

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-sixth Session
May 13, 2011**

The Senate Committee on Education was called to order by Chair Mo Denis at 2:39 p.m. on Friday, May 13, 2011, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Moises (Mo) Denis, Chair
Senator Ruben J. Kihuen, Vice Chair
Senator Valerie Wiener
Senator Sheila Leslie
Senator Barbara K. Cegavske
Senator Don Gustavson
Senator Greg Brower

GUEST LEGISLATORS PRESENT:

Assemblyman Jason M. Frierson, Assembly District No. 8
Assemblyman John Hambrick, Assembly District No. 2
Assemblywoman Dina Neal, Assembly District No. 7
Assemblywoman Debbie Smith, Assembly District No. 30

STAFF MEMBERS PRESENT:

Pepper Sturm, Policy Analyst
Sandra Small, Committee Secretary

OTHERS PRESENT:

Joyce Haldeman, Clark County School District
Craig Hulse, Washoe County School District
Dotty Merrill, Ed.D., Executive Director, Nevada Association of School Boards
Mary Pierczynski, Nevada Association of School Superintendents

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Mary Walker, City of Carson City; Douglas County; Lyon County; Storey County
Carole Vilaro, Nevada Taxpayers Association
Nicole Rourke, Clark County School District
Christopher Roller, American Heart Association
Nicole Bungum, Southern Nevada Health District
Bill Hanlon, Southern Nevada Regional Professional Development
Bart Mangino, Clark County School District
Lonnie Shields, Nevada Association of School Administrators
Terry Whitney, The College Board
Jim Porter, Chair, State Board of Athletic Trainers
Paul J. Anderson, General Counsel, Nevada Interscholastic Activities
Association
Frank Sakelarios, President, Nevada Athletic Trainers Association

CHAIR DENIS:

The Committee will hear Assembly Bill (A.B.) 551.

ASSEMBLY BILL 551: Requires school districts to assess the feasibility of consolidation of services, functions and personnel. (BDR 34-877)

ASSEMBLYWOMAN DEBBIE SMITH (Assembly District No. 30):

I have been looking at how school districts do business and for ways to streamline, consolidate and be more efficient with taxpayer dollars. There can be efficiencies by sharing services. We do that in local government. The school districts share some services, such as purchasing coalitions. Under A.B. 551, the boards of trustees and the school districts will be required to examine and determine where shared or consolidated services are possible. Section 1 of A.B. 551 lists areas for consideration. We have school districts with fewer than 100 students and a school district with over 300,000 students. Expertise and personnel can be shared. A time may come when a large district could share, or two small districts could share, a superintendent's time with a nearby district. The Committee on Local Government Finance already exists and would be the logical group to adopt regulations.

CHAIR DENIS:

This is an interesting concept which appears to make additional resources available to the school districts.

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SENATOR BROWER:
This is a great bill.

ASSEMBLYWOMAN SMITH:
Now that Nevada is out of its economic boom and huge growth pattern, we can rework what we do.

SENATOR GUSTAVSON:
Is there a reason teachers and principals are not included in A.B. 551?

ASSEMBLYWOMAN SMITH:
Teachers and principals are allocated on a per pupil basis. Management services are not based on the pupil population.

SENATOR GUSTAVSON:
Smaller schools that are close could share teacher expertise.

ASSEMBLYWOMAN SMITH:
Section 1, subsection 1 of A.B. 551 does state "without limitation." Schools could look at teacher sharing. Professional development is contracted.

JOYCE HALDEMAN (Clark County School District):
The Clark County School District (CCSD) supports A.B. 551 which formalizes some of the practices already occurring in the CCSD. One advantage of being in a state with only 17 school districts is that the superintendents know each other and meet monthly. There has been a tremendous amount of superintendent turnover. Consequently, the superintendents have a policy of nurturing each other and working together. The CCSD is happy to share services. We like the fact the bill is permissive and that the board of trustees will determine whether or not this is a feasible and advantageous thing to do.

SENATOR DENIS:
The bill is not limited to school districts next to each other.

CRAIG HULSE (Washoe County School District):
The Washoe County School District (WCSD) supports A.B. 551. It is a good idea to have reports to determine if we have looked everywhere to cut and save.

