

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

**Seventy-Fifth Session
April 8, 2009**

The Committee on Education was called to order by Chair Bonnie Parnell at 4:08 p.m. on Wednesday, April 8, 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:

Kristin Roberts, Committee Counsel
Carol M. Stonefield, Committee Policy Analyst
Danny Peltier, Committee Manager
Scarlett Smith, Committee Secretary
Sherwood Howard, Committee Assistant

OTHERS PRESENT:

Kathleen A. Conaboy, Reno, Nevada, representing K12, Inc., Herndon, Virginia
Bryn Lapenta, representing Washoe County School District, Reno, Nevada
Bart Mangino, Legislative Representative, Community and Government Relations, Clark County School District, Las Vegas, Nevada
Craig M. Stevens, Director of Education Policy and Research, Nevada State Education Association, Las Vegas, Nevada

Chair Parnell:

[Roll called.] We have a quorum. Today is a work session, so unless I call you to the table to answer a question, we will not be hearing any testimony, although I would still like everyone present to sign in. We will take the work session document in order, so we will start with Assembly Bill 56, and I will turn it over to Ms. Stonefield.

Assembly Bill 56: Revises provisions governing pupils with disabilities.
(BDR 34-635)

Carol M. Stonefield, Committee Policy Analyst:

[Read from work session document ([Exhibit C](#)) and amendment ([Exhibit D](#)).]

Chair Parnell:

Thank you. A couple of things have transpired since we heard this bill on Monday. I had a concern that we were broadly looking at the needs of one special education student and assuming they would be exactly like all others. I thought about how we could assess differences. Mrs. Mastroluca and Ms. Woodbury have been working on this. I would like one of you to report the ideas that have come together since the Monday hearing.

Assemblywoman Mastroluca:

Assemblywoman Woodbury has been very generous with her expertise and knowledge, and she had the same concerns. She has some proposed language

that would help deal with your concerns and still keep the intent of the bill. It would say:

If restraints still occur after convening the Individualized Education Plan (IEP) five times, the district and the parent should explore additional methods to ensure that further restraint is not needed including, but not limited to, mentoring, training, functional behavior assessment, a behavior plan, or other individualized positive behavior supports that include a wide array of strategies.

That language will leave it wide enough so that we can ensure they are trying to work on the problem, but still limit it so that we are not encouraging them to continue to use any physical or mechanical restraint that could be deemed negative.

Chair Parnell:

Thank you. Ms. Woodbury, would you like to add any comments?

Assemblywoman Woodbury:

I just want to clarify the intent of the five reports of restraint. Our intent is not that the IEP needs to convene every five times. We mean after the initial five, the IEP needs to commence. The IEP will specifically be geared towards individuals. We do not want the intent to be every five times. When cases get to this extreme, it is usually because the teachers at the school do not have the tools, expertise, training, or staff to provide the help. We wanted to make it clear that we want districts to look at the options and behavioral supports that are available outside of the school. We are not defining it case-by-case, we just want districts to look at what is available when they are doing the IEP.

Chair Parnell:

As a committee we have to decide a couple of things. We have the amendment, which was basically a rewritten version of A.B. 56, that Mrs. Mastroluca presented. The key parts of A.B. 56 are listed under five bullet points in the document ([Exhibit C](#)). It is my understanding that nothing you are presenting today would be in conflict with anything already written. If we accepted the language you presented today and the language you presented Monday, the bill would be in agreement. Ms. Roberts, would that be okay with you?

Kristen Roberts, Committee Legal Counsel:

Yes, as long as I could have the written amendment and incorporate it into the mock-up. It will then become the amendment of the Committee.

Chair Parnell:

So, the Committee would have to rely on the information on the page in the document ([Exhibit C](#)) and also the description that Ms. Woodbury just gave you. I would again make the statement that Mrs. Mastroluca, Assemblywoman Buckley, and Ms. Woodbury are all in agreement on the clarifying language to add to A.B. 56. I would like to thank some of our Clark County Education Association (CCEA) and Nevada State Education Association (NSEA) members in the audience who helped create the new language. Are there any comments or questions?

Assemblyman Stewart:

In A.B. 56, is the one-working-day requirement to report after the restraint realistic? I can see where there might be a confrontation and the teacher might take the day off afterwards to recuperate.

Assemblywoman Mastroluca:

That is actually in existing law and has been for the last ten years. It has been done with no problem. The administrator has to make the report within one day, not necessarily the teacher. The districts discussed it again and did not have a problem with it.

Chair Parnell:

Are there any additional questions, comments or concerns? Seeing none, I am willing to accept a motion. This will be as amended including the original amendment proposed by Mrs. Mastroluca, and the new language we heard today presented by Mrs. Mastroluca and Ms. Woodbury.

ASSEMBLYWOMAN WOODBURY MOVED TO AMEND AND DO
PASS ASSEMBLY BILL 56.

ASSEMBLYMAN KIHUEN SECONDED THE MOTION.

Is there any discussion?

Assemblywoman Mastroluca:

I just want to say that, if it would please the Committee, I can make arrangements to have that language delivered to all the Committee members in the next few minutes.

Chair Parnell:

That would be terrific. We will suspend the vote for a few minutes. While we are waiting, I would ask the Committee members to look through the work session document ([Exhibit C](#)).

[Recess.]

Now that we have the amendment that Mrs. Mastroluca and Ms. Woodbury presented in writing ([Exhibit E](#)), would you like to go over it?

Assemblywoman Mastroluca:

This amendment ([Exhibit E](#)) would go in section 2, subsection 4, around line 18 or 19. It would say:

If restraints still occur after the convening of the IEP, the district and parent should explore additional methods to ensure that further restraint is not needed, including but not limited to, mentoring, training, Functional Behavioral Assessment, a behavior plan or other individualized positive behavior supports that include a wide array of strategies.

Chair Parnell:

We will have to put that in wherever it would apply in the *Nevada Revised Statutes* (NRS), which Ms. Roberts can determine. We do have a motion on the floor. Are there any questions on the amendment?

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

Mrs. Mastroluca can have the floor assignment for A.B. 56. We will now move on to Assembly Bill 155.

Assembly Bill 155: Enacts provisions related to multicultural education.
(BDR 34-142)

Carol M. Stonefield, Committee Policy Analyst:

[Read from work session document ([Exhibit F](#)).]

Chair Parnell:

That is not an immediate effective date, correct?

