

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-sixth Session
March 2, 2011**

The Senate Committee on Education was called to order by Chair Mo Denis at 3:35 p.m. on Wednesday, March 2, 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

STAFF MEMBERS PRESENT:

Pepper Sturm, Policy Analyst
Billie McMenamy, Committee Secretary

OTHERS PRESENT:

Craig M. Stevens, Nevada State Education Association
Chris Miller, President, Nevada Association of School Boards
Carol Crothers, Assistant Deputy, Nevada Assessment, Program Accountability and Curriculum, Department of Education
Caroline McIntosh, Superintendent of Schools, Lyon County School District
Jill Derby, Ph.D., Cultural Anthropologist Educational Consulting
Beth Wells, Interim Executive Director, G2 NV STEM Education Coalition
Alison Turner, President, Nevada Parent Teacher Association
Sylvia R. Lazos, Justice Myron Leavitt Professor of Law, William S. Boyd School of Law, University of Nevada, Las Vegas

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Ralph E. Reynolds, Ph.D., Professor, Department of Educational Psychology,
Director & Senior Scientist, Center for Evaluation & Assessment,
University of Nevada, Las Vegas

LeAnn G. Putney, Professor, University of Nevada, Las Vegas

Robert E. Dickens, Ph.D., Director, Office of Governmental Relations, University
of Nevada, Reno

Wesley Goetz

Jim Endres, Government Affairs Group, Executive Director, McDonald Carano
Wilson

Ray Bacon, Nevada Manufacturers Association

Brin Gibson, Attorney At Law, Lionel Sawyer & Collins

Keith Rheault, Ph.D., Superintendent of Public Instruction, Department of
Education

Steve Canavero, Ph.D., Director, Office of Charter Schools, Department of
Education

Bart Mangino, Clark County School District

Francisco Aguilar, Andre Agassi Foundation for Education

Shaundell Newsome, 100 Academy of Excellence

Leigh Berdrow, Director, Academy for Career Education

Mike Cate, Board Member, Academy for Career Education

Chris Ferrari, Ferrari Public Affairs

Ricci Rodriguez-Elkins, Principal, E-TECHS

CHAIR DENIS:

We will open the meeting with a reading of the book "Green Eggs and Ham" by Dr. Seuss in recognition of Read Across America Day, March 2, 2011. "The more that you read, the more things you will know. The more that you learn, the more places you'll go." The great American who also wrote this is celebrating a birthday today. That man, Dr. Seuss, changed the landscape in American literature. We celebrate his birthday by celebrating reading across our nation. As Nevadans, we should celebrate Dr. Seuss, not just for what he has given us, but also for the opportunity to spend time with family to read a good book. This simple act may be the spark of inspiration for a generation of Nevadans in producing the next great author, poet, or leader of this State. Read Across America is an annual reading motivation and awareness program calling for every child in every community to celebrate reading on March 2, the birthday of children's author Dr. Seuss. I am proud to be issuing a proclamation ([Exhibit C](#)).

CRAIG STEVENS (Nevada State Education Association):

Dr. Seuss epitomizes the love of children in learning. His use of rhyme makes his books effective for teaching young children basic skills for success. When we celebrate Dr. Seuss in reading, we send a clear message to America's children that reading is fun and important. The National Education Association (NEA) and affiliates are celebrating Dr. Seuss's birthday and Read Across America March 2, 2011. The Nevada State Education Association (NSEA) encourages all students to read. Reading is a foundation for great education. Dr. Seuss recognized that students need to have fun reading. This proclamation means so much to the NSEA.

CHRIS MILLER (President, Nevada Association of School Boards):

We represent all 17 counties and the 107 elected school board trustees. Through local board leadership, the National Association of State Boards of Education (NASBE) supports success for all students. Reading is a vital component of student achievement. For generations, Dr. Seuss has started children along the path to success. In "Oh the Places You'll Go," the extraordinarily wise Dr. Seuss tells us: "You have brains in your head. You have feet in your shoes. You can steer yourself any direction you choose. You're on your own. And you know what you know. And YOU are the guy who'll decide where you go." Will our students with strong reading skills succeed? Dr. Seuss's answer is, "Yes! You will, indeed! (98 and 3/4 percent guaranteed)."

CHAIR DENIS:

We open the hearing with Senate Bill (S.B.) 211, which directs the Legislative Committee on Education to facilitate a study to determine whether the Common Core Standards are being implemented in kindergarten through Grade 12 (K-12).

