

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

**Seventy-Sixth Session
March 23, 2011**

The Joint Assembly Committee on Education and the Senate Committee on Education was called to order by Chair David P. Bobzien at 3:38 p.m. on Wednesday, March 23, 2011, in Room 1214 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412 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/76th2011/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).

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Assemblyman David P. Bobzien, Chair
Assemblywoman Marilyn Dondero Loop, Vice Chair
Assemblyman Paul Aizley
Assemblyman Elliot T. Anderson
Assemblywoman Olivia Diaz
Assemblywoman Lucy Flores
Assemblyman Ira Hansen
Assemblyman Randy Kirner
Assemblywoman April Mastroluca
Assemblyman Richard McArthur
Assemblyman Harvey J. Munford
Assemblywoman Dina Neal
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

SENATE COMMITTEE MEMBERS PRESENT:

Senator Moises (Mo) Denis, Chair
Senator Ruben J. Kihuen, Vice Chair

Senator Greg Brower
Senator Barbara K. Cegavske
Senator Don Gustavson
Senator Sheila Leslie
Senator Valerie Wiener

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Mindy Martini, Committee Policy Analyst
Pepper Strum, Senate Committee Policy Analyst
Kristin Roberts, Committee Counsel
Taylor Anderson, Committee Manager
Denise Geissinger, Senate Committee Manager
Janel Davis, Committee Secretary
Sandy Small, Senate Committee Secretary
Sherwood Howard, Committee Assistant

OTHERS PRESENT:

Paula Berkley, representing Food Bank of Northern Nevada
P. Donnell Barton, Director, Office of Child Nutrition and School Health,
Department of Education
Cherie Jamason, President and CEO, Food Bank of Northern Nevada,
McCarran, Nevada
Charles E. Anderson, Director, Food Service Department, Operations
Support Unit, Clark County School District
Virginia Beck, Registered Dietician, Food Service Department, Clark
County School District
Monica Lounsbery, Ph.D., Chair, Department of Sports Education
Leadership, University of Nevada, Las Vegas
John Hawk, Ed.D., Executive Director, Nevada State High School,
Henderson, Nevada
Leigh Berdrow, Director, Academy for Career Education, Reno, Nevada

John R. Bailey, Chair, Governing Board, Andre Agassi College Preparatory Academy, Las Vegas, Nevada

Michael D. Piscal, Executive Director, Andre Agassi College Preparatory Academy, Las Vegas, Nevada

Yilmaz Ak, Executive Director, Coral Academy of Science, Reno, Nevada

Mike Kazek, Head of School, Nevada Virtual Academy, Las Vegas, Nevada

Patti Mudd, Private Citizen, Reno, Nevada

Chair Bobzien:

Welcome to the fifth joint meeting Chair Denis and I have arranged to help us understand the context of the many bills coming before our two Committees. With deadlines coming up, this will be the last joint meeting for a while. Chair Denis, do you have any opening remarks?

Senator Denis:

In relationship to this presentation we are going to have on school nutrition, we realize the importance of school nutrition and how it is linked to achievement. We are here to talk about kids. Proper school nutrition is an important part of student success and the topic has become a significant issue in education policy deliberations. The National Centers for Disease Control reports that 60 percent of youth eat too much fat and less than 20 percent of youth eat the recommended servings of fruit and vegetables. Therefore, Nevada, and many states, have begun developing nutrition standards to ensure that students are eating right and developing habits that will foster healthy living in the future.

Chair Bobzien:

[Roll was called. Rules and protocol were stated.] Our first presentation concerns school nutrition. As you know, the breakfast and lunch programs offered through our schools do more than simply provide a meal to satisfy a child's hunger during the day. The meals help to meet a child's daily nutrition requirements and maximize the child's potential for learning.

During the 2009-2010 Interim, the Legislative Committee on Health Care, chaired by Senator Wiener, reviewed issues related to nutrition and its effects on learning. Recently, the Assembly Committee on Health and Human Services heard information on how Nevada ranks on participation rates in breakfast and lunch programs. I believe Chair Denis had a statement concerning nutrition.

Senator Denis:

The Senate Committee on Education has some nutrition bills to hear on Friday so this presentation ties in with what we are doing today.

Chair Bobzien:

I would like to call up Paula Berkley representing the Food Bank of Northern Nevada and Donnell Barton from the Department of Education.

Paula Berkley, representing Food Bank of Northern Nevada:

During the 75th Legislative Session, this legislative body sent a letter of intent requesting information about nutrition. Donnell Barton has that information and Cherie Jamason, the President and CEO of the Food Bank of Northern Nevada, will summarize those findings.

The letter of intent asked for four policy changes to all Nevada school districts. Incidentally, the letter of intent went to all superintendents, as well as, the Nevada Department of Education (NDE). The first policy change was to increase school breakfast after the bell. The second was to consider having the superintendents, rather than the principals, decide whether school breakfast was appropriate in a school because not many schools, nationally, or in the state of Nevada, had implemented school breakfast in the classroom and it was a principal decision at that point. The letter of intent also stated that rural schools should have more latitude because when trying to feed kids, there is an economy of scale issue. We did not want to ask rural schools to do the impossible; we want to do what is practical.

The third recommendation for a policy change was to implement a provision wherever possible and practical. The fourth was to start partnering with community organizations in order to provide food for children during the summer. This is becoming more and more important because Clark County School District (CCSD) and other schools will be eliminating year-round education, and there will be thousands of children without access to lunch or breakfast now that school will not be meeting in the summer.

Finally, the letter of intent asked for a performance measure. We wanted some data from which to compare successes and failures, and track the progress. Before, every time we would talk about implementing school breakfast and lunch, we would get a snapshot of what was going on that day or programs offered that day, but it never gave us a chance to ask, "Are we getting better?" So, we asked for a performance measure that would rate, by school: the eligible kids for free and reduced lunch; how many were kids eating it; and enrollment to see the proportion of a particular school; the dollars brought from the federal government to Nevada to feed these kids; and the dollars left in Washington D.C. These are the performance measures that Donnell Barton is going to address. She is the collector of data.

**P. Donnell Barton, Director, Office of Child Nutrition and School Health,
Department of Education:**

The Office of Child Nutrition and School Health have prepared two reports, located on the NDE website on the child nutrition pages. [Read from prepared testimony ([Exhibit C](#)).]

I have two documents prepared for this joint Committee: Presentation to the Legislature ([Exhibit D](#)) and School Meals Fiscal Impact Report ([Exhibit E](#)). I would like to start with the Presentation to the Legislature packet ([Exhibit D](#)). Page 2 gives you an overview of the meals for the federal fiscal year (FFY) 2008, FFY 2009, and FFY 2010. Meals served from FFY 2009 to FFY 2010 increased by 10,537,496. We increased in all programs except for Child and Adult Care Food Program and Summer Food Services Program. [Continued to read from [Exhibit C](#), which described [Exhibit D](#).]

Nevada is ranked last in the nation for participation in the school breakfast program with an average of 13.11 percent. The percentage is based on the state's enrollment and the number of breakfasts served during the 2009 and 2010 school years. [Continued to read from [Exhibit C](#), which described [Exhibit D](#).]

The Healthy, Hunger-Free Kids Act of 2010 requires state agencies to ensure that school food authorities promote the availability of breakfast and the availability and location of Summer Food Service Program (SFSP) sites. This is a new requirement under the law, so we will be working with the school food authorities to make sure they are working with the SFSP sponsors to inform families of the availability and location of the SFSP sites. [Continued to read from [Exhibit C](#).]