Carol M. Stonefield:

The act itself becomes effective on July 1, 2009. Different provisions have different effective dates. The Commission on Professional Standards shall adopt its regulations by January 1, 2010. Within the body of the bill, section 2, the provisions applying to teachers renewing their licenses, would go into effect for all renewals on or after January 1, 2011.

Chair Parnell:

Are there any questions or comments?

Assemblyman Denis:

The way I understand it is that they would have sufficient time available to put this in place before the first teacher renews, which would be in 2011. Is that correct?

Assemblyman Munford:

Correct.

Chair Parnell:

Are there any further questions?

Assemblyman Munford:

I am very appreciative that this is able to go forward, and I think it will have a strong impact on the education of students.

Assemblyman Bobzien:

I certainly appreciate the intent of the bill and the sponsor's intent in bringing this forward. However, I remain concerned about disturbing the very rigorous, fair, transparent, and open process that we have for the creation and revision of standards. I did meet with some of the proponents of A.B. 155 soon after it was presented, and I spent a long time talking through some of the issues that I have and the reason why I was reserved about the bill. I had hoped that there would be an amendment to clarify that and acknowledge that we do have a state standards process. Perhaps some route could utilize the elements that exist in our social studies standards, including the history standards which have fairly progressive elements of multicultural education. I was hoping for something that would acknowledge the standards recently passed that I fought very hard for on the Standards Council. I am not comfortable voting affirmative on this bill because I believe it crowds into that area of standards which I believe works for the state.

Chair Parnell:

Since we have different effective dates in this, maybe we could request a report to the Legislative Committee on Education. We should have some communication with the Standards Council to make sure we are not duplicating things. Mr. Bobzien, do you have any suggestions for that language?

Assemblyman Bobzien:

I appreciate that, and I appreciate that the bill sponsor believes it is a good way to go. In the past, we had a bill that put us in a similar situation where we

were in conflict with the standards process. The outcome of that was to send a letter from the Assembly Committee on Education to the Standards Council requesting that they look into this. However, I do not think that is enough for this situation. I think a measure that would get dialogue going between the Assembly Committee on Education and the Standards Council about those elements that exist in the standards would be wonderful. I think some form of dialogue is necessary to make sure those elements are actually taking place in the classroom. Are you thinking in terms of a conceptual amendment that would direct the Legislative Commission to work with the Academic Standards Council during the interim to both inventory elements of multicultural education standards as well as investigate their application in schools? Is that what you are suggesting?

Chair Parnell:

I think the Commission on Professional Standards needs to report to the Legislative Committee on Education with regard to what they are doing with multicultural education. We can then go from there; we should not over-define it. First, we should make sure that the Legislative Committee on Education is part of that communication. Mr. Munford, I assume you will be on that Committee again. We can make sure we are not duplicating efforts on anyone's part.

Assemblyman Kihuen:

Just to clarify, this would be a recommendation for the interim committee to start a dialogue to talk about multicultural education?

Chair Parnell:

Not exactly; I am asking to make sure, after this bill leaves this Committee and leaves the Senate, that efforts are not being duplicated. I want to make sure that we have a point of communication to see how we are progressing and to see if things need to be revised at some point during the 2011 Session, based on what is already happening. It would really just be a report to the Legislative Committee on Education, during the next interim, about multicultural education from the Standards Council.

Assemblyman Munford:

Some schools are doing this already. I have visited schools that did have multicultural programs in high school. I have not seen too many at the elementary and middle school level. It is building by building and it is, to some extent, what the administration is doing in that particular school. There has been an effort to go in this direction, which has been in Clark County since I was teaching in the 1980s, but it never really had any strength behind it. It is

an effort to do something in that regard, which is why I brought this bill forward.

Chair Parnell:

It certainly does not water down anything; I just want to make sure the communication is continuing.

Assemblyman Munford:

Do you want some uniformity to it?

Assemblyman Kihuen:

I want to echo as well that I really appreciate the intent of the bill. From my tour of the schools in my district, I do not think enough is being done. I think a good analogy brought up during the testimony was, for example, with math. It is one thing to teach students how to add and quite another to teach them to do calculus or algebra. I think it is the same concept with multicultural education; it is one thing to teach them about the history of Dr. Martin Luther King, and another to go into it in more depth.

Assemblyman Bobzien:

I just want to reiterate that we would be making a very specific request, because the social studies revised standards that were passed in the fall contain very specific, progressive elements of multicultural education. Another thing I believe would be really enlightening for the Legislative Commission during the interim would be to hear from the writing teams that put those standards together. That would give a perspective to the Commission on those elements of the standards, as well as a preliminary report about how those standards would be received in the classroom. I think we are looking for something very specific and conservative, and I think that gets us there.

Assemblywoman Dondero Loop:

I agree; I think this bill has some really wonderful qualities in it, and I think we do need to be more consistent in the school districts. I can tell you from my personal experience that, as a teacher, I was asked and required to teach multicultural education. The school I last taught in, which was a Title I school, actually asked me to put together a quarterly plan on multicultural education for every grade level. That is what our school did. I agree with Mr. Bobzien that it is a great idea to have the social studies standards group get together with the Legislative Committee on Education, because they will know where those new standards are going. They will know where the holes are, and I think that is an excellent element, as well as A.B. 155.

Chair Parnell:

I will accept a motion to do pass and will ask to tighten it by having that communication required.

Assemblyman Stewart:

I am very much in favor of the intent of this bill. I have some concern about the teachers' completing the course. I hope the Commission on Professional Standards will take into account new teachers and other situations.

Chair Parnell:

It would just be for renewal, so it would never be required during that initial licensure period.

Assemblyman Stewart:

I hope we can also make sure we do not require three credits, which would be difficult on the teacher.

Chair Parnell:

Are you okay with everything we have discussed, Mr. Munford?

Assemblyman Munford:

Yes.

Chair Parnell:

So, A.B. 155 will be amend and do pass.

ASSEMBLYMAN MUNFORD MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 155.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will now move on to Assembly Bill 181.

[Assembly Bill 181](#): Revises provisions governing charter schools. (BDR 34-550)

Carol M. Stonefield, Committee Policy Analyst:

[Read from work session document ([Exhibit G](#)) including two amendments ([Exhibit H](#)) and ([Exhibit I](#)).]

Chair Parnell:

Let us see if there is any discussion first on the amendment offered by ACE Charter School ([Exhibit H](#)). For the second amendment, I would like you to go through each of the primary sections of the more lengthy amendment. Do any of the Committee members have any questions regarding the first amendment? I am sure you recall the discussion with ACE Charter School about how many students had to pass the proficiency exam. This is just a cleanup item clarifying that only seniors would be taking this exam. I will have Ms. Stonefield go through each bullet, and then we can discuss each of them.