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DOTTY MERRILL, Ed.D. (Executive Director, Nevada Association of School Boards):

The Nevada Association of School Boards (NASB) supports A.B. 551. We appreciate the language allowing boards to establish agreements and the use of the Committee on Local Government Finance.

MARY PIERCZYNSKI (Nevada Association of School Superintendents):

The Nevada Association of School Superintendents (NASS) supports A.B. 551. A little of this is occurring in some of the rural districts. The bill will spark more interest and exploration on the financial benefits of working together.

MARY WALKER (City of Carson City; Douglas County; Lyon County; Storey County):

Carson City, Douglas County, Lyon County and Storey County support A.B. 551. We are supportive of consolidation efforts. The four counties I represent have consolidated efforts in areas such as hazmat response, law enforcement services, water, "GIS" (geographic information system) regional mapping, ambulance service, groundskeeping, a youth detention facility and regional health services. The counties have saved millions of dollars through these consolidations.

CAROLE VILARDO (Nevada Taxpayers Association):

The Nevada Taxpayers Association supports A.B. 551. This bill encourages dialogue to maximize resources.

SENATOR GUSTAVSON MOVED TO DO PASS A.B. 551.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

The Committee will begin the work session with A.B. 39.

ASSEMBLY BILL 39 (1st Reprint): Revises provisions governing educational personnel. (BDR 34-439)

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PEPPER STURM (Policy Analyst):

Assembly Bill 39 requires the Department of Education (DoE) to maintain a directory of licensees on the DoE's Website. The Committee has received a copy of my written comments ([Exhibit C](#)).

SENATOR CEGAVSKE:

I would like A.B. 39, section 1, subsection 2, line 18 to read "may" rather than "shall."

CHAIR DENIS:

According to previous testimony, this is already being done.

SENATOR CEGAVSKE MOVED TO AMEND AND DO PASS A.B. 39
CHANGING PAGE 2, LINE 18 TO READ "MAY" RATHER THAN "SHALL."

SENATOR BROWER SECONDED THE MOTION.

SENATOR WIENER:

A representative from the teacher's organization stated a portion of their dues is allocated to provide licensure notice.

CHAIR DENIS:

This fee would probably be set by the DoE.

SENATOR CEGAVSKE:

The funds go to the DoE, not the county.

CHAIR DENIS:

The funds go to the DoE for mailing costs which would not be required under A.B. 39.

SENATOR CEGAVSKE:

Mailing costs are saved. The funding will go toward Website updates.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

The Committee will now consider A.B. 40.

ASSEMBLY BILL 40: Revises the requirements concerning background investigations of certain applicants for employment or contracts with private postsecondary educational institutions. (BDR 34-442)

MR. STURM:

This bill gives applicants the option of having the required fingerprint card and authorization forwarded electronically. My work session comments have been provided to the Committee ([Exhibit D](#)). To address concerns regarding distance education teachers, the bill could be amended by replacing line 17 of section 1, subsection 6, paragraph (d) with the following:

and if the instructor has undergone a background check in the state from which he provides instruction and the administrator determines that an additional background check is not necessary.

SENATOR GUSTAVSON:

The proposed language satisfies my concerns.

SENATOR GUSTAVSON MOVED TO AMEND AND DO PASS AS AMENDED A.B. 40 WITH THE ADDITIONAL LANGUAGE PROPOSED BY MR. STURM.

SENATOR CEGAVSKE SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

CHAIR DENIS:

The Committee will now hear A.B. 113.

ASSEMBLY BILL 113: Revises provisions governing the statewide system of accountability for public schools. (BDR 34-87)

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MR. STURM:

This bill revises the State plan for academic improvement. My work session comments regarding A.B. 113 have been provided to the Committee ([Exhibit E](#)). An accountability report is prepared annually to set goals for such things as student achievement.

SENATOR LESLIE MOVED TO DO PASS A.B. 113.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

The Committee will consider A.B. 233.

ASSEMBLY BILL 233 (1st Reprint): Revises provisions governing the circumstances under which a pupil may receive credit for a course of study without attending the course. (BDR 34-144)

MR. STURM:

My written comments on A.B. 233 have been provided to the Committee ([Exhibit F](#)). The example given was that a student who failed freshman English and took advanced courses during the junior or senior years would not be forced to retake freshman English.