There are two ways that a district can participate with the SFSP; it can stay with its national school lunch agreement and count those meals with breakfast, lunch, and snacks; or, they can apply to the SFSP as a sponsor and count those meals. Most of the time, those sponsors will do what we call "area eligible." For example, if an elementary school has 50 percent or more free and reduced breakfast and lunch children, that area is eligible for any student 18 years or younger to receive a free meal. They do not take applications and as long as the child looks 18 years or younger, they will get a free meal. All they are doing is counting children. They are not able to compare the eligible children to the children who are walking in the door and receiving a meal because they did not have to take applications to determine that eligibility. [Continued to read from [Exhibit C](#), which described [Exhibit D](#).]

I would like to briefly talk about the School Meals Fiscal Impact Report ([Exhibit E](#)). This report provides the potential funding the districts could have received for breakfast and lunch programs. There is a summary sheet for all breakfast programs in all the school districts in the report. We will use Clark County School District as an example on page 6. [Continued to read from [Exhibit C](#), which described [Exhibit E](#).]

Senator Cegavske:

Could you give us a copy of the criteria involved, or tell us how somebody qualifies? I was also curious if the criteria for qualification has been updated over the years. I think both Committees received a bill for Trans fatty acids to make sure trans fat is eliminated from these meals. The question that nobody can answer is why the federal government does not have it given to the schools with zero grams of trans fat in it. Moreover, Trans fat is exempt from the bill that will be presented to us. I am wondering if this is accurate or not?

Donnell Barton:

The Healthy, Hunger Free Act, requires that there be no Trans fats in the national school breakfast and lunch programs. We do not have an issue with Senate Bill 230.

Senator Cegavske:

Thank you. I did not know the answer to that and figured you did.

Donnell Barton:

To briefly answer your other question about how kids become eligible for the free and reduced program, one way is with direct certification. If their family is on the Supplemental Nutrition Assistance Program (SNAP), formally known as welfare, we do a direct certification. They send us an electronic file that goes to the school districts. Once matched, those kids will get a letter automatically certifying them as free and reduced. Under the McKinney-Vento Homeless Assistance Act of 1987, if a child is homeless, migrant, or a runaway, he is automatically certified as free. We also have an application that the family fills out. It is based on the number of members in the family and their income. Depending on where they are on that chart, they will either become free or reduced. It is based on 130 percent poverty.

Senator Cegavske:

How long have those requirements been in existence with no changes?

Donnell Barton:

I have been in the program for eight years, and it has been that way ever since I have been there.

Senator Cegavske:

So, the exemption should be taken out with the bill you are presenting because they were already doing it.

Assemblyman Hansen:

It almost sounds like it is bad that people are not participating in this government breakfast program. Are you suggesting that students are not eating any breakfast and that is why it is bad? My thinking is that I want kids to stay at home with their family, have breakfast with their parents, then come to school. The Office of Child Nutrition and School Health is acting like we are going to be losing federal funds because all these kids are not participating; however, they are still eating breakfast, but at home, I assume.

Donnell Barton:

In some cases, kids are eating breakfast at home with their parents, and in other cases, they are not. It would depend on each child. We heard that some families prefer to eat breakfast at home, even though they qualify to be on the program. In many instances, kids do not make it to school in time to eat breakfast; sometimes the buses are late, sometimes parents do not get their children to school on time, and then they do not have access to the program.

Last fall, I was over at Bordewich Bray Elementary School with a United States Department of Agriculture (USDA) team monitoring the school, not an official review. There was a young boy sitting in front of me and the bell rang. He had not had his breakfast in front of him for too long, and he quickly stuffed his entire breakfast into his mouth. I thought he could maybe take his milk or a piece of toast with him, but it was against the rules to take food out of the classroom.

The program's effectiveness is on an individual basis. I do not mean to suggest that every child should come to school and eat breakfast. If their parent wants to feed them at home that is a great thing, but for those kids who do not have access to breakfast at home, programs are available to them.

Assemblyman Hansen:

The irony is that we are addressing obesity in school, which certainly does not indicate a malnutrition problem.

Donnell Barton:

That is true; however, keep in mind that we only provide breakfast and lunch. Kids are eating snacks throughout the day, and oftentimes, kids at the high school level are not consuming the National School Lunch Program. They are going to the school store and consuming things that might not be quite as healthy for them.

Assemblyman Hansen:

I have to say there is another kind of irony in this.

Chair Bobzien:

Mr. Hansen, did you have a follow-up question?

Assemblyman Hansen:

I have a statement if that is okay. In this legislative chamber, it is ironic that we are talking about improving nutrition and making kids eat healthy because one of the things we, as freshman legislators discover, is that candy jars are everywhere, snacks are abundant, yet, we are sitting here telling all the kids to eat carrots and apples.

Chair Bobzien:

I would like to ask Ms. Jamason to possibly weigh in on this. She knows more about the needs of our kids when it comes to hunger and nutrition, particularly in the Truckee Meadows.

Cherie Jamason, President and CEO, Food Bank of Northern Nevada, McCarran, Nevada:

I address some of that in my prepared comments if you want to wait.

Chair Bobzien:

That is fine. I think there is one more question for the NDE.

Assemblywoman Mastroluca:

Ms. Barton, can you talk about the improvements in participation that we have seen in different schools and what you attribute those improvements to?

Donnell Barton:

There have been improvements with increased participation when we have breakfast in the classroom or breakfast after the bell because more kids have access to those meals. We also see increases in participation with Provision 2 schools where all of the kids eat for free. With those programs, what happens is, schools will take applications for one year and during that year, it sets the

percentage of free and reduced; we use that to calculate the claiming based on the participation. We see those schools as having a higher participation than a school that is not on Provision 2.

Assemblywoman Mastroluca:

Do we have any data that shows the effect on student performance when the school has a higher participation in the breakfast or lunch program?

Donnell Barton:

Not specifically. There have been many research reports that show kids who have good nutrition perform better in school. When you look at the chart (page 10 in [Exhibit D](#)) on adequate yearly progress (AYP), in most instances, the schools in need of improvement show a low participation in the free and reduced program. There is an anomaly in Washoe County with six schools that are Provision 2 schools that are in Year 6 or 7 of AYP improvement, but have a 96 percent participation rate. I went and talked with people that are in the NDE's Assessment, Program Accountability and Curriculum Organization and asked if they could help me. They said that it was correlational poverty factors that influenced why those kids were not improving in those schools. I would have to ask them to talk to you about those factors.

Senator Wiener:

Are the breakfast after the bell in the classroom and the grab-and-go programs going well?

Donnell Barton:

There are a few schools that do the grab-and-go program. In Clark County, there were a couple pilot programs this year. I went to one of the meetings where they discussed this. The grab-and-go was working great at the middle school, but as soon as the weather turned cold, the kids stopped participating. At the middle school, they like to have their meal outside and socialize. There is a stigma for kids to go inside and eat in the cafeteria because it sometimes identifies them as free and reduced. Oftentimes, they do not want to go inside to get the free meal because it overtly identifies them.

Senator Wiener:

Prior to this 76th Legislative Session, I had a briefing on the pilot programs being done in Clark County in creating the food court environment for some of the older kids where it is a cultural "no-no" to eat at school. In the cafeteria environment, they are trying to make it a "cool" café-like atmosphere at a mall to create a cultural shift to inspire the kids to eat in those environments and not

starve. Where is the State of Nevada with the USDA Fresh Fruit and Vegetable Program? Can you explain that federal program to me?