Carol M. Stonefield:

The second amendment that the Committee is working from follows the amendment offered by ACE Charter School. There are a number of changes included in this amendment ([Exhibit I](#))

Chair Parnell:

I would like to begin by reflecting on Assembly Bill 489 and Senate Bill 385, which both set up the separate Nevada Charter School Institute (NCSI) and set the scenario that leads us into this bill. Assembly Bill 181 directs its attention to what had gone wrong and the problems with the state Department of Education, the State Board of Education, and the Subcommittee on Charter Schools. They established a moratorium on accepting new applications. There was a lot of frustration dealing with the bureaucratic levels within the State Board and the times when there would be a tie vote so no action could be taken. So, A.B. 181 is based on the premise that things will stay as they are, and the State Board may continue to sponsor charter schools. If they sponsor a school, this bill gives them what they need to be a more efficient sponsor. The premise that is important to note in A.B. 181 is that we would still have the State Board sponsoring charter schools.

If A.B. 489 is passed, however, the Subcommittee on Charter Schools and the State Board of Education would no longer have direct involvement with sponsoring charter schools. What they are doing now, that responsibility, would also be transferred to the separate NCSI. One would certainly affect the outcome of the other. Are there any questions just on that? These are pretty big changes in policy. We need to keep the policy in mind, and all of us need to consider the consequences of the passage of one or both of these bills and their effect on policy. So, we have agreed on the ACE Charter School amendment ([Exhibit H](#)), so let us now take, one by one, the amendments offered by Kathleen Conaboy ([Exhibit I](#)).

Carol M. Stonefield:

The first bullet relates to the enrolling in a public school of a child who is currently homeschooled. The provisions are on page 1 of the amendment ([Exhibit I](#)). It provides that the parent of a homeschooled child may cease to homeschool and thereafter take steps prescribed by the *Nevada Administrative Code* (NAC) to enroll the child in any form of public school. To prepare for this session, I spoke with Dr. Rheault and asked him about the process. He said, "The parent of a homeschooled child can withdraw the homeschool application from the district, and then enroll the child in a district or charter school. After count day, the Department compares district enrollments to charter school enrollments to ensure that there are no duplicate enrollments." The receiving school, whether a district or a charter school, must assess the appropriate grade level and course work that would be accepted from the homeschooled student.

Chair Parnell:

One of the reasons I had Ms. Stonefield point this out was because when I started looking at the process of how a public school student becomes a homeschooled student, it is very clear. However, when that homeschooled student decides to re-enter the public school system, it is very unclear. I think it is important for the process not to be in *Nevada Administrative Code*, but in *Nevada Revised Statutes* (NRS), because we are talking about public school dollars. I would like not to support that language in the mock-up, but instead, direct Ms. Roberts to develop a procedure to be included in the revision to NRS that clearly states the process a homeschool parent needs to go through to ensure his child is counted as a public school student. We need to know that is in there and that it is clear for the districts and the parents. My request would be not to accept the first part that references the NAC, but instead develop an NRS policy for converting back to public-school-student status. Are there any questions? Are we all comfortable with an NRS procedure?

Carol M. Stonefield:

The next proposal is simply to repeal the Subcommittee on Charter Schools. This is a Subcommittee of the State Board of Education. The members of the Subcommittee are members of the State Board of Education. In the process of approving an application, the Subcommittee reviews it first and then reports its findings and conclusions to the full Board. The Committee has not received any opposition to this proposal.

Chair Parnell:

It would be my recommendation that we repeal the Subcommittee on Charter Schools.

The next revision concerns NRS 386.520 which states that a committee to form a charter school must consist of two licensed educational personnel and at least two members with expertise in listed subjects. Other members may include parents.

Assemblyman Denis:

My thought on this was that it was important to have a parent involved in that process, and my recommendation would be to put it in section 1 where it says, "A committee to form a charter school must consist of at least two educational personnel licensed by the State of Nevada ... and a parent." The intent was that the parent is not a teacher or administrator or part of the educational process. We wanted an outside perspective, and a parent not associated with the school will provide that. Another issue we had was where it said, "In addition to the members described above the committee may, in any number, consist of...." I do not like that language because you could put a lot of other numbers on there to skew it however you want. I think it would be better to have a prescribed number. I would like "in any number" to be removed.

Chair Parnell:

Mr. Denis's suggestion is to delete "in any number" and to have a parent be a definite part of the committee to form a charter school, with "parent" being defined as a parent not associated with the school process.

Assemblyman Hardy:

Do we want to put a limit on these committees? There is a point when you have a committee that is so big it is no longer functional.

Chair Parnell:

Please refer to the language at page 2 of the amendment ([Exhibit I](#)): "In addition to the members described above, the committee may, in any number, consist of...." I think the concern that some of us have is that you dilute the identified members. There is a point where the importance of those positions becomes very diluted. Do you have a suggestion, Dr. Hardy?

Assemblyman Hardy:

I would say a reasonable number of people on that committee should be from 9 to 12, as a limit. It does not necessarily have to be that many. It is hard to do something with more than 12 people.

Assemblywoman Dondero Loop:

Could you put in there, "not to exceed two of each of the following..."? If you only had one parent who wanted to be a member of that committee, that would

be okay, and yet you could also accept two. That would keep the voting at the right amount; it would not, for example, exceed 12, but it could go down to 9.

Chair Parnell:

That sounds good to me.

Assemblyman Denis:

We could put "not to exceed" in that section, and then it would have everyone that we definitely want in there, and additional ones could be added up to the limit. Using the existing language we could add "not to exceed," and I believe nine is a good number.

Assemblyman Stewart:

I would just be concerned that they may find a big donor who wants to be on the board and there would be no room for him.

Chair Parnell:

We are going to be talking about two groups. Currently, we are talking about the language regarding the group that forms to create a charter school. We are later going to talk about the governing body of the charter school. I would imagine that donor may fit in another category. "In addition to the members described above, the committee may, in any number, consist of: (a) Members of the general public; (b) Representatives of nonprofit organizations and businesses...." I think that wealthy donor could be found in one of those categories.

Assemblyman Denis:

I think that could happen, and we could leave parents down below if we wanted to have more parents. One of those wealthy donors could potentially be a parent or a representative of a business or organization. My recommendation is that we go with nine members because that would give us two educational personnel, a parent, two that have expertise, and four more who would either come from the general public or be representatives of a nonprofit organization or business.