SENATOR CEGAVSKE:

What would be the effect on college entrance if we waive an English course? Would remediation then be required in college?

CHAIR DENIS:

The student is given the opportunity to test out of the class rather than retaking the course.

SENATOR WIENER:

A student could test out of a lower level class after taking an advanced class.

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SENATOR CEGAVSKE:
The test would be equivalent or more rigorous.

CHAIR DENIS:
That is correct.

SENATOR LESLIE MOVED TO DO PASS A.B. 233.

SENATOR WIENER SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:
The Committee will hear A.B. 456.

[ASSEMBLY BILL 456](#): Revises provisions governing the attendance of pupils and graduation from high school. (BDR 34-1140)

MR. STURM:
Assembly Bill 456 outlines circumstances under which a student may receive a standard diploma after failing the high school proficiency exam (HSPE) six times; a policy for making up credits not acquired due to absences; habitual truancy; and work hours for students. The Committee has received my written comments ([Exhibit G](#)). The CCSD proposed an amendment on pages 2 and 3, [Exhibit G](#).

SENATOR CEGAVSKE:
How many students are affected by A.B. 456? Could the bill be permissive with respect to receiving a standard diploma? The original verbiage said a student "may" receive a standard high school diploma rather than "must."

MS. HALDEMAN:
In the CCSD, fewer than 100 students meet the criteria established in A.B. 456.

SENATOR CEGAVSKE:
How does it affect other students when some students receive the same diploma with fewer requirements?

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MS. HALDEMAN:

We believe this bill will give students hope. One of the biggest reasons students drop out is they lose hope. Students who have lost credits and then fail the HSPE could determine that graduation is an impossible dream and drop out of school. If they can meet the criteria of A.B. 456, more students will strive to graduate.

SENATOR CEGAVSKE:

The public expects a standard diploma. We need a diploma that means something.

MS. HALDEMAN:

The CCSD agrees. The standards we set ought to reflect that people have different strengths and weaknesses. Students who do well on some measures in the HSPE but may not do well in math, for instance, could balance their knowledge base and still qualify to graduate. St. George, Utah, does not have an HSPE. A person I know sent her daughter, who could not pass the HSPE, to St. George the second semester of her senior year. St. George would not register her because she exceeded the number of credits needed for graduation. They enrolled her for one day and gave her a diploma, and then she left. Some students are shut out of the opportunity of going on to productive lives, college, military and other options requiring a diploma because they could not pass one question on the math portion of the HSPE. This bill is designed to help those students who miss one or two questions. This is a minor change.

SENATOR CEGAVSKE:

Are we giving students false hope; will they still need remediation in college?

CHAIR DENIS:

Remediation in college is better than dropping out of high school.

SENATOR LESLIE:

Assembly Bill 456 requires an overall grade point average of 2.75 on a 4.0 scale. We are not talking about students who are failing school.

SENATOR WIENER:

I did not take a single math course in college, and I have one bachelor's degree and two master's degrees.

SENATOR BROWER:

Math is probably the hardest part of the HSPE, although there is a new science part of the test. Is there a performance or improvement requirement?

MS. HALDEMAN:

There is a cumulative score which must be met. The threshold will still be high. If a student misses one or two questions in one area but overcompensates in other areas, the scores balance. The student still must score as high as possible. It would be foolish for a student to ignore a section of the test expecting to score high on other sections. If you looked at the HSPE math exam, you would wonder why it is an exit requirement. We should make sure that what we are asking of students is relevant to their future success.

SENATOR BROWER:

Tests should be appropriate and not create exceptions. If tests are too hard or include unreasonable subject matter, we ought to change the test.

MS. HALDEMAN:

As we move to the common core standards, the exams will become more difficult. There may be a time when we have to compare Nevada to other states. Only 25 states require an exit exam. Most of those states do not have a multipart exam. Nevada uses a four-part exam. Nevada's requirement is more stringent. We should not dissuade students from staying in school and doing their best.