Donnell Barton:

The Fresh Fruit and Vegetable Program (FFVP) is a program formed by the USDA. It is about three years old. The program is only for elementary schools or schools that have 50 percent or greater free and reduced kids. This year, we are funding \$54.10 per child. The whole purpose of the program is to expose the students to fresh fruits and vegetables. Oftentimes, these kids have never seen or eaten an orange. With the program, they can eat as much as they want. Classroom teachers have the ability to partake in the program to model for the kids. They cannot cook any of the food, unless, it is something that would normally be served cooked. There cannot be any frozen, dry, or canned fruit. Everything has to be fresh. The kids cannot put sauces on any of the fruits. With the vegetables, they can use a low-fat or yogurt dip. The whole purpose is to expose kids to a wide variety of fruits and vegetables at an early age and help them develop a taste for those vegetables.

Senator Wiener:

What is the level of participation? I believe we are at the maximum for our state. Is that correct?

Donnell Barton:

Yes, we are at a maximum. We just received our award for next year and we are getting \$2.2 million. Last year, we got \$1.5 million, so we are increasing. For this current school year, there are 2 schools in Carson County, 1 school in Churchill County, 18 schools in Clark County, 2 in Lincoln County, two in Lyon County, 8 in Nye County, 2 in Pershing County, 1 in Storey County, and 21 in Washoe County using the FFVP. There are going to be about 158 schools that are eligible listed on our website.

Chair Bobzien:

We have a number of questions still coming. Mrs. Mastroluca, did you want to follow up on that?

Assemblywoman Mastroluca:

I wanted to acknowledge the hard work Senator Wiener has done specifically on the FFVP issue. I know that she has been passionate and a great champion in strongly encouraging the federal delegation to ensure that Nevada gets additional funds for FFVP.

Assemblyman Munford:

I was looking at the list ([Exhibit D](#)) and I did not see any schools in my district, except for West Prep Elementary School. I represent District 6, which is all the west Las Vegas area. Does that mean all those schools are participating?

Donnell Barton:

My guess would be that West Prep Elementary is not a school in need of improvement, and therefore, it is not on this list.

Assemblyman Munford:

What about the other elementary schools that are in my district? For example, Matt Kelly Elementary School, Kit Carson Empowerment Elementary School, et cetera.

Donnell Barton:

Again, if they were not on this list, they are not schools in need of improvement at this time. They are either high achieving or adequate, but they are not in need of improvement.

Assemblyman Munford:

That is encouraging to hear.

Assemblywoman Neal:

I know during the fall season and part of the summer, the FFVP had offered a federal grant to put gardens in schools. Did the Office of Child Nutrition and School Health apply for that?

Donnell Barton:

We did not apply for that program because it was not one that came through our Office. It may have come through for cooperative extension. Sometimes, there are USDA grants that only certain agencies can apply for, and that was not one that we had the opportunity to apply for.

Chair Bobzien:

Are there any further questions? [There were none.]

Cherie Jamason:

I have been president of the Food Bank of Northern Nevada for 23 years. I can confidently state that never during that time has our state had so many children and families who are living today without enough to eat. Federal research tells us that about 16 percent of Nevadans are food insecure, which means they cannot put food on the table for every meal; that is about 410,390 people in

our state. This is a crisis due to our unemployment rate. It is important to understand that 1 in 5 children in Nevada live in a household that cannot put food on the table for every meal. [Continued to read from [Exhibit F.](#)]

These programs are not about making life difficult for any of the school districts or school nutrition programs; it is about making food available to children to make them stay healthy and learn from nutrition programs that have been designed to be a part of their educational day. We need accurate information and we need effort and intention to make sure these kids—who have no means of protecting themselves from their family circumstances—to get what is available, which should be a decent, nutritious meal at school if they choose to eat one.

Nobody is going to stand up here and say, “I vote that children be hungry.” If we do not act, it is almost the same thing.

I recently returned from Washington where I spoke to our federal delegation about seven programs that are going to be slated for reduction or elimination that currently provide some safety net services for families in need. Those include: the Emergency Food and Shelter National Board Program, the Elderly Nutrition Program, the Head Start Program, the Low Income Home Energy Assistance Program, and three others that used to provide infrastructure to help support the distribution of federal nutrition programs and charitable food distribution programs throughout the United States and in Nevada.

The safety net is wearing very thin. We need action in Nevada to ensure that every federal nutrition program that serves children is delivered in a manner that is accessible to and used by all the children who need those meals. I am asking you to keep this in mind as these bills come forward. I am going to email the Committee a link with a connection to the nationally referenced data I am discussing and a short clip from Child Protective Services on hunger in America that speaks to the school breakfast problem and talks to children who receive it.

Chair Bobzien:

Are there any questions from the Committee?

Assemblyman Hansen:

The only problem that I have is that we started off talking about an obesity problem; I have not seen anything about a malnutrition problem in Nevada. I just pulled up the United States Department of Health and Human Services website, and it indicates that 11 percent of all students in Nevada are obese. Your presentation seems to suggest that 1 in 5 families are suffering from a lack

of food. I am not making the connection. We have obesity and an absence of food.

Cherie Jamason:

You can actually say hunger and obesity in the same sentence. Generally speaking, when people do not have enough food or money to purchase an adequate supply of food, they try to get the best “bang for their buck” in order to get calories to feel full and not suffer the pangs of hunger. Research has demonstrated that the high calorie, high fat, and high starch diet of most people who do not have much money to buy food, contributes to obesity. Particularly with children in unsafe places, it is not about how much people are eating, but how much activity they are not getting. I am happy to provide this research to the Committee if there is an interest.

Chair Bobzien:

I think that is an important point to make. The two are not mutually exclusive.

Assemblyman Anderson:

I have two parents who are teachers. My mother teaches in intercity Milwaukee and she tells me these kids are walking into the classroom at breakfast time eating big bags of chips. They stop at the gas station before school. That is not nutrition; this is nutrition. [Picked up an orange and showed to Committee.] When kids come from a poor household, they are going to buy a 99-cent bag of chips for breakfast instead of a couple oranges that may cost a little more.

Assemblywoman Dondero Loop:

When parents and students come to get their breakfast or lunch, are they only allowed one meal even if they have two or more children?

Cherie Jamason:

Is that in school?

Assemblywoman Dondero Loop:

Yes.

Donnell Barton:

They would get one free meal and if they chose to buy another meal, they could. We have parents who say they fed their children at home, and then went to school and the student ate breakfast.

Assemblywoman Dondero Loop:

As a teacher, one of the things I witnessed is you can have obesity and hunger, and those can also be two different subjects. Eating the wrong thing provides the wrong fat calories. There are also parents, through no fault of their own, who may not be home in the morning due to work when their children leave; that leaves the children to fend for themselves and that is not age indicative. It could be age 6 to 16.

Chair Bobzien:

Are there any other questions? [There were none.]

Charles E. Anderson, Director, Food Service Department, Operations Support Unit, Clark County School District:

Ms. Virginia Beck, our dietician for Clark County School District, will be making the presentation today.

Virginia Beck, Registered Dietician, Food Service Department, Clark County School District:

I have provided a PowerPoint presentation ([Exhibit G](#)). Our program serves breakfast in all our schools. We offer three entrees along with fresh fruit, yogurt, cheese, juice, and milk. Contrary to some of the other districts, our enrollment did not increase this year; however, we showed an increase in our breakfast participation. Comparing January 2011 to January of last year, we went up 16.5 percent. For all of Clark County schools, we went up 17.25 percent in lunch. We are encouraged; we are feeding more students in our schools, and those numbers justify our encouragement at our increases.