SENATE BILL 211: Requires a legislative study of the implementation of the Common Core State Standards in the public schools in Nevada.
(BDR S-1099)

CAROL CROTHERS (Assistant Deputy, Nevada Assessment, Program Accountability and Curriculum, Department of Education):

I would like to inform you about the status of the implementation of the Common Core State Standards (CCSS) in Nevada. Before the CCSS were formally adopted by the State Board of Education and State Board For Career and Technical Information (State Board) in October 2010, Nevada educators

were already busy in work teams. Educators across the State compared the CCSS with existing Nevada standards to determine gaps, changes and what impact adopting these standards would have. We worked with WestEd, through the Southwest Comprehensive Center, for an external evaluation of the gap analysis. Following the gap analysis, educators in specific content areas and grade levels worked on a translation guide. This guide could be used by educators across the State, grade by grade, content by content, for awareness of what they will be doing differently as a result of adopting the CCSS. Early conversations resulted in recognition that both students and educators may need additional time and professional development. An implementation plan has been proposed that will allow a more transitional movement toward mathematics in Grades three through eight. I have provided three documents ([Exhibit D](#)) which are representative samples of the material we have developed to help with implementation of the CCSS.

CAROLINE MCINTOSH (Superintendent of Schools, Lyon County School District):
Lyon County School District is in support of this bill. It will ramp up the rigor so our students are prepared for college and careers.

JILL DERBY, PH.D. (Cultural Anthropologist Educational Consulting):
I am here representing the Education Reform Blue Ribbon Task Force. It was critical for Nevada to adopt the CCSS. The adoption of the CCSS was a challenge and was important. Adopting the CCSS is 10 percent; the rest is implementation. This significantly raised the academic standards in Nevada. Training teachers to teach to this new level of standards is the key. This is a three-phase process. We are now in phase two which is training the teachers.

CHAIR DENIS:
Senate Bill 211 will require a look to see how the process is going and will require reporting results.

DR. DERBY:
The leadership of this steering committee is doing good work. Our plan is comprehensive. The districts are in the implementation process.

CHAIR DENIS:
We are talking about education reforms. We want to be certain they have been implemented. Please report back the good news.

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MS. CROTHERS:

The Department of Education Website will house these materials. We have designed a feature to indicate when the last update occurred.

MS. MCINTOSH:

I support the study. We need to work collaboratively.

SENATOR LESLIE:

I do not see a fiscal note. Will we appropriate the money through the Legislative Committee on Education? If so, how much it will cost?

CHAIR DENIS:

Senator Leslie, this will be addressed at a later time.

CRAIG STEVENS:

The NSEA is going to help get the information out. Resources need to come with training. We will be doing a disservice to our educators, to our children and to the idea of reform if we do not fully invest in those standards.

SENATOR CEGAVSKE:

After last Session, we hired someone to verify if we were teaching up to standards. This was done before the CCSS. We found elementary through most middle school standards were being taught. A portion of middle schools and high schools did not fare well. Are we going to implement a legislative study now? This sounds very similar to the survey previously done. Mr. Chair, how will this be more beneficial than the last survey? You are asking for more resources. We have always had standards. Should we survey teachers to find out if they are aware of the higher standards, especially in math and science? We could ask them if they are aware of the ramped-up standards and what help they need to comply. It would require all teachers, substitutes and administration to be involved. We know new standards are not being implemented.

CRAIG STEVENS:

The Department Of Education has a time line to implement these practices. University representatives are on the steering committee and play a large role. It is not that the standards are different; they are put into different places. For example, a skill taught in fifth grade may be a skill now needed in third grade.

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CHAIR DENIS:

Can you give us more background, Mr. Sturm?

PEPPER STURM (Policy Analyst):

Senate Bill 211 directs the Legislative Committee on Education to enter into an agreement with the Nevada Science, Technology, Engineering, and Mathematics (STEM) Education Coalition to review the implementation of the CCSS related to STEM within school districts in Nevada.

BETH WELLS (Interim Executive Director, G2 NV STEM Education Coalition):

Gathering Genius was formed with a mission to improve participation in science fairs around the State, to develop children's interest in STEM fields and to foster their competitiveness globally and in Nevada. We joined the National Alliance of State Science and Mathematics Coalitions (NASSMC). There are 42 states that have STEM coalitions. Their missions, activities and effectiveness vary. We hosted the Intel International Science and Engineering Fair (ISEF) in 2009, raising \$1.2 million. The State gave us \$200,000 toward that event which we translated into \$6 million of economic development for northern Nevada. Our mission is to promote leadership and collaboration among business, community, education, and government stakeholders to develop nationally recognized science, technology, engineering and math (STEM) education for all Nevada students from early childhood through Grade 12 (EC-12). This is the first year of the STEM education coalition, but Gathering Genius is not new. I have provided information from Gathering Genius, "NV Stem Education Coalition News" ([Exhibit E](#)).