Chair Parnell:

Are there any comments?

Assemblyman Hardy:

I like that idea.

Assemblyman Stewart:

I agree.

Chair Parnell:

Nevada Revised Statutes 386.520 will be amended with Mr. Denis's language.

Carol M. Stonefield:

The next change is also in NRS 386.520 and occurs in language on the bottom of page 3 of the amendment ([Exhibit I](#)). The first change refers to a time frame for reaching results. I believe that the existing language, "the time by which certain... results will be achieved," has been interpreted to mean a specific day or a time certain. This time frame would establish a window as a target for reaching those results.

The term "substantially complete and compliant" is inserted with regard to a review of the application. There are some provisions that require the Department to provide a written notice to the applicant about applications that are ineligible for consideration. Those would be to convert existing public schools, home schools, or other programs of home study into charter schools. There are provisions that if the Department determines an application is not substantially complete and compliant, the Department shall have to respond in writing, providing the basis for that determination, and should then meet and confer with the applicant about how to best remedy the deficiencies. This proposal also deletes the term "teacher" as it would apply to the committee to form a charter school. The provision inserts "licensed educational personnel." If you wish to keep the term "licensed educational personnel," you would not need the term "teacher." These provisions would address some of the concerns that occurred over the interim with regard to applications that were not acted on by the Department and the State Board.

Chair Parnell:

I just want to clarify that the definition of teacher, as it applies to membership on the committee to form a charter school, is repealed, but it does not necessarily repeal the "teacher" language for the governing committee. I just want to make sure there is not a duplicate repeal because I have a comment about the governing board.

Carol M. Stonefield:

I believe that NRS 386.549 has an intersectional reference back to "teacher," as it is defined here. So, if we do take "teacher" out of here and want to keep that language in NRS 386.549, you might have to add it to that section.

Chair Parnell:

I just want to make sure that it does not affect the use of the word "teacher" for the governing board. Are there any questions on this section? This brings us to NRS 386.525.

Carol M. Stonefield:

Nevada Revised Statutes 386.525 reflects the revisions to determine an application is substantially complete and compliant, and repeals references to the Subcommittee on Charter Schools. It then provides that if the State Board of Education denies or fails to act on an application, the denial or failure to act must be based on findings and objective criteria established by the Board. The Department shall then meet and confer with the applicant. I believe that there was an amendment submitted at one point by the Washoe County School District suggesting different language in subsection 5—that the State Board shall consider the application at the next regularly scheduled meeting. That may not be included anymore. There is also a notation that this language was apparently inserted in the original amendment and has been taken out at the request of the proposer of the amendment.

Chair Parnell:

Are there any questions on that section? The next section has a policy question that the Committee members may need to ponder for a bit. *Nevada Revised Statutes* 386.527, subsection 6 is on page 6 ([Exhibit I](#)) and is the process to apply to amend an existing charter school. The proposed amendment would:

1. Strike the language that an expansion does not change the kind of school for which the charter school is authorized to operate.
2. Require that the sponsor shall amend the charter.
3. Repeal existing NRS provisions requiring the submission of a new application to expand and stretch into grade levels other than those approved in the existing charter.

A number of people came to me with concerns about changing the language from "may amend the written charter" to "shall amend the written charter." I would like to have some comments regarding Committee members' feelings about "shall" or "may."

Assemblywoman Dondero Loop:

If we put "shall," then we have more consistency; whereas, if we put "may," we may have some that do not amend the written charter in accordance with the proposed amendment. So, "shall" makes that a consistent piece.

Chair Parnell:

If the charter school, currently in existence, wants to amend what they are doing at that school, then they take that amendment to their sponsor, be it the school district, the State Board of Education, or a new institute. Should that sponsor be required to accept that amendment? That is where either the "may" or the "shall" would be used.

Assemblyman Denis:

Having experience with this language regarding charter schools, if we went with "may" the governing board would have the opportunity to look at something and be able to make a decision. However, the governing board used the change that I made during last session as an excuse to be able to reject something, which was not the intent. The intent was that there would be some merit, but they did not even offer the merit. As far as legislative intent, if we change the language to "may," I want to make sure they are accountable for what they are doing.

Assemblyman Hardy:

If you look at "shall," I think it requires a rationale. It seems to me like it is all or none. One of the advantages with a charter school is the flexibility, so we do not want to remove the flexibility. Yet, we need to have some accountability for somebody who has power to deny what a charter school thinks they need to be able to do in order to get there. I do not know if we need to look at "shall" or "may," as much as "should."

Chair Parnell:

Legally, changing "may" to "shall" removes any discretion on the part of the sponsor. The policy question is: Do we think a sponsor has the right to have discretion over a recommended amendment to the charter school or not?

Assemblyman Denis:

If we put in language stating that the Board shall include a written notice which states the reason for the denial, they would be required to submit it. If they did not submit that, it would be approved. If they deny it, the denial must be accompanied by the written notice.

Assemblyman Hardy:

If the choice was between "shall" or "may," I would choose "may."

Assemblyman Denis:

If we added the language about the written notice we would use the word "may." However, if they did not submit a written notice, it would be deemed approved.

Chair Parnell:

What does everyone think about this idea? I think the Committee has come to a consensus, and I hope Ms. Roberts made note of it.

Carol M. Stonefield:

The proposal concerning NRS 386.535 is that the charter may be revoked if the charter school fails to comply with the material terms of the charter, which I understand must be a significant aspect of the charter rather than something trivial. The other provision is about citations of the regulations pursuant to NRS 386.530. It is my understanding that the maker of the amendment has indicated that this could be deleted. The only change in NRS 386.535 would be to insert the word "material."

Chair Parnell:

I think that is reasonable.

Carol M. Stonefield:

In NRS 386.540, the Department is required to adopt regulations to establish a process for submission of an amendment of an existing charter and the contents of the amendment.

Chair Parnell:

I had no one come to me with concerns regarding that. Do any Committee members have any questions?

Carol M. Stonefield:

In NRS 386.545, if the Department requests information that is in addition to what is required and the charter is required to provide the information, the Department must provide a complete description and the means to pay for that information. We have received information that, in some instances, the charter schools have considered complying with requests from the Department to be an unfunded mandate.