When I took this job a little over two years ago, it was one of my goals to eliminate Trans fat from our meals. Our meals contain no Trans fat, so Senate Bill 230 will not affect us. Our lunches provide about 26 percent calories from fat and 7 percent from saturated fat. We are well under what the maximum is allowed under the National School Lunch Program. Our lunches provide a third of our calories for students, and vitamins and minerals, required under the *Dietary Guidelines for Healthy Americans, 2010*.

We have after-school snacks available in 90 of our at-risk schools. Those schools also have programs for tutoring, physical activity, dance, chorus, among other programs. Summer feeding sites are a great concern in our District simply because it has been noted that we have eliminated our year-round schools. Beginning two months ago, the Food Service Department began coordinating with our instruction unit with Title I schools, Extended School Year (ESY) programs, and transportation and facilities so we could cover as many children

as possible this summer who will not be able to participate in school meals. We have also coordinated with the Three Square Food Bank Program, and it is a great benefit for the summer. Three Square is going to pick up where we leave off. We have 133 sites scheduled for the entire month of June and an additional 25 sites for the month of July for our ESY and Title I programs. As Donnell Barton indicated, neighborhood children are welcome at these programs and sites. Students and children age 2 to 18 will also be fed free of charge. We are trying to coordinate with our community to provide for as many students as possible during those summer months. We have eight Provision 2 schools where all the students eat free breakfast and lunch.

Senator Wiener is a great cheerleader for the FFVP. This year, we have 18 schools using the program, and we received \$50 per student each school year for these programs. It is currently serving students fresh fruit and vegetables anywhere from three to four days per week. Interestingly enough, the new application for next year came out this Friday. I emailed it to all of my sponsors, and out of those 18 sponsors, I have already received back two. I have had questions and requests by two new schools to receive those applications as well. I believe we are going to have more schools that will want to participate next year because of the interest we have already seen.

Our total grant award for FY 2010 and FY 2011 was \$615,503. Our schools are on target to use all of that by June 30, 2011. We help participate with the "BackPack for Kids" program that Three Square puts together. We deliver backpacks to 85 schools on a regular basis every week, and that is an increase of 20 schools from the 2010-2011 school year. One thing we are doing in Clark County that we are extremely proud of is providing special diet meals. Our central kitchen prepares 30 different special diet menus for our students with allergies and food intolerances such as gluten-free, soy-free, or egg-free. We also do modified diets such as a pureed diet, a mechanical soft diet, or a chopped diet. Currently, we are feeding 230 special diet students every day. Those are meals that parents do not have to provide for their children, because they can be very expensive. A low-protein diet that we offer for three of our students, can run up to \$10 for each lunch per day. This is something that we provide for our students at no extra charge.

In January of 2010, we implemented the pilot program to allow students who qualify for reduced price meals to receive them for free. We continued that this year and it has been a great success. We found that even 30 cents for breakfast and 40 cents for lunch could be a hardship for families who are living on the edge. There is no way for anyone to know which students are eating for free because that is all very secret information in our computers. It is not even

given to the school principal. One thing we did differently this year was an online application. This was a tremendous success. The online applications can be processed much more quickly than the paper applications, but paper is still available for those without computer or internet access. An online application can be received one day, and the student can be eating for free the next.

We have our grab-and-go programs that we did in conjunction with Three Square at five of our middle schools; they were all well received. One finding was that the grab-and-go carts were not as popular when the weather turned cold. We decided to bring the carts inside to the multipurpose room and the participation did not go down; the kids started coming inside to access those carts and then there was the option of a hot breakfast. Once the weather turns warm again, the carts will be back outside in the courtyards and in the hallways.

In the upcoming 2011-2012 school year, we will be piloting a universal breakfast, free for all students, not just free and reduced. The maximum effort will be to select as many schools as fiscally responsible. We are going to select 38 high-risk schools to pilot the program. The start date will be September 11, 2011. There will be a grab-and-go breakfast for students to grab at the cafeteria window and take with them to the classroom after the bell rings. This will impact 26,000 students. The breakfast will provide fresh fruit, milk, juice, tortillas and cheese, oatmeal banana bars, cereal, yogurt, and other items the students will enjoy.

Mr. Hansen was very intuitive when he said many of the students are eating at home.

Chair Bobzien:

Ms. Beck, this is a reminder that this is public comment. The program that you were just referring to, is that also for Title I schools, or just the Provision 2 schools?

Virginia Beck:

Eight of the Provision 2 schools will be participating, but we will also have 30 Title I schools participating.

Chair Bobzien:

Please continue with public comment.

Virginia Beck:

We completed a study at the University of Nevada, Las Vegas (UNLV) a couple of months ago that revealed 75 percent of both parents and students eat breakfast at home. This is for a variety of reasons; many of them stated food preferences or a family sense of responsibility, cultural food patterns, or dislike of breakfast foods, as well as, an inability to be at school before the bell.

I would like to thank Senator Wiener for mentioning our food court themes. We have had so much fun putting those into our secondary schools. Our menus include two combo meals and six varieties of the grab-and-go meals to promote efficient service to the students. We find that the students appreciate the colorful rooms.

My last comments are regarding what we have done in our central kitchen. We have put in new equipment so we can provide more nutritious food at a better economic price. This enables us to provide more food for the students. [Continued to read from [Exhibit G](#).]

Monica Lounsbery, Ph.D., Chair, Department of Sports Education Leadership, University of Nevada, Las Vegas:

I have studied physical activity in a variety of settings including schools, using a myriad of objective measures for more than 15 years. I am here today because I wish to provide public commentary relative to the physical education portion of the report *Running With a Spork*, from the Office of Child Nutrition and School Health. [Continued to read prepared testimony ([Exhibit H](#)).]

Chair Bobzien:

Thank you for your participation. We certainly have more bills coming to this Committee's attention where we could use those sorts of perspectives. We have a few presentations today from charter schools. Charter schools are independent public schools responsible for their own governance and operation. The first charter school legislation in Nevada was enacted in 1997. Since that time, Nevada charter school law has been substantially amended.

For the 76th Legislative Session review, the bill draft request list will show that we will have as many as four pieces of legislation to consider for charter schools. For the current school year, we have 27 charter schools across Nevada. Enrollment in charter schools has substantially increased over the years. In the 1999-2000 school year, 843 students were enrolled in charter schools. For the current school year, nearly 13,000 students are enrolled in charter schools. Today we have representatives of four charter schools to tell

us about the schools and how their programs have impacted students to stay in school and achieve academically.

John Hawk, Ed.D., Executive Director, Nevada State High School, Henderson, Nevada:

I would like to give you an overview of the Charter School Association of Nevada, as well as an historical perspective on educational reform—which charter schools are in the middle of—and wrap it up with policy perspectives. The Charter School Association of Nevada was created about four years ago. A couple years ago, a grant was written to the National Association of Charter School Authorizers. This grant helped support the charter schools and the Charter School Association of Nevada, which helps, supports, guides, and assists charter schools. Our president, Michele Robinson, who is not here today, was part of the State of Nevada Education Reform Blue Ribbon Task Force this summer, which some of this Committee sat on. Currently, we have about 80 percent of the schools that are charter schools in the state. We hope to increase that during a membership drive, which will be partnered with a summit that we will have during charter school week.