SENATOR LESLIE:

The alternative to this bill could be a cottage industry in Utah where we send students to get their high school diploma. That would be ridiculous.

SENATOR CEGAVSKE:

Could we require a report showing the effect of A.B. 456?

CHAIR DENIS:

I would like to have that information.

SENATOR BROWER:

We should make sure the test is reasonable.

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SENATOR CEGAVSKE MOVED TO AMEND AND DO PASS AS AMENDED A.B. 456 BY REQUIRING A REPORT FROM EACH SCHOOL DISTRICT TO THE LEGISLATURE INDICATING THE EFFECT OF THE BILL.

SENATOR LESLIE SECONDED THE MOTION.

SENATOR LESLIE:
Would you recommend adding a sunset date?

SENATOR CEGAVSKE:
The bill would be reviewed next Session to see if the provisions in the bill should be continued.

MR. STURM:
You could require a review for the next Session.

THE MOTION CARRIED. (SENATORS BROWER AND GUSTAVSON VOTED NO.)

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CHAIR DENIS:
The Committee will now hear A.B. 227

[ASSEMBLY BILL 227 \(1st Reprint\)](#): Requires boards of trustees of school districts to grant the use of certain athletic fields to certain nonprofit organizations. (BDR 34-36)

ASSEMBLYMAN JOHN HAMBRICK (Assembly District No. 2):
Several years ago, I was involved with Little League in Southern Nevada. We asked an elementary school principal for after-hours access to an athletic field. We were not allowed to use the field. Assembly Bill 227 is not meant to interfere with the school day or to use fields with lights or other improvements, such those at high schools. The bill targets elementary, middle and high schools. This bill allows access by nonprofit organizations serving adults and children with disabilities. The nonprofit organizations will meet the school district's hold harmless, insurance and other requirements needed to protect the school district. This bill is not meant to displace agreements in place with other youth organizations.

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SENATOR KIHUEN:

Does this bill apply to fields with lights or AstroTurf?

ASSEMBLYMAN HAMBRICK:

Fields with lights are excluded because there is a cost to using them and there could be a liability. I have no knowledge of any elementary, middle or high school with AstroTurf. Generally, we would have access to rudimentary fields. The bill is strictly for outdoor access.

SENATOR KIHUEN:

Nonprofit organizations should have the opportunity to play on these fields.

CHAIR DENIS:

It is possible that Thurman White Middle School in Henderson has field lights.

SENATOR WIENER:

Louis Wiener, Jr. Elementary School and Charlotte Hill Elementary School may have turf fields. Some of the counties appear to have concerns with property damage. Does the insurance cover both property damage and harm to people?

ASSEMBLYMAN HAMBRICK:

The insurance most school districts require from nonprofit groups covers liability questions. There is a bond to cover these issues. Most nonprofit groups have volunteers to maintain the fields and clean them after they have been used.

CHAIR DENIS:

Did the CCSD submit one amendment?

ASSEMBLYMAN HAMBRICK:

The CCSD submitted a proposed amendment to section 1, subsection 1, paragraph (c) ([Exhibit H](#)). I agree with this proposed amendment.

CHAIR DENIS:

One of the nonprofit organizations also wanted a change to A.B. 227.

ASSEMBLYMAN HAMBRICK:

The Opportunity Village asked that we use the term "intellectually challenged."

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CHAIR DENIS:

Where would that term be added?

ASSEMBLYMAN HAMBRICK:

It is already in the bill.

SENATOR WIENER:

Would "intellectually challenged" be added to section 1, subsection 1, page 2, line 9?

ASSEMBLYMAN HAMBRICK:

The language may have been changed by the Legal Division of the Legislative Counsel Bureau. The word "disabilities" includes "intellectually challenged."

MR. STURM:

"Disabilities" is the term preferred in statute.

NICOLE ROURKE (Clark County School District):

The CCSD has requested an amendment to A.B. 227, [Exhibit H](#), for maintenance of fields to keep them safe. The CCSD is neutral on A.B. 227. We have a policy for leasing fields to nonprofit organizations and have an agreement, Open Schools Open Doors, with the local municipalities for field use.