Chair Parnell:

That seems reasonable. We can skip over any areas that no one had any concern with. The issue with NRS 386.549 is very similar to the issue that Mr. Denis brought up earlier. This is where we talk about membership on the governing body of the charter school. This is one where I would like to see the definition of teacher remain on page 9 ([Exhibit I](#)). When the initial charter school legislation went through this Body, there was a real issue about teacher involvement. The Nevada Teachers Association worked very hard to get on board, and it took a long time. There were questions about being a licensed or unlicensed teacher. It is an issue that we have struggled with every session since. Some people wanted to water it down and look for other ways to have that teacher position filled, but we have kept teachers on that governing board. I, for one, am not ready to let go of those teacher positions on that governing board. Out of all the amendments we have been discussing, this is one that is

close to my heart because I know how much it helped the charter school movement get going in this state. If that had not been an original part of the initial legislation, I do not know that it ever would have happened, and we probably would still not have charter schools. To me, it is very important. This language is at the bottom of page 9 ([Exhibit I](#)).

If we look at NRS 386.549, which relates to membership and qualifications of the governing body, the amendment deletes "at least three teachers, as defined in subsection 5, or two teachers ... and one person who previously held a license to teach." I am okay with number 2, but I think we need to undo the deletion of the teachers and add a parent, per Mr. Denis's request. Is there any discussion? Is everyone on board with two teachers—one does not have to be current—and the parent?

Assemblyman Denis:

It would be the same intent to have a parent who is not a teacher or administrator who has a child at the school. In this case, they actually would have a child there as opposed to the previous one where they have not been to school yet.

Kristen Roberts, Committee Counsel:

Are we keeping three teachers and adding a parent or removing one of the teachers and adding a parent?

Chair Parnell:

We want to use at least two teachers, as defined in subsection 5, and the parent.

Kristen Roberts:

So, that is two teachers who are currently licensed and not teachers under subparagraph (2) who previously held a license?

Chair Parnell:

I think it could be one current teacher, and one who is either currently licensed or has been licensed. That way we are including everyone.

Assemblyman Hardy:

I would not make it that the parent cannot be a teacher or vice versa, and they do not need to be mutually exclusive. We are not going to define a teacher as not having children and have a parent not being a teacher. You could end up with three teachers, one of whom would be in the parent role.

Assemblyman Denis:

It could be a teacher at another school who happens to have their kids at the school. With many of the parent representatives at schools, they ask a teacher who is there, so you end up with another teacher but not a parent who has no self-interest. We want a parent who has a child at the school but who is not an employee of the school. However, that parent could be a teacher at another school.

Chair Parnell:

The other amendment we had a counterproposal on was NRS 386.547, the section that talks about receiving information and having access to funding.

Carol M. Stonefield:

The original amendment relating to NRS 386.547 includes a reference to equality in funding with all other public schools, and that was deleted by this amendment. The language about having information about and access to all sources of funding provided to all public schools is in this proposal. The Washoe County School District offered some alternative language to strike access to all sources so it would read: "Develop and oversee a process whereby charter schools, regardless of sponsor, receive information about all sources of funding provided to all public schools."

Chair Parnell:

The choice before you is located two-thirds of the way down page 9 ([Exhibit I](#)). The first is the original amendment that was brought to us, and the counterproposal is from Washoe County School District. One is a little broader than the other. The first one says: "Define a process by which all charter schools, regardless of sponsor, have information about and access to all sources of funding provided to all public schools from the Department, including local funds pursuant to...." Washoe County School District counter-language says, "Develop and oversee a process whereby charter schools, regardless of sponsor, receive information about all sources of funding provided to public schools." It is a big policy difference, and I need to know where the Committee members stand.

Assemblyman Hardy:

If I am trying to give all information, from all sources, from all public schools, recognizing that all schools are not created equal in spite of the Nevada Improvement Plan, because there are different foundations that support them, it seems overbroad. How many schools do they need information about? Is it just about the school they would be attending if they did not attend the charter school? Or if they were in a public school, would it be the public schools they would have the option to attend?

Chair Parnell:

This is talking about funding availability, including tax dollars. Are you more comfortable with the Washoe County School District language?

Assemblyman Hardy:

I would remove "all" preceding "public schools." It seems to me that is an undue burden on somebody to provide all sources of all funding on all public schools.

Assemblyman Bobzien:

In terms of the meaningful elements that the charter schools are looking for, I would hope that information could be made available now.

Assemblywoman Dondero Loop:

The Washoe County School District language is saying the information about all sources of funding provided to all public schools means that all public schools receive certain federal and state funding, and that the charter schools would have access to that. They may not need access to a partner, such as Silver Legacy, which is a partner with one of the elementary schools. Am I reading that properly?

Chair Parnell:

I need the Committee members to tell me whether you would prefer the first amendment, the Washoe County School District language, or neither.

Assemblywoman Mastroluca:

I do not like either.

Assemblyman Bobzien:

I agree. I understand what the intent is, but it could be a difficult thing to write statute around.

Assemblyman Hardy:

If we insert the word "public," before the Washoe County School District language and say "information about all public sources of funding provided to all public schools," it would include all of the federal, state, and other public funding which would eliminate the private donations.

Assemblywoman Mastroluca:

I think it is still a pretty large burden to keep track of and to provide.

Assemblyman Hardy:

I agree.

Chair Parnell:

I think a lot of that information is already made public.

Assemblywoman Mastroluca:

I still do not support either amendment.

Assemblyman Denis:

I just wonder how they currently get that information. Do the public schools have that information already but are just not sharing it?

Chair Parnell:

I will ask the writer of the amendment to come forward and answer why that was a necessary part of the proposed amendment, but first we will cover the last part of the amendment.

Carol M. Stonefield:

The last proposal in this amendment to A.B. 181 is on page 14 ([Exhibit I](#)). As background, all charter schools may be required to pay up to 2 percent of their apportionment in the first year of operation to their sponsor. Those sponsors that are school districts are limited to 1 percent of the total money apportioned to the charter school during any subsequent years of operation; however, the State Board of Education and any college or university is capped at 1.5 percent. This amendment proposes to reduce the State Board, universities, and colleges to 1 percent of the total apportionment from the state. The purpose is to establish uniformity among the charter schools.

Chair Parnell:

When all of these get reconciled, the important thing is that we have uniformity in whatever that number is. However this bill comes out, we need to make known our legislative intent that there needs to be a common fee, regardless of the sponsor. We can either move the number to 1 or 2 percent; the important thing is that we need to have a common number.

Assemblyman Hardy:

In subsection 4, paragraph (b), it states, "For any year after the first year of operation of the charter school." The issue is equal treatment among sponsors to avoid creation of disincentives."