First, what is a charter school? I think the Chair did a great job outlining it for you, but consider some of these things. [Read from [Exhibit I.](#)]

[Chair Bobzien stepped out of the room. Chair Denis assumed the meeting.]

Chair Denis:

Are there any questions?

Assemblyman Aizley:

What kind of freedom or innovation are the teachers allowed to do at the charter schools?

John Hawk:

There are several things that charter schools have freedom to do. For example, Nevada State High School has been allowed the freedom to have a comparable school day to the normal school day. Our teachers work a four-hour day; the rest of the time is for planning and implementation and getting prepared for the next day. We also run a block schedule, which is at other schools as well. I would encourage you to hold onto that question as some of the other charter schools present.

When it comes to freedom and flexibility, one of things that come to my attention is a couple of bills are painting the picture that we must have a certain

composition on our charter school boards. I would encourage you to all look around the room. You are here representing your constituency, and to say that you could not be a teacher and sit on this board pigeonholes your perspective on things. In addition, it puts us into a difficult position when it comes to finding people to serve on the board and finding the right people to support your niche charter school.

Assemblyman Stewart:

Can you remind me how your funding compares with public school?

John Hawk:

It depends on where the student comes from because funding is all based on the Distributive School Account (DSA). For example, if the student comes to your school from Washoe County—we have statewide charter schools—they get Washoe County's inside and outside revenue, which is the DSA plus the local taxes. Those two put together equal your funding. My school is in Clark County; it gets funded at whatever Clark County is.

Assemblyman Stewart:

Is one of your main problems providing a facility?

John Hawk:

Facilities is a huge issue when it comes to it. I would encourage you, at all costs, when we are feeling confident and running in the black, to please revisit the facilities issue.

Chair Denis:

Thank you. Are there any questions? [There were none.]

Leigh Berdrow, Director, Academy for Career Education, Reno, Nevada:

I have a PowerPoint presentation I would like to discuss ([Exhibit J](#)). It is wonderful that this Committee is going to see a huge difference in four different successful charter schools in Nevada. These charter schools are a direct result of this body and we would not be here without being a creature of statute.

Academy for Career Education (ACE) High School opened in 2002. It is a full-time, comprehensive, career and technical high school. It is classified as a non-at-risk school because Nevada charter schools request one or the other. It is not designed for credit recovery, although, the schedule allows for it. The mission statement is on the first page ([Exhibit J](#)). We, as staff, focus on teaching construction and engineering skills to our students with integrated academics. This prepares them to graduate and be productive citizens. I know

college- and career-ready are the buzz words everyone is using now. That has always been our prospective; we have always felt that education was a means to an end, which is a career. We value education no matter what the student goes on to do.

As John said, charter schools are supposed to be innovative. They have to be different. Slide 3 ([Exhibit J](#)) discusses how ACE High School is different. First, it is an industry- and community-sponsored school. My governing Board is made up of representatives from northern Nevada who are construction engineering representatives. They help out with resources, policy, and curriculum. The staff prides ourselves on using the latest technology in our school. Our school was "green" before people used the term "green." The last seven houses that we built with our students had solar panels on them. [Continued to read from ([Exhibit J](#)).]

We have a quarter system versus a semester system. We think that is key to our academic success. Our students focus on three to four subjects every nine weeks, which allows them to earn six to eight credits every year in a very time-manageable way. They are more focused on fewer things, and it really works. We also have integrated academics. Our academic teachers are required to meet with our career teachers weekly so they can incorporate what is going on in our diesel shop, on our job site, or into our computer lab, back into the classroom. Our kids would rather read a diesel tech magazine than they would Shakespeare. This is no insult to Shakespeare, but it gets them to read, write, and communicate, which is our goal. We also have high-performance expectations. I think the biggest advantage charter schools have in terms of flexibility is the behavioral academics. You can see in our slide presentation ([Exhibit J](#)) that our kids wear uniforms; we really have high expectations for our students.

There is a graduates' accomplishments page in ([Exhibit J](#)). We have been tracking them for nine years now. Fifty-two percent of them are employed in construction. One-third of them went into an apprenticeship program, both union and nonunion. Twenty-nine percent of our graduates went on to college. This has changed in the last two years. It used to be about 60 percent and about 19 percent. We are seeing more kids stay in school and this is a great thing. Seven percent go into the military and 12 percent are in other areas. We have met all the requirements for No Child Left Behind Act of 2001. In addition, we have been high-achieving for a couple years. Our graduation rate was 74 percent last year. We have built eight homes, which we are very proud of. We have also won a lot of awards, listed in ([Exhibit J](#)). It is important to recognize that ACE High School in Reno, Nevada gets national recognition.

More importantly, our students win awards. We competed in SkillsUSA and won at the state level and the national level in areas like carpentry, masonry, residential wiring, architectural drafting, technical drafting, and sheet metal. Last week, our students won the gold metal in masonry, plumbing, and residential wiring; a silver medal in technical and architectural drafting; a bronze in diesel equipment technology and teamworks; and the national gold winner in plumbing and architectural drafting.

Our High School exists out of the kindness of others, so we believe in giving back to our community. Most recently, we built a shed for the Washoe County School District's International Baccalaureate Program. I want to talk about how this policy group can help us. If I had to leave you with one thing to consider it is to realize we are not the same as public schools. We have a higher level of accountability. If we do not perform, you can close us. If I do not do my job, my Board fires me. I do not keep a teacher who does not perform. Consider this when you are looking at legislation that comes before you. Remember that we are not "lumped in" with everyone else. We do not necessarily have some of the issues that you are seeing in traditional education. Do not pin us into something when there is no problem.

We like the autonomy, the accountability, and the flexibility. When we started ACE High School, we could hire teachers who were not licensed. Now, we would never bypass the safety protocols that are there, like background checks. We like to bring in experts in certain fields to teach our kids, but we cannot do that anymore. It is much more difficult in areas like high technology. We know this is not a funding committee, but it is important that the mechanisms are in place for funding opportunities. This body did that for facilities recently, and when things look better, we hope you can revisit that.

Also, recognize that all charter schools are not the same. You are going to hear from four charter schools today that are very different, but we are all high-performing. It is hard for me when we get rules put on us because someone else is not doing what they are supposed to do. Sometimes that happens. We would like to see a system where schools are recognized for high-performing and that maybe have autonomy and flexibility. Lastly, one of the things people looked at in Race to the Top was the conversion of a failing public school into a charter school. Right now, legislation prohibits that from happening.

Our success factors are due to the help that you give us and the people who we partner with. We have very passionate people who work for our school. It translates to successful students. If you ever get the chance, please come visit

ACE High School. We have relocated by the Reno-Tahoe International Airport. I can show you what a difference we are making every day as the result of your hard work that let us be in existence.

Chair Denis:

Are there any questions?

Assemblyman Hansen:

You mentioned that charter schools have a higher level of accountability. Can you explain that further?

Leigh Berdrow:

We have a performance contract with Washoe County School District (WCSD) that says we will meet certain standards. I have to meet the required accountabilities at the state and federal level, but on top of that, our contracts say things like 80 percent of our students will be working or continue to higher education within six months of graduation. We have other things about grades that are received in academic courses, attendance, and behavior. Each charter school is different based on how it writes its contract. If I do not meet these levels of performance, ACE High School could be closed.

Chair Denis:

Are there any other questions? [There were none.]

