bill, and we are not in total support of this bill. We would like to be a part of the discussion, and we would like to continue to be sponsors and authorizers. If the school district is created or the Charter School Institute is created, we would still like them to answer to the State Board of Education. We are the elected officials, and we do represent the constituents in the State of Nevada.

**Kathleen Conaboy, Reno, Nevada, representing K12, Inc., Herndon, Virginia:**

I am here to echo the sentiments regarding the development of this legislation, which I think has been a tremendously progressive and collaborative effort. I would like to thank both Committees for hearing these bills today. We are in full support of the legislation and worked with Ms. Loring on the amendments. We are part of the collaborative team that worked together on that.

I would also like to state for the record, K12, Inc. does business in approximately 21 states and the District of Columbia and has 55,000 students enrolled in schools that use their curriculum. One of their thrusts in every state in which they do business is to work on the development of good public policy. Today is a great example of that. Thank you.

**Chris Ferrari, Reno, Nevada, representing Imagine Schools Nevada, Las Vegas, Nevada:**

Currently, Imagine has two schools operating in southern Nevada, one K-5, and one K-8.

I would like to echo the sentiments of Ms. Conaboy in commending the joint panel, the interim committee, the new legislators, and many of the veterans who have left, who have been guiding this process for the last 15 years. To arrive at this point where we are today is quite an accomplishment. I would also like to commend the district and the State Board for doing a great job in trying to manage a new concept in charter schools and working with us each step of the way.

Much like Mr. Agassi in the previously mentioned testimony, Imagine was started in 2004 by a couple who had enjoyed great success and decided to use the fruits of their success and dedicate that to bettering education. Since 2004, their vision now translates to 73 schools across the country and 37,000 students, providing a service to give our youth better opportunity. Advancing both of these bills is a very encouraging step in this direction. It will provide both the State Board and the school districts with a place to house charter schools and a place where they can answer questions and be the expert regulatory authority in streamlining that process.

**Shaundell Newsome, Las Vegas, Nevada, representing Imagine School Nevada,  
Las Vegas, Nevada:**

We are in Senator Horsford's district in Las Vegas as well as Assemblyman Arberry's district. Assemblyman Munford has visited our beautiful 50,000 square-foot building with state-of-the-art equipment, and computer laboratories in every classroom quite a few times. It has been a jewel added to our community.

I would like to give you a little history to frame how passionately we feel about what you are doing right now. It is a very deeply, caring thing that we believe you are doing by bringing this legislation forward. We think this will help us in many ways.

I did attend a meeting regarding the moratorium and a special meeting at Agassi and was encouraged at that point; we were at least having a discussion. I believe a quote by Albert Einstein says, "Imagination is more important than knowledge. Knowledge is limited; imagination encircles the world." That means a lot to us, because in most cases, our students do not get out of their own neighborhood. We tend to bring the world to them.

As a board member for the 100 Black Men of Las Vegas, we have a lot of members and a lot of resources to bring to our students. It is a partnership, and we are the ones who brought Imagine Schools to the forefront. We had the first African-American U.S. Secretary of State, Colin Powell, come to speak to our children a couple of years ago. Last year, we were visited by the first African-American Mayor of a U.S. city, Mayor Richard Hatcher. Just this past week we had the first African-American graduate from the Naval Academy, Wesley Brown. While that might not sound exciting to a lot of people, it is very exciting to our students. They never have the opportunity to touch living history, and this is really what charter schools are all about. We love the fact that we have the opportunity. As a member of the Board of Directors for the 100 Black Men in Las Vegas that voted to bring this charter school to

North Las Vegas, we believe we are making a substantial impact, and with your cooperation, we hope to continue that effort.

**Chair Parnell:**

The next time I am in Las Vegas, the Imagine School is the next school I need to visit.

**Michele Robinson, Board President, Charter School Association of Nevada, Las Vegas, Nevada:**

I am the Board President for the Charter School Association of Nevada (CSAN), and we are in support of the legislation we are listening to today.

I would like to take a moment to respond to Senator Cegavske's comments regarding collaboration among charter schools and to thank Senator Cegavske for mentioning how important it is for charter schools to work together and to share best practices for education and charter school development. The amendment that we are listening to today was actually the result of those collaborative efforts among charter schools and sponsors.