CHRISTOPHER ROLLER (American Heart Association):

I have submitted written testimony in support of A.B. 227 ([Exhibit I](#)). This bill is one component of joint use agreements. It provides an opportunity for children to be more active in communities and knocks down barriers to their physical activity. An active lifestyle begins at a young age.

NICOLE BUNGUM (Southern Nevada Health District):

I have provided written comments in support of A.B. 227 ([Exhibit J](#)).

MS. PIERCZYNSKI:

The NASS supports A.B. 227.

MR. HULSE:

With CCSD's amendment, [Exhibit H](#), the WCSD supports A.B. 227. The bill exempts school districts which have existing agreements with local governments for various fields.

SENATOR WIENER MOVED TO AMEND AND DO PASS A.B. 227.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR DENIS:

We will open the hearing on A.B. 290.

ASSEMBLY BILL 290 (1st Reprint): Revises provisions governing pupils enrolled in high school. (BDR 34-647)

ASSEMBLYWOMAN DINA NEAL (Assembly District No. 7):

I have submitted information to the Committee regarding math and science proficiency, "Creating 'Time' to Teach" ([Exhibit K](#)). Section 1 of A.B. 290 postpones the math and science areas of the HSPE for tenth graders for no longer than one year. This bill does not affect the No Child Left Behind Act or adequate yearly progress. A friendly amendment has been submitted by the CCSD ([Exhibit L](#)) changing the 79 percent competency. The bill creates a conversation between the teacher, principal and parent to determine if a child is moving forward in math and science. Using grant funds, I measured courses students had taken. I found students had not taken the requisite courses to pass tests. For instance, they had taken principles of science but not chemistry. The math proficiency test includes algebra I, algebra II and geometry. All tenth-grade students have not taken those courses. A student, for example, will take pre-algebra in eighth grade, algebra I in ninth grade, algebra II in tenth grade and geometry in the eleventh grade. That child is missing one of the core subjects to be successful in taking the HSPE in tenth grade. The test preparation course is not designed to teach the full content of what a student needs to know. My objective in making more time to teach is to have a child as prepared and as smart as possible when they take the HSPE. Students who have not taken chemistry do not know the elements table. The student will be placed in the test preparatory course and the content class. Section 4, subsection 4 requires a report showing how students perform.

The DoE indicated A.B. 290 will be beneficial to common core because a test to measure students will be needed. Common core will be effective in 2014.

BILL HANLON (Southern Nevada Regional Professional Development):

I support A.B. 290 because it provides an opportunity to learn standards. Nevada adopted new math standards in 2005 which began to be tested in 2010. The students did not do well on that test partly because they had not completed algebra II or geometry classes. Students should be tested after they have had the opportunity to learn the content. We need to know what the students know and do not know so we can prepare them for their next year with remediation or otherwise address deficiencies.

SENATOR CEGAVSKE:

If the tenth-grade test is no longer given, how do we know the proficiency of a student?

MR. HANLON:

If the student does not take the actual HSPE, the student would take a practice test to determine any deficiencies. You can assume there are deficiencies; otherwise, the parent, student and principal would not be asking to delay the HSPE.

SENATOR CEGAVSKE:

The tenth-grade test could still be taken, but if you opt out, are there options available?

ASSEMBLYWOMAN NEAL:

Not every student will be delayed. If a student is delayed, the HSPE will be taken at the next opportunity. Due to funding constraints, there is not a pretest in A.B. 290. There is a pilot program to track eighth-grade students and determine their deficiencies. The deficiencies would then be addressed in ninth grade. This is not a district-wide program. This Session, there have been a few bills amending the ninth-grade academic plan to assure the student is placed in appropriate courses or tutoring.

SENATOR CEGAVSKE:

Right now, we require a tenth-grade proficiency test. If we take that away, why is there no money for a pretest?

CHAIR DENIS:

The tenth-grade student will still take the HSPE. There will be a few who will delay the test, but they will still take the test. A pretest would be an additional test.

ASSEMBLYWOMAN NEAL:

The original version of A.B. 290 included a pretest for all beginning tenth-grade students. The DoE said there was no funding for a pretest.

SENATOR WIENER:

How many students would take advantage of A.B. 290?