John R. Bailey, Chair, Governing Board, Andre Agassi College Preparatory Academy, Las Vegas, Nevada:

It is a pleasure to serve as Chair for a great school with a great mission and purpose. As I was walking through the Legislature today, everyone I ran into asked me two questions: Where is Andre Agassi, and how come he is not here? I told them that I am here in his place, and you can imagine the disappointment on everyone's face. Andre, for unavoidable reasons, could not be with us today, but he wanted me to extend his sincere thanks to each of you for what you do for Nevada's students.

Andre Agassi has worked extremely hard to provide our students with the best possible education so that they can achieve their dreams and become excellent community leaders. Our school, Andre Agassi College Preparatory Academy (AACPA), opened in 2001 with Grades 3 through 5. We now are a full K-12 school with approximately 650 students. We have had two graduating classes with a 100 percent college acceptance rate. Our goal is to have 100 percent enrollment in higher education with 100 percent graduation rate from college.

We also want to ensure that our students are prepared and able to handle the rigors of a full college course load.

I have had the honor of working with a strong group of ten individuals who make up the AACPA Governing Board. Each member of the Board provides a unique and needed perspective. We have individuals from public finance, private finance, legal, human resources, project management, higher education, special education, and parents on the Board. The unique qualities that make up our school include a longer school day (two hours longer than CCSD), a longer school year (we start two weeks prior to CCSD), and smaller class size. We focus on college preparation and completion, mandate parental involvement, and uniforms are mandatory. Every morning, our students recite a code of respect after the Pledge of Allegiance. Trust and respect are major components in everything that we do. It is true that we spend a few more dollars on each of our students, but there is an expectation of accountability for those additional dollars.

We are constantly evaluating the investment in different aspects of the school to ensure that every dollar is providing a return of increased achievement. We are also consistently looking at different opportunities to cut costs. One example is that the school is in its second phase of a solar energy development which will provide approximately 50 percent of the school's electricity. With the solar energy and energy efficiency efforts, we will achieve a significantly decreased cost in energy use, which in turn, will provide more dollars being delivered to the classroom.

We are thankful for the work of the Andre Agassi Foundation for Education and its commitment to public education. We must deliver the expectations that the community has set for our school. It is my honor to introduce to you Michael Piscal. He is no stranger to public charter schools or the expectations we have at AACPA. He brings an extensive background of education, experience, and success with him to our school, having founded the Inner City Education Foundation which currently includes 15 public schools in the Los Angeles area. These schools serve more than 4,600 students making it the seventh largest education organization in the nation as of September 2009. In a community where fewer than 15 percent of the students who enter ninth grade go on to a four-year college, Mike built two schools that are sending more than 80 percent of their students to four-year colleges. Mike will now tell you more about how he is moving Agassi students forward.

Michael D. Piscal, Executive Director, Andre Agassi College Preparatory Academy, Las Vegas, Nevada:

John has provided you with a little background about me, but I want to tell you what I am doing on a daily basis at the school. Andre Agassi College Preparatory Academy strives to establish an education environment where children are prepared academically and socially to compete with every aspect of the college experience. Our mission is to send all our students to the top hundred colleges and universities in the nation. We prepare them to attend and to compete. We do not want them to just get to college; we want them to be "A" students when they get there.

Our hope is that we will accomplish this mission by discovering and developing each child's gifts and talents. When you take the time to learn what is special about a kid—whether it is basketball or the violin, or something more difficult to find, like the gift for friendship—kids are more receptive to learning academically when the teacher respects them on a deeper level and knows what is special about them. We believe that respect is important. We are not respecting the children if we do not set extremely high expectations for them. The only reason they do not achieve at a high level is because the adults do not have their act together. It is not the kids; the kids want to learn, and they are designed to learn. If we set up the right environment and set high expectations, they will achieve at a very high level.

We have taken a number of steps to raise the bar. Our elementary math instruction has been accelerated one grade level for all kindergarten through Grade 3 students. The accelerated reader program has been implemented in Grades 2-5. Fluency levels for all elementary school students are measured multiple times during the year. Over 50 percent of our middle school students are enrolled in accelerated courses in English, reading, and math. Twenty-three percent of our seventh graders are enrolled in Algebra I; all sixth- and eighth-graders are enrolled in Spanish classes for the 2010-2011 school year. We started an Advancement Via Individual Determination (AVID) program that coaches the kids. One hundred percent of our juniors have passed the state reading proficiency exam. We have added Advanced Placement (AP) Calculus, AP Biology, and AP Government to our AP offerings. Our high school boy's basketball team recently won the Division 2A championship.

As Chair Bailey stated, we have had two graduating classes and will have our third graduating class June 11, 2011. Our seniors are very busy finishing up the last requirements for graduation. Their acceptance letters are arriving in the mail, so there is a lot of excitement and anxiety running through the school. It is amazing to see the excitement. However, the job is not done. We want to

raise the bar for kids getting into better schools and getting better financial aid packages. One of our other goals is for AACPA to get on the top 100 high schools in the nation list of the *U.S. News & World Report*. That is something we are working on with the Board, the parents, and the faculty.

We are also in the process of how best to serve the students that are currently on our waiting list. It is great to serve our current students, but we have to figure out how to educate the hundreds who are on our waiting list. We are planning to expand kindergarten next year and offer an additional class, but we are also exploring options to add a section per grade. There is space available and only slight construction needs to occur. We have hired two new principals to start next year who come with high expectations from very successful schools.

One change that I have announced to our school community is that the parents will have the opportunity to participate in the hiring of new teachers. We are going to have a hiring bonanza on April 2, 2011. We have gone through about 2,000 resumes so far and through five different search agencies to bring the 40 best teaching candidates in the country. The teachers will go through a process of providing a writing sample, a live demo lesson where parents will observe and grade them, and an interview. The parents will not actually select the teachers, but they can exercise a veto. For example, if there is an opening for a fourth-grade teacher, we will have current third-grade parents in the interview panel. If they say that candidate is not good enough to teach their child, he cannot be hired. So much of the work is doing a reference check; the parents cannot be involved in this due to privacy issues. When you give the parents a true sense of ownership in the school, you build culture.

We did an activity where nearly 40 parents participated in a day-long training to be a part of the hiring fair. We are going to continue to find ways for parents to be involved in the governance of the school. We are setting up cadres to do inquiry on how to become a top-100 school and how to improve student discipline. We are very excited that parents want to be a part of this, and we are going to establish a steering committee to discover and communicate everything we find in the inquiry process.

It is the responsibility of public charter schools to work with their neighboring schools to understand and learn what the challenges are for them and to try and collaborate to see if we can be of assistance in providing new approaches and new ideas. However, we cannot do all of this in a box. We need your help to attract the best-in-class charter school operators to the state. This is a discussion that will take place over time, and I am committed to work with all of

you to see that it happens. In the immediate future, we need your support on legislation impacting alternative routes to licensure, issues related to tenure and Senate Bill 212 introduced by WCSD in support of the State Board of Charter Schools.

[Chair Bobzien returned to the meeting and reassumed his position as Chair.]

Chair Bobzien:

Thank you for your comments in urging us to look at different policy items. Many of those are already moving forward. We also have a bill on alternative routes of licensure which this Committee will be processing shortly.

Senator Wiener:

How many students in the first two graduating classes, including this third graduation class, made it all the way through? I have been to the fundraiser where people pledge scholarships for children who go all the way through the school. I am curious as to how many students have made it all the way through or are on their way.

Michael Piscal:

I am new to AACPA, so I do not know the exact number, but I believe we are going to have 34 students graduating this year. The freshman class is 50 students. I do not know about the freshman class that started four years ago because I was not here.