Chair Parnell:

It would go directly to 1 percent. We can leave it at 1 percent, which is proposed as a generic number, knowing that it is something that will be reconciled. I invite Kathleen Conaboy to come forward to give some

explanation regarding the amendment she proposed, and a representative of Washoe County School District to explain the amendment they proposed.

Kathleen A. Conaboy, Reno, Nevada, representing K12, Inc., Herndon, Virginia:
Nevada Revised Statutes 386.547, subsection 3, defines a process where all schools, regardless of their sponsor, get all the information that all the other schools have. The issue here is that sometimes when apportionments from special funds were made, charter schools were somehow left off the list for the distribution. In my discussions with the school district, I recognized that they do not want charter schools to have access to their facilities funding. I spoke to Superintendent Rheault and Mr. Wells about it, and they gave me the language that says, "from the Department, including local funds." This would have to do with access to all sources of funding provided to public schools from the Department, and partially from local money. But NRS 387.1235 is not facilities money, so we are hoping that would address the school district's concerns.

Chair Parnell:

Any time we have remediation and innovation dollars, we have this pot of money which is everything but facilities money.

Kathleen Conaboy:

Exactly, everybody gets notified.

Chair Parnell:

I completely agree with that. Yet I wonder if we need to find a process whereby all charter schools, regardless of sponsor, have information about all sources of funding provided to all public schools from the Department and from local funds pursuant to NRS 387.1235, but delete "and access to." Then a school could apply for that money and go through the same process everyone else went through to access those dollars.

Kathleen Conaboy:

That is the intent—equal information and equal access.

Chair Parnell:

I think we could do that by taking out "and access to" and accepting your amendment, since that puts everybody on an equal footing since you know that money is available.

Kathleen Conaboy:

I want to make sure the understanding is that when those pots of money are set up, the intent would be to automatically include charter schools.

Chair Parnell:

Is that language okay with the Washoe County School District?

Bryn Lapenta, representing Washoe County School District, Reno, Nevada:
Yes.

Chair Parnell:

I think we have settled A.B. 181. We accepted amendment 1, which was proposed by Ace Charter School with regard to the high school proficiency exam. On the second amendment, the first bullet, we will have Ms. Roberts develop a clear procedure in NRS on how to enroll a student back into public school after being homeschooled. In *Nevada Revised Statutes* 386.520, we will add the new language, per Mr. Denis, concerning the committee to form a charter school and that it would not exceed nine members. We clarified that the definition of teacher would not have dual application. The next contention was NRS 386.527 on page 6 ([Exhibit I](#)). The Committee agreement was to not require that the sponsor "shall" amend the charter, but leave the language as "may amend the charter." In NRS 386.549, the recommendation from my request was to have two teachers and one parent—one teacher must have current licensure and the other may either be currently or have been licensed. The definition concerning the parent language was also clarified. Everything else was agreed upon. With that, I will accept an amend and do pass motion on A.B. 181.

ASSEMBLYMAN BOBZIEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 181.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will now move on to Assembly Bill 319 presented by Assemblyman Segerblom.

[Assembly Bill 319](#): Makes various changes relating to school employees.
(BDR 34-50)

Carol M. Stonefield, Committee Policy Analyst:

[Read from work session document ([Exhibit J](#)) and amendment ([Exhibit K](#)).]

Chair Parnell:

These amendments are mainly from the Nevada State Education Association (NSEA) with some additional suggestions I added. I would like to address the

first amendment since I had concerns with using licensed and unlicensed, yet I am now okay with having both. In some school districts, unlicensed employees are part of the teachers association; and we have many school districts where unlicensed employees are not part of that collective bargaining group, so I was not sure how that was going to work. After talking to the NSEA members, I think we are okay with leaving that part. I would ask that we delete the first deletion under the list of amendments. Regarding the other amendments offered, everyone has come very close to agreement. Hopefully, opposition is minor enough that we can find a solution.

Bart Mangino, Legislative Representative, Community and Government Relations, Clark County School District, Las Vegas, Nevada:

I would like to begin by echoing appreciation of the hard effort by both Chair Parnell and the members of NSEA in working together to craft an amendment and language in this bill that everyone could live with. As was mentioned, we are very close to complete agreement.

The only sticking point we have right now is in section 8 of the amendment. Specifically, it creates an unnecessary formality. It states: "A licensed or unlicensed employee who wishes to request a meeting concerning his working conditions or the manner in which he is treated shall, in writing, notify the administrator or representative of the school district...." I am going to speak from the fact that I have been a principal for 20 years; I have always operated with an open door policy and with the attitude of addressing a situation before it gets out of hand. If someone has a concern, the best way of addressing it is immediately. With their input, I have been part of many successful solutions. This amendment would immediately set up an adversarial role; it would actually throw cold water on the opportunity for a teacher to just approach the administrator. In my opinion, that is not in the best interests of collaboration. If we could address possibly deleting that, I think we could be very close.

There is one other thing which I have concern about. Further up on page 3 in the amendment before you ([Exhibit K](#)) it says, "does not include a detailed description of the alleged improper conduct or performance." There has been some discussion on amending that to allow for language that would place the employee on notice of specific concern. The concern is that there is not a definition for "detailed." Our request is that you delete "detailed." We are very close to agreement.

Chair Parnell:

On page 3, line 4, of the mockup ([Exhibit K](#)), your preference would be "does not include specific concerns of the alleged improper conduct." In section 8, would better language be, "A licensed or unlicensed employee who wishes to

request a meeting concerning his working conditions or the manner in which he is treated may, in writing, notify the administrator..."? The administrator would then have to follow the procedure. If the employee chose not to, the administrator would not be required to follow that procedure. I think we need to change it from "shall" to "may."

Bart Mangino:

I think that would definitely work. I would like to be a little more specific about the detailed descriptions by reading some specific language: "If a meeting governed by this section is convened to consider an allegation of improper conduct or performance by an employee, the notice required by subsection 2, must [this is where we would ask you to insert the new language] place the employee on notice of the specific concerns to be discussed."

Craig M. Stevens, Director of Education Policy and Research, Nevada State Education Association, Las Vegas, Nevada:

We are okay with that change and also the insertion of "may."

Chair Parnell:

Ms. Roberts would need specific language submitted by the end of the week.

Assemblyman McArthur:

On section 8, did you get rid of the 48-hour notice?

Craig M. Stevens:

That is still in because our contract in the Clark County School District says two-days notice. It is workable for us.

Assemblyman McArthur:

It is a problem for me because it sounds like we are eliminating your process of the open door policy and the principal talking to someone before it gets out of hand. If we leave it like this, we have a problem.