The Charter School Association of Nevada is a new, statewide group of charter school administrators who recently formed, as a stakeholder group, to help charter schools flourish in Nevada. Our association is united by a mission to promote quality educational standards by inspiring Nevada's charter schools through professional development, public affairs, policy, and public relations. We are committed to professional development and training designed around best practices in education, along with the dissemination of information regarding the innovative approaches to education that can be found in our state's charter schools. We are eager to participate in public affairs and policy development to enhance the success of this invaluable movement. We are a newly formed organization still in its infancy, but made stronger through its member participation. We have a proud membership consisting of 21 of the 25 charter schools that are currently operating in Nevada. In fact, tomorrow, we are holding a very important membership meeting in Reno.

We are also collaborating with the Governor's Nevada State Charter School Leadership Team in development of our second annual charter school summit to be held in Carson City on May 8, during National Charter Schools Week.

The Charter School Association of Nevada had the opportunity to make a short, but detailed, presentation to the Assembly Education Committee on Monday, and I would like to offer the same presentation to the Senate Health and Education Committee, if it would please the Committee.



**Chair Parnell:**

Would you repeat the last line? You would like to do what?

**Michele Robinson:**

We had the opportunity to make a short, but detailed, presentation to the Assembly Education Committee, and we would like to offer the same presentation to the Senate Health and Education Committee if it would please the Committee.

**Chair Parnell:**

Okay. Thank you for clarifying that. I thought you were going to do that now, and I wanted to make sure I heard correctly. Thank you very much.

**Keith Rheault:**

We do support the bill for reasons other than any that I have heard so far. Right now, when we are a State Board sponsor, the staff works for the State Board, and we have had conflicts of interest particularly in special education. As an example, we are the appeals officer and make the final judgement to ensure special education students have certain rights given them, but we are also the technical assistance providers to the charters, and there have been conflicts there. We have run into similar conflicts with the nutrition programs, as another example. This bill will clean that up, and we support it.

I was going to mention that my only concern with the bill was the regulatory authority of the Commission, but it sounds like someone has already taken care of that part, and I will not have to redo the amendments. I support every one of those.

As a final piece, I will submit an amendment, from my staff, for the transitory language. That is in sections 48 through 51 of [Exhibit D](#) regarding when the Institute could begin. Instead of going through all the trouble to see that there is enough money, I think I can tell you that there is enough money to start the Institute on October 1. That is what I am submitting. The only difference between the bill and what I submitted on the fiscal note is that the director is eligible to be hired July 1, and I think I have the director starting October 1. There may be funds to do that with the money we have in place.

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**Chair Parnell:**

Are there any questions from the Committee? Are there any comments? Is there anyone else to testify in support of either of the bills? Anyone in opposition? Anyone neutral? I will open it up for public comment [none].

The meeting is adjourned [at 5:44 p.m.].

RESPECTFULLY SUBMITTED:

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Sharon McCallen  
Committee Secretary

APPROVED BY:

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Assemblywoman Bonnie Parnell, Chair

DATE: \_\_\_\_\_

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Senator Valerie Wiener, Chair

DATE: \_\_\_\_\_

**EXHIBITS**

**Committee Name: Assembly Committee on Education/Senate Committee on Health and Education**

**Date: April 1, 2009**

**Time of Meeting: 3:44 p.m.**

<b>Bill</b>	<b>Exhibit</b>	<b>Witness / Agency</b>	<b>Description</b>
	A		Agenda
	B		Attendance Roster
	C	Marsha Irvin, Chancellor, Andre Agassi College Preparatory Academy, Las Vegas, Nevada	Video Overview of Andre Agassi College Preparatory Academy
	D	Carol Stonefield, Research Analyst, Legislative Counsel Bureau	Handout of Comparison of <u>Assembly Bill 489</u> and <u>Senate Bill 385</u>
	E	Mindy Martini, Research Analyst Legislative Counsel Bureau	Nevada Charter School Institute Organization Chart
	F	Nevada Department of Education	One Fiscal Note prepared to address proposed new Charter School Institute in Nevada identified in three different bills before the 2009 Legislative Session
	G	Anne Loring, Reno, Nevada, representing Washoe County School District, Reno, Nevada	Proposed amendment to <u>S.B. 385</u> and <u>A.B. 489</u> .