Assemblyman Hansen:

We have had several discussions in this Committee on parental involvement. The AACPA has the most involved group of parents I have heard of. What level of parental involvement do you have? Whatever you are doing, it is working. Also, what is the total enrollment number?

Michael Piscal:

The total enrollment number is 621 students.

Assemblyman Hansen:

Out of that number, what is the number of involved parents?

Michael Piscal:

We had 40 parents on the day-long event, so we were not expecting to get 200, but we anticipate the participation rate to be higher as we allow the parents more say and knowledge of the policies we are developing.

Assemblyman Hansen:

That is what I was wondering. To have a successful school program, the No. 1 thing is teacher quality, then, parental involvement. I will be curious to see how that turns out.

Assemblywoman Neal:

I am familiar with the school. I have been there and I know teachers who work in the elementary school and know students who were in the first graduating class. In the high schools specifically, there was a high turnover rate of teachers and three principals were lost in four years. What are you doing to handle these inconsistent situations?

Michael Piscal:

Andre Agassi College Preparatory Academy hired me for leadership, and I have made a four-year commitment to the organization and intend to fulfill it. I have a great track record of hiring principals. I have hired around 25 principals in my career; 17 turned out to be amazing, 3 duds, and 3 disasters. I also have a great track record of hiring teachers. Ninety-nine percent of a principal's job is to hire the right teachers and to keep them. Nothing else matters because if you have great teachers, you will have a great school.

Assemblywoman Flores:

In comparison to non-charter schools, is there a significant improvement in the dropout rate or the college going rate for your school in addition to the rest of the schools?

Michael Piscal:

I am not familiar with Nevada's charter school statistics. We have been sending 100 percent of our students at AACPA to college after graduation. It is a 100 percent matriculation rate, which is extremely high. We have had two classes; one class was about 50 percent four-year, 50 percent two-year. Last year, there was a big improvement. About 75 percent went to four-year schools, in comparison to 25 percent previously. Unfortunately, there is not a lot of data because there were only two graduating classes.

Assemblywoman Mastroluca:

I want to elaborate on the question Mr. Hansen asked regarding parental involvement. Is parental involvement required at AACPA?

Michael Piscal:

Parental involvement is not required, but it is encouraged. Parents are asked to volunteer 14 hours total at the school. Nearly half have fulfilled the

requirement, and about 20 percent have far exceeded it with over 50 hours of volunteer time.

Assemblywoman Mastroluca:

Is there an incentive for parents to participate?

Michael Piscal:

No, not at this time.

Assemblyman Kirner:

Can you elaborate on how many students are English as a second language (ESL) students or special needs students?

Michael Piscal:

About 95 percent of our students are African American and 3 percent are Latino. Currently, there are no ESL students. We have 7.5 percent special education students at the elementary school. The middle school and high school both have over 11 percent special education students.

Chair Bobzien:

Are there any additional questions? [There were none.]

Yilmaz Ak, Executive Director, Coral Academy of Science, Reno, Nevada:

Coral Academy of Science was established in the year 2000. We are celebrating our tenth anniversary this year. I have been with Coral Academy of Science for four years and have been serving as the Executive Director for several months. We are sponsored by WCSD and accredited by the Northwest Association of Accredited Schools. We have partnerships with Accord Institute for Education Research in Los Angeles and with the Northwest Evaluation Association, from which we purchase testing services. [Continued to read from presentation ([Exhibit K](#)).]

At school, our emphasis is science, technology, engineering, and mathematics (STEM). This picture ([Exhibit K](#)) shows our students participating in our high school robotics team, which is the only team in northern Nevada going to competitions. Besides our academic classes, we offer after-school activities. Shown are the after school clubs and academic teams. [Referred to slides in ([Exhibit K](#)).]

We test all of our students at the beginning and at the end of the year to try to measure their growth. By testing them, we also get their levels to try to meet their needs. We have accelerated programs for those students who are doing

higher academic work in addition to remedial programs for those students who need it. We also offer after-school tutoring for students who need additional help.

The difference with our elementary school is that we teach all four core subjects: math, science, English language arts, and social studies. You may find it interesting that in some public schools, teachers are not allowed to teach science because they feel there is no time to do so. Because we are a science academy, we teach science K-12. Moreover, we teach K-5 music, art, computer, and physical education classes. [Continued to read from presentation ([Exhibit K](#)).]

One of the most important reasons for our success is our data-based instruction and accountability system. We try to base accountability on a growth model and not on a benchmark or proficiency model because we have students who are starting lower, and you cannot blame teachers for students who are not proficient by the end of the year. We look at the growth of each individual student, and we expect all of our teachers to have a certain number of students who show standard growth in their classrooms. If a student is failing in any subject area, we provide intervention. If the student is actually doing better academically, we provide accelerated programs. In Grade 3, we start an accelerated mathematics program. By Grade 8, all students finish Algebra I and Algebra II. [Continued to read from presentation ([Exhibit K](#)).]

As long as there is accountability, we need autonomy for charter schools. We had questions about how accountability works differently with charter schools. I will say that there is an automatic accountability in charter schools; if we perform, we get students, and if we do not perform, we lose students. We have parents who bring their children to our school because we are successful and if we were not, they would leave. I come from a private school background and I have seen, from both perspectives, if you do not perform, you will not find students in your school. We want equitable funding and have had issues with teacher licensing as well. We need alternative routes to licensing for our teachers.

Chair Bobzien:

Thank you. Are there any questions?

Senator Wiener:

What kinds of things does your academy teach in the Life Skills class?

Yilmaz Ak:

The Life Skills class teaches academic skills, as well as other skills like drug abuse and other areas students need help and support with. It teaches students how to study and do homework. We invite a lot of presenters and parents to speak to that class.

Senator Wiener:

I have a subsequent question. You also mentioned that 50 percent of your student population is included in the home visits. Do you have criteria that you use to determine which homes you will visit?

Yilmaz Ak:

There is no criterion. We try to reach every parent who has an open door. Typically, we send a letter home to all parents that say the school would like to visit them. Many teachers put it in their syllabi, or call the parents and explain they would like to visit. Usually, two teachers go to one home and talk about the school programs—not necessarily about the student's achievement because we do not want this to be intimidating for the student—but more about the programs offered to benefit their child.

Senator Wiener:

Based on what you just shared and because you are at a 50 percent level, is that why the other half of parents choose not to invite you into the home?

Yilmaz Ak:

Sometimes, we have parents that say no and do not want us there, but we have no criterion selecting the parents.

Assemblyman Hansen:

The Committee had a field trip to the public schools in Clark County and in Washoe County. About 10 percent of the kids in Washoe County are in private or charter schools. I received invitations from many of the schools in these counties, and I wanted to put on the record that there is a possibility to see how these schools function.

Chair Bobzien:

Are there additional questions for Mr. Ak? [There were none.]

Mike Kazek, Head of School, Nevada Virtual Academy, Las Vegas, Nevada:

Nevada Virtual Academy (NVVA) is a state sponsored, K-12, public virtual charter school. Nevada Virtual Academy submitted its application in 2006 and

was granted a subsection 6 charter for Grades 4-8 on March 17, 2007. [Continued to read from ([Exhibit L](#)).]

The members of the NVVA founding Board were all educators who had the vision and determination to bring a high-quality virtual distance education school to Nevada. It was my pleasure to have served with those dedicated members on that Board. After the first year of operation, I had the privilege of becoming the Head of School and Chief Administrator. Currently, there are seven members on the Board who encompass diverse backgrounds in law, education, finance, and student advocacy. Two of them honor Assemblyman Stewart as their former teacher. [Continued to read from ([Exhibit L](#)).]