Craig M. Stevens:

In that particular language, we are looking at something that would potentially lead to disciplinary action. That is prior notice.

Assemblyman McArthur:

So, we have to know ahead of time whether it may lead to disciplinary action.

Chair Parnell:

If you read the mockup ([Exhibit K](#)), a lot of the original language has been deleted. It has been watered down from the original language. It now aligns

with a similar police/firefighter bill of rights which is currently in statute. This puts our major public employees in alignment in the *Nevada Revised Statutes*.

Assemblyman Hardy:

I think the 48-hour notice refers to two school days, not including weekends.

Chair Parnell:

We will make sure that legislative intent is noted.

Assemblyman Hardy:

I am looking at page 1, section 4, line 12 of the mock-up ([Exhibit K](#)). If a teacher talks to a principal in the hall and is drunk, that meeting may result in a disciplinary action against the licensed employee. The best way to cover yourself as a teacher is to have a "meeting" with the principal because then you cannot be disciplined for it. The same kind of language exists in section 7, line 17, which states "any meeting between...." What is the definition of "any meeting"? It could be that brief meeting in the hall so the teacher now has a get-out-of-jail-free card. I have the same concern about "detailed." In line 7 on page 3 it states, "may refuse to answer questions about the alleged conduct...." If one of the alleged conducts is the employee being drunk, the administrator could not do anything about it.

Chair Parnell:

I think that is a whole different issue; it could even be criminal.

Craig M. Stevens:

If an educator approached an administrator and was drunk, I am sure there would be another meeting to discuss that, and then they would have to follow these procedures.

Assemblyman Hardy:

The bottom line is that "any meeting" that leads to another meeting is an "any meeting" that happened first. We just have a different interpretation of "any meeting."

Craig M. Stevens:

The intent would be that "any meeting" would be the subsequent meeting that came after advanced notification that could possibly lead to disciplinary action.

Chair Parnell:

I just want to applaud everyone for coming together, and it appears everyone is in agreement over the two changes we have made today. With that, I would accept a motion.

ASSEMBLYMAN BOBZIEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 319.

ASSEMBLYMAN KIHUEN SECONDED THE MOTION.

Are there any questions?

Assemblyman Stewart:

I was previously very opposed to this bill, but I appreciate all the hard work that has gone into it. However, my philosophy has not changed, and I think these matters are better left up to bargaining between the administration and the employee. I will vote yes, but I reserve the right to change my vote.

Assemblyman Hardy:

I agree with my colleague, but I will vote no and reserve my right to change my vote.

Assemblywoman Woodbury:

I echo both of my colleagues. I will vote yes and reserve my right to change my vote. In the interest of full disclosure, I am employed by the Clark County School District.

Assemblyman Kihuen:

In the interest of full disclosure, my father is a teacher for the Clark County School District.

Assemblyman McArthur:

I will vote yes and reserve my right to change my vote.

Chair Parnell:

We have an amend and do pass motion on A.B. 319 and all comments noted for the record.

THE MOTION PASSED. (ASSEMBLYMAN HARDY VOTED NO.
(ASSEMBLYMEN HARDY, MCARTHUR, STEWART, AND
WOODBURY RESERVED THE RIGHT TO CHANGE THEIR VOTES.)

We will now move forward with Assembly Bill 428 which was presented by Assemblywoman Dondero Loop.

[Assembly Bill 428](#): Revises provisions governing the licensure of certain educational personnel. (BDR 34-985)

Carol M. Stonefield, Committee Policy Analyst:
[Read from work session document ([Exhibit L](#)).]

There was one amendment offered by the Washoe County School District, ([Exhibit M](#)). It would amend section 1 to provide an option to the applicant of participating in courses of pedagogy if the applicant does not submit proof of participation in student teaching or mentoring.

Chair Parnell:

This looks good and certainly strengthens the requirements for those with just a bachelor's degree. There was an amendment offered today, but because of the lateness of the proposal, it has been suggested that it be taken up on the Senate side.

Assemblyman Bobzien:

Are you willing to accept a motion?

Chair Parnell:

Yes, that would be great.

ASSEMBLYMAN BOBZIEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 428.

ASSEMBLYMAN DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

I will now open the hearing on Assembly Bill 489. I would like to reference my earlier comments about A.B. 181 that was presented with the assumption that the State Board of Education would still be a sponsor of charter schools. Assembly Bill 489 is the bill that would replace the State Board of Education by creating a new, independent governing body. With that, I will have Ms. Stonefield explain the bill.

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

Carol M. Stonefield, Committee Policy Analyst:
[Read from Work Session document ([Exhibit N](#)).]

There was one amendment which was offered by a representative of the Washoe County School District, who indicated in her testimony that she represented a number of interested parties ([Exhibit O](#)).

The first suggestion would amend section 35 of Assembly Bill 489 to provide that the Nevada Charter School Institute (NCSI) may not promulgate regulations that impact school districts and to clarify that charter schools sponsored by school districts and the institutions of the Nevada System of Higher Education must abide by the regulations adopted by the State Board of Education and not the NCSI.

The second provision would amend sections 2 and 3 of A.B. 489 to specify that the Institute shall prepare an annual accountability report for all of the charter schools sponsored by the Institute and shall include reports of accountability for the charter schools sponsored by school districts or the Nevada System of Higher Education (NSHE). The school districts and the NSHE shall provide the required information to the NCSI for the schools they sponsor.

The amendment would also make changes to section 33 of the bill to amend *Nevada Revised Statutes* (NRS) to provide that the NCSI shall adopt a transfer process to receive a charter school that requests a change in sponsorship. It would repeal existing law that provides for adoption of objective criteria for conditions under which the request may be granted.

In section 38, the amendment proposes to provide that the amount of money that may be paid by the charter school to a sponsor for administrative fees must not exceed 2 percent per year.

The amendment revises provisions relating to the title of the director of the Institute to change that to superintendent.

In section 29 of A.B. 489 the amendment repeals the restriction on the purpose of the charter school district, which is currently a designation for the sole purpose of providing local-education-agency status to comply with the federal law governing charter schools.

Chair Parnell:

There were some people who came to me with questions about the amendment, so I will begin by referencing opposition I received.

I will start with the first two provisions ([Exhibit O](#)). The first proposal of the amendment provides that the NCSI may not promulgate regulations that impact school districts and concerns an issue about rule-making authority. *Nevada Revised Statutes* 386.560 relates to authorization to contract for services for pupils to participate in a class or activity and to donate surplus property; and NRS 386.582 relates to transfer of credit. Others relate to issuance of diplomas. My concern would be these *Nevada Revised Statutes* do

not provide a grant of rule-making authority to the State Board, so none would be transferred to the NCSI. In other words, it is suggested that one body has that authority but they do not.