MR. HANLON:

I do not have any data. The pass rate, based on sophomore performance last year, was very low. The DoE had to adjust the cut score to have more students pass. The original HSPE was given during the junior or senior year. To give more students an opportunity, it was moved to the sophomore level. The problem with that is the HSPE, since the late 1970s, has increased in difficulty. Last time, 60 percent of the students did not pass the HSPE on their first attempt. If the test is going to increase in difficulty, the students should complete the coursework required to pass the test before giving them their first opportunity.

ASSEMBLYWOMAN NEAL:

The test scores for 2009-2010 for math and science for most of the schools in Nevada are included in "Creating 'Time' to Teach," page 9, [Exhibit K](#). There is a problem with students not being prepared, yet we want them to graduate.

CHAIR DENIS:

What is the proficiency rate for the Las Vegas Academy? The Academy is on a block schedule.

ASSEMBLYWOMAN NEAL:

The Las Vegas Academy is 91.5 percent proficient in mathematics and 97 percent proficient in science. There is a different rate of excellence in the magnet and empowerment schools. The magnet schools have a different program. It is more targeted. The focus is on a specific group. If the student does not perform, there is a risk of not continuing in the magnet program.

CHAIR DENIS:

Because they are on a block schedule, they can take more classes and may have had the classes when the HSPE is taken.

BART MANGINO (Clark County School District):

The CCSD supports A.B. 290. The bill provides more time for students to acquire knowledge and gives the districts the opportunity to identify deficiencies. The CCSD's proposed amendment, [Exhibit L](#), is concerned with grading criteria which may vary from school district to school district. Is the grading based on homework, extra credit or testing? The amendment allows the school district to establish the necessary criteria.

SENATOR CEGAVSKE:

Does the CCSD's proposed amendment, [Exhibit L](#), change Mr. Hanlon's position on A.B. 290?

MR. HANLON:

I support the bill and the proposed amendment.

MR. STEVENS:

The NSEA supports A.B. 290 and the CCSD proposed amendment.

LONNIE SHIELDS (Nevada Association of School Administrators):

The Nevada Association of School Administrators (NASA) was included in the development of A.B. 290. We appreciate the addition of the principal's designee to help make decisions about students. The NASA also supports the CCSD proposed amendment.

DR. MERRILL:

The NASB supports A.B. 290 and the CCSD proposed amendment. We are unsure how often it will be appropriate to provide this flexibility, but there will be cases when students have not been prepared. The preparation of teachers in math and science may have impeded progress. It is important to discuss specific curriculum and instruction to assist in preparing the student.

TERRY WHITNEY (The College Board):

The College Board does not spend much time speaking with legislators about our advance placement (AP) program, but we do spend time with the DoE every February when our AP report to the nation is published. The last report indicated

that Nevada ranks at 15 percent in terms of the percentage of the class of 2010 with at least one experience with an AP course over the last year. The national average is 16.9 percent. A number of states require career and academic plans. Colorado has had the Individual Career and Academic Plan in place for three years. The College Board would be pleased to help the Committee understand the help this type of plan is for students.

SENATOR WIENER MOVED TO AMEND AND DO PASS AS AMENDED
A.B. 290.

SENATOR LESLIE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

CHAIR DENIS:

The Committee will now hear A.B. 455.

[ASSEMBLY BILL 455 \(1st Reprint\)](#): Revises provisions governing athletics in public schools. (BDR 34-1137)

ASSEMBLYMAN JASON M. FRIERSON (Assembly District No. 8):

As a former Reno member of the Southern Nevada Officials Association and a former University of Nevada, Reno football player, I have become involved in this legislation spearheaded by the National Football League. Assembly Bill 455 requires the Nevada Interscholastic Activities Association or local schools to develop a policy related to conditions under which a high school athlete can reenter a game after displaying symptoms of a concussion. If a student sustains or is suspected of sustaining a head injury, the player must be removed immediately and can only return if a parent provides a letter indicating a health-care professional has given clearance. The students and parents would be required to sign a document acknowledging they have received the policy. Nevada's high schools have policies in place addressing this issue. This bill will ensure that parents, students and coaches are aware of the policy to protect athletes. An interest has been shown to expand this bill to cover all youth sports. While this is equally important, there is not a structure to regulate or oversee youth sports. The *Nevada Revised Statute* (NRS) which A.B. 455

addresses is specific to schools. If there is a way to expand this bill without jeopardizing its advancement, I am open to that discussion.