Currently, NVVA educates students in 16 of the 17 county school districts. Distance education is not only in need for the urban centers for Nevada, but in the rural communities as well. On page 6 of ([Exhibit L](#)), part of our success has been our significant growth. [Continued to read from ([Exhibit L](#)).]

In the student enrollment process, NVVA uses Scranton testing to assist teachers and parents to create an academic plan for their child. As a competency-based program, NVVA provides levels of curriculum based upon the academic need of the student in Grades K-8. This encompasses any remediation needed to acquire skills and to provide an advanced learner program where middle school students can earn high school credits by taking high school courses. Our high school program is credit-based. The end result is a standard or advanced high school diploma.

Nevada Virtual Academy provides special education programs and utilizes a functional skills curriculum to assist students with more severe educational challenges. Nevada Virtual Academy routinely utilizes licensed service providers for students who qualify for services such as speech and language, or other services needed for Individualized Educational Programs. In recent weeks, I received a phone call from a parent. She described the emotional and physical challenges she had at her local school. It was not the school's or staff's fault. Her daughter was suffering from an intense medical need, which required her to stay home. She enrolled her daughter in NVVA and is now making substantial gains. She was tearful when saying that this type of program saved her child's education.

Although some students enroll in NVVA as a "school of last resort," the staff at the school utilizes that as a challenge to help remediate and bring students up to levels where they are able to graduate. I was privileged to hear from a parent that her child is on-track to graduate when she is 16-years old due to her ability

to take high school courses. Nevada Virtual Academy provides education for many students who are world-class athletes, musicians, and performers. Last year, we had the unique privilege of having one of our students play at Carnegie Hall. Hiring and professional development is a critical component of NVVA. [Continued to read from([Exhibit L](#)).]

Nevada Virtual Academy is accountable as a public school. We are mandated to ensure students are making adequate progress in their courses based upon state requirements for attendance in a charter school.

Chair Bobzien:

Are there any questions from the Committee?

Assemblywoman Mastroluca:

The NVVA program is very impressive. My godson participates in the program and has completed two grade levels in a very short period of time. There is always a need for different types of education for different types of students. Your school has filled that niche very well. Could you tell me more about how NVVA engages students in extra-curricular activities?

Mike Kazek:

We have an art and music curriculum. Those particular curricula are mostly about history and about the learning processes of music and art. We have art contests where children can submit artwork. We have nationwide virtual schools, so students can participate on a national level. It is thrilling to see how students are progressing in those areas.

Chair Bobzien:

Are there any additional questions from the Committee? [There were none.] Is there any public comment?

Patti Mudd, Private Citizen, Reno, Nevada:

I am a parent from Coral Academy of Science. I have approximately 30 years of experience with my children going through the educational process, four in Nevada education and two in California. My children have been in public, parochial, private, and charter schools. We have tried them all. In Nevada, I have a child that started at Saint Albert the Great Catholic School and ended up graduating with the International Baccalaureate diploma from Earl Wooster High School. My triplets are at Coral Academy of Science. They started at Little Flower Catholic School and moved on to Hidden Valley Elementary School for one year while we waited the waiting list for the lottery to get into Coral Science Academy.

When we moved here, we looked into Coral Academy of Science, but it was its first two years and did not feel it appropriate to move the older son out of Saint Albert School to a new school. We were extremely happy when we got the call that the triplets got into Coral Academy of Science, mainly because of the innovation at the school and the opportunities the children have. My children have taken Japanese as a class, not just in a club; they sing, are in band, and have been on teams that have won awards. We are very pleased with the accountability of the school because I guarantee you, if things are not going well, the parents will let the school know. We like the idea of local control instead of having a large school district.

As great as Washoe County School District is, it is so much easier to make change and have parents who truly have a background in business or other areas. I was a director of materials for a large semiconductor company and in the medical field. I can go in and give some idea to these students about what they can do if they only apply themselves at a younger age. We have a laboratory at home so we have some of the kids over to our home so they can see how different things are done. Our school has placed in the regional science fair, and I am happy to say my triplets are now in their fifth year in a row going to Western Nevada Regional Science & Engineering Fair.

Coral Academy of Science has taken the science fair curriculum at the urging of some parents and put it into the entire curriculum. For example, when the students were writing their essays for their science fair project, it was in their English class. As far as life skills, children are learning what checkbooks are, how to earn funds, how to budget, and how to get along with each other. When these kids are out of school, they will know how to get along with others, to deal with others, and to understand responsibility and citizenship. The parents are very involved. I am the past Parent Teacher Club president. It has been easier for me this year because I am able to back off and help directly in any way that I can because I have a small business at home we are trying to grow. I think I have spent 12 hours here in Carson City just meeting some of you, trying to get you more aware about charter schools and what parents really feel. I am not a lobbyist. We do this because it is very important for our kids, and the kids truly love this school. We may be a "nerdy" school, but we are quite well diversified; kids come from a lot of different backgrounds.

As a parent, my concern is that I see a tendency to try and take the autonomy away from the charter schools and try and create traditional school rules. It appears to me, with some of the bills being presented, that we are pulling the charter schools back into the system, when in fact, the charter schools have

expanded the system and offer the parents and the students a greater opportunity for a good, safe, educational experience.

As you ponder any of the bills being submitted, truly look at the detail of the wording and do not pull charter schools into the traditional guidelines that the other schools are under. We already use fewer funds on our students and have greater results than a lot of the schools around. My kids would be going to Vaughn Middle School right now, and we know this has been a family school for three years, but it is not where I wanted my children to go. I want them to be in a good educational system, and Coral Academy of Science certainly provides that.

Chair Bobzien:

The highest form of parental involvement is being here and lobbying.

Patti Mudd:

We are having a celebration of the tenth year of Coral Academy of Science. I have invitations for those of you who did not receive them to come to our celebration dinner on April 28, 2011. I will leave those here for you.

Chair Bobzien:

Is there anyone else wanting to provide public comment? [There was no one.] Washoe County School District has also submitted a PowerPoint Presentation ([Exhibit M](#)) on their breakfast program participation. The Coral Academy of Science has also provided a detailed report ([Exhibit N](#)), a future plan sheet ([Exhibit O](#)), and a fast fact sheet ([Exhibit P](#)).

The meeting is adjourned [at 6:14 pm.].

RESPECTFULLY SUBMITTED:

Janel Davis
Committee Secretary

APPROVED BY:

Assemblyman David P. Bobzien, Chair

DATE: _____

Senator Mo Denis, Chair

DATE: _____

EXHIBITS

Committee Name: Assembly Committee on Education/Senate Committee on Education

Date: March 23, 2011

Time of Meeting: 3:38 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Donnell Barton	Written Testimony
	D	Donnell Barton	Presentation to Legislature
	E	Donnell Barton	School Meals Fiscal Impact Report
	F	Cherie Jamason	Written Testimony
	G	Virginia Beck	CCSD Child Nutrition Programs
	H	Monica Lounsbery	Written Testimony
	I	John Hawk	PowerPoint Presentation
	J	Leigh Berdrow	PowerPoint Presentation
	K	Yilmaz Ak	PowerPoint Presentation
	L	Mike Kazek	PowerPoint Presentation
	M	Washoe County School District	PowerPoint Presentation
	N	Yilmaz Ak	Detailed Report
	O	Yilmaz Ak	Future Plans
	P	Yilmaz Ak	Fast Facts