Carol M. Stonefield:

You may recall the discussion among the members of the interim committee. The intent of the interim committee was to transfer all rule-making authority, with regard to the charter schools, to the NCSI so that the State Board of Education would retain general authority with regard to education as it applies to any public school in Nevada. The committee had considerable discussion about where the NCSI would fit within the whole structure of the statewide governance. It was the intent at that time to transfer all of the rule-making authority, which now lies with the State Board of Education with regard to charter schools, to the Institute. The proposals that are presented in the amendment in section 35, if adopted by the Committee, would be a different philosophical approach from the interim committee.

Chair Parnell:

Does the policy difference between the Legislative Committee on Education and the Washoe County School District amendment pertain to both the first and second proposals of the amendment?

Carol M. Stonefield:

It would just apply to the first proposal. There are two parts, but it would just apply to clarifying section 54 of A.B. 489 which provides that the Institute will enforce all the regulations adopted by the State Board until it repeals or replaces them. That would provide the transition from the State Board to the NCSI. As I recall, there was not an intention that there would be two bodies making rules concerning charter schools.

Chair Parnell:

I think legislative intent would be not to accept the first proposal of the amendment concerning section 35. Could you now explain sections 2 and 3 of the bill?

Carol M. Stonefield:

Sections 2 and 3 go to existing statutes that require annual reports of accountability. Page 3 of the proposal ([Exhibit O](#)) would be that the NCSI would prepare an annual report for all of the charter schools sponsored by the Institute and would also compile the information on the charter schools that are sponsored by school districts and the Nevada System of Higher Education.

Chair Parnell:

I think everyone is comfortable with that.

Carol M. Stonefield:

The third proposal on page 3 ([Exhibit O](#)) would amend NRS 386.515 which provides for the application and the request for change in sponsorship. As the language is proposed, it would appear the intent is that the NCSI shall adopt a transfer process to receive a charter school that requests a change in sponsorship. In other words, it would appear the intent is that the NCSI must receive any charter school that wishes to transfer to it. I believe the interim committee's intent was that the NCSI would have some discretion to consider the application. Chair Parnell had proposed some alternative language that would read: "an application to transfer a charter school that requests a change in the sponsorship of the charter school, which must not require the applicant to undergo the requirements of an initial application to form a charter school."

Chair Parnell:

If a charter school wants to be sponsored, should that sponsor have some right to deny? It should go both ways with both the charter school and the sponsor. The suggested language would be: "an application to transfer a charter school that requests a change in the sponsorship of the charter school, which must not require the applicant to undergo the requirements of an initial application to form a charter school." This way, they do not have to complete that 560-page application. Is that clear?

Carol M. Stonefield:

You had also suggested that you would like to strike the deletion of lines 9 and 10 on page 3 ([Exhibit O](#)) and keep the existing language. If discretion is granted to the Nevada Charter School Institute, then language stating "objective criteria for the conditions under which such a request may be granted" would probably be necessary.

Chair Parnell:

So, you would keep in "objective criteria for the conditions under which such a request may be granted"?

Carol M. Stonefield:

Yes.

Chair Parnell:

There were no changes proposed to section 38 on pages 3 to 5 ([Exhibit O](#)). In this section we see the 2 percent that we were talking about earlier

in A.B. 181. This will be changed to whatever percent is decided upon, as long as it is consistent. There were no other concerns about that section.

Last week, we had some discussion about the title of director or the title of superintendent. These last couple of sections are most important for us to make some policy decisions over.

Carol M. Stonefield:

Page 6 of the amendment ([Exhibit O](#)) strikes the limitations on the charter school district. Currently, this language was crafted to address compliance with federal law governing charter schools. The amendment proposes to strike that, and I believe the intent is to create a Charter School District that would be comparable to an 18th school district. That leads to the suggestion that the director title is changed to superintendent for the NCSI to reflect the standing as superintendent of a school district. At the time, the Legislative Committee on Education did not entertain this notion of creating an 18th school district that was comparable to the 17 existing districts which are political subdivisions of the state. The ramifications of creating an 18th school district are unknown at this time.

Chair Parnell:

I think, with all the enthusiasm we had last week with A.B. 489 and S.B. 385, we got bigger than our britches, particularly regarding an 18th school district. It was not the intent of the Legislative Committee on Education. If that had been the intent, "superintendent" might have been the appropriate name for the head of this Institute. I think we could give it two years, call this person a director, not have it be a school district, and see how we are doing in 2011. It would be my recommendation to leave the title of director and leave out any language that would suggest that this is creating an 18th school district.

Assemblyman Bobzien:

I agree.

Kristin Roberts, Committee Counsel:

What about the administrative fee?

Chair Parnell:

I would leave it at 2 percent, dependent upon which conglomeration of charter school bills pass. We will have to make sure they are all in alliance and that there is parity among all the sponsors. I will accept a motion.

ASSEMBLYMAN BOBZIEN MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 489.

ASSEMBLYMAN MUNFORD SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Floor statement assignments are: A.B. 56, Mrs. Mastroluca; A.B. 155, Mr. Munford; A.B. 181, Mrs. Smith; A.B. 319, Mr. Segerblom; A.B. 428, Mrs. Dondero Loop; and I will take A.B. 489.

Is there any additional business to come before the Committee? Does anyone wish to make a public comment? [There was no response.]

[Meeting adjourned at 6:28 p.m.]

RESPECTFULLY SUBMITTED:

Scarlett Smith
Committee Secretary

APPROVED BY:

Assemblywoman Bonnie Parnell, Chair

DATE: _____

<u>EXHIBITS</u>			
Committee Name: <u>Committee on Education</u>			
Date: <u>April 8, 2009</u>		Time of Meeting: <u>4:08 p.m.</u>	
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance roster
A.B. 56	C	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 56	D	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 56</u>
A.B. 56	E	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 56</u>
A.B. 155	F	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 181	G	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 181	H	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 181</u>
A.B. 181	I	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 181</u>
A.B. 319	J	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 319	K	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 319</u>
A.B. 428	L	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 428	M	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 428</u>
A.B. 489	N	Carol Stonefield, Committee Policy Analyst	Work Session Document
A.B. 489	O	Carol Stonefield, Committee Policy Analyst	Amendment to <u>A.B. 489</u>