CHAIR DENIS:
Is there an amendment?

ASSEMBLYMAN FRIERSON:

I will be speaking with those people interested in an amendment. We want to avoid an oversight structure which complicates A.B. 455. I will circulate the amendment if there is one. The greatest concern with youth sports is who will provide oversight and if there will be a financial impact. Another concern is the families without health insurance needing a doctor's note.

JIM PORTER (Chair, State Board of Athletic Trainers):

I am the coordinator of athlete training services for the CCSD through Select Physical Therapy. I supervise the athletic training program at 32 of the high schools in the CCSD and work with other contractors to ensure the CCSD policy on management of concussions is followed. I authored the policy which has been in place since 2005. I monitor the concussions within the CCSD's athletic department. The State Board of Athletic Trainers is in favor of A.B. 455 but would like to see section 2 expanded to include youth sports. In addition to high school events, the CCSD does 35 major sporting events annually. The greatest risk is with youth sports. Within the CCSD, 11 percent of injuries are concussions. Over the last three years, none of the concussions have gone beyond the initial concussion. The Nevada Athletic Trainers Association's (NATA) proposed amendment could correct the issue without a financial hardship on any of the organizations involved.

CHAIR DENIS:
Assemblyman Frierson, have you seen the NATA proposed amendment?

ASSEMBLYMAN FRIERSON:

I am familiar with the amendment. It is something on which we need to work. It inserts youth sports in a section of the NRS dealing with schools.

PAUL J. ANDERSON (General Counsel, Nevada Interscholastic Activities Association):

The Nevada Interscholastic Activities Association supports the intent of A.B. 455. Concussion management is ongoing, since 2005, through the Nevada

Interscholastic Activities Association and various school districts, including WCSD and CCSD. The second impact program (SIP) is a comprehensive program all student athletes support with a \$5 annual fee. The athletes are baseline tested with respect to a neuropsychological baseline. If any injuries are found, we have physicians to monitor the program. Developing a program under A.B. 455 would not be a problem. The SIP requires more than a physician's clearance for a student athlete to return to the field. The SIP requires collaboration between the athletic trainer, medical evaluation by a family physician and a cognitive assessment and clearance.

FRANK SAKELARIOS (President, Nevada Athletic Trainers Association):

I am the athletic trainer for Carson High School. The NATA supports A.B. 455. Since 2006, Carson High School (CHS) has had a program in place to manage concussions. The CHS baselines all of its athletes. If they sustain a concussion, they are tested through the SIP. A physician's clearance is required. Some activity is required before the athlete is released to play. The CHS has not had a repeat concussion or repeated signs of a concussion since the program was instituted. We appreciate the possibility of including youth sports.

MR. MANGINO:

The CCSD supports A.B. 455. Bonanza High School has the SIP and has had no repeat concussions.

MS. PIERCZYNSKI:

The NASB supports A.B. 455.

MR. HULSE:

The WCSD supports A.B. 455.

MR. SHIELDS:

The NASA supports A.B. 455.

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CHAIR DENIS:

There being no further testimony or public comment, this meeting is adjourned
at 4:43 p.m.

RESPECTFULLY SUBMITTED:

Sandra Small,
Committee Secretary

APPROVED BY:

Senator Mo Denis, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 39	C	Pepper Sturm	Work Session Document
A.B. 40	D	Pepper Sturm	Work Session Document
A.B. 113	E	Pepper Sturm	Work Session Document
A.B. 233	F	Pepper Sturm	Work Session Document
A.B. 456	G	Pepper Sturm	Work Session Document
A.B. 227	H	Nicole Rourke	CCSD Amendment
A.B. 227	I	Christopher Roller	American Heart Assn. Written Testimony
A.B. 227	J	Nicole Bungum	Written Testimony in support
A.B. 290	K	Assemblywoman Dina Neal	Creating "Time" to Teach
A.B. 290	L	Bart Mangino	CCSD Amendment