CHAIR DENIS:

The bill itself will ask the coalition to study the implementation of the CCSS in public schools in the State. Is the coalition willing to do the study? Is there an associated cost?

MS. WELLS:

I cannot speak for my board on specifics. Our goal is to identify and recognize what is being done correctly. We can look for grant money.

ALISON TURNER (President, Nevada Parent Teacher Association):

We support S.B. 211 on the basis of accountability and tying into the master plan. There was no mention of parents and how to involve them in this process.

The National Parent Teacher Association as well as the Nevada Parent Teacher Association are strong supporters of the CCSS.

CHAIR DENIS:

I will close the hearing on S.B. 211. We will now open the hearing on S.B. 216.

SENATE BILL 216: Establishes Reading Skills Development Centers.
(BDR 34-1098)

MR. STURM:

Senate Bill 216 establishes Reading Skills Development Centers within the University of Nevada, Reno (UNR), and the University of Nevada, Las Vegas (UNLV). The measure provides that the Centers will assist Nevada school districts in identifying, accessing and providing services to students with reading difficulties.

SYLVIA R. LAZOS (Justice Myron Leavitt Professor of Law, William S. Boyd of Law, University of Nevada, Las Vegas):

We believe every Nevada child should experience the joy of reading, regardless of their skill level. Last year UNLV inaugurated the Lincy Institute to bring knowledge of the academy to the community. The academy should not remain isolated but be engaged in solving problems of every Nevadan. We are Lincy Fellows and were awarded a grant in January 2011. Our focus has been on increasing the performance and intervening on behalf of our less privileged children in southern Nevada. This center is an outgrowth of that research and project. Our goal is to improve the reading skills of Nevada's children at all grade levels. We support the Governor's proposal to end social promotion by the third grade. Our teachers, administrators and principals should receive support in making that goal a reality. This reading center will build the expertise and capacity in our personnel and teachers and in Nevada schools.

RALPH E. REYNOLDS (Ph.D., Professor, Department of Educational Psychology, Director & Senior Scientist, Center for Evaluation & Assessment, University of Nevada, Las Vegas):

My presentation is to tell you what the center will do in more specific terms. I would like to start with a statement made at the international Society for the Scientific Study of Reading in 2000. They dedicated the decade from 2000 to 2010 to ensuring that the reading performance of young children was improved throughout the world. The statement was "Reading well is the cornerstone for

success in our modern, information-age society." I would like to stress the importance of this third-grade level. Original research published in 1986 concludes if children are not reading proficiently at the end of third grade, their chances of being successful adult readers are less than 20 percent. In the modern information age, if you are not a successful adult reader, you have little opportunity for success in our society. The data I want to present, with the idea of contextualizing, comes from The National Assessment of Educational Progress (NAEP). Known as the nation's report card, it is the most reliable data to compare the reading performance of students in Nevada with the rest of the nation. My handout categorizes the NAEP assessment data ([Exhibit F](#)).

LEANN G. PUTNEY (Professor, University of Nevada, Las Vegas):

I am here on behalf of UNLV. I was active in the start-up of Paradise Professional Development School on the UNLV campus. My outreach and research work has been K-12 oriented. This is an expertise to bring to our work. We make sure the research is available to teachers. This is a collaborative effort. Clark County School District is on board with the idea. We have the expertise and the people resources to get this moving forward. We have the collaborative relationships in place in Clark County. We also have expertise in creating and running this type of centers, so it is a proven type of center; we know how to do this, and we know how to make it work. At the same time, we have made connections with our colleagues at the UNR who have a small center. We seek outside funding to help with this, but what we really need is the push that this legislative piece will give us. Having this bill pass will give the impetus and the legitimacy the center will need for us to garner outside support.

DR. LAZOS:

Mr. Chair, the chancellor of the Nevada System of Higher Education (NSHE) has authorized me to inform you that he supports the bill. He would like clarification that the appropriation being requested in the bill be understood to be a separate budgetary allocation and not be part of the base budgets of the universities.

CHAIR DENIS:

We are talking about reform, perhaps in a different way. I am the parent of five children, and all have been great readers. We read as a family. They have been successful in other subjects in school because they are good readers.

ROBERT E. DICKENS, PH.D. (Director, Office of Governmental Relations, University of Nevada, Reno):

I rise in support of S.B. 216 on behalf of my university and our faculty. We have four faculty members who are nationally and internationally recognized literacy education members who provide expertise to UNR, and two of them have written a widely-adopted literacy textbook for colleges of education and for use in the K-12 setting. We welcome this legislation and support the Committee's initiative and reform effort.

WESLEY GOETZ:

I am in favor of this bill. I did not learn to read until age 13. A large percentage of prisoners cannot read. We have resources available to teach them, with use of our old computers and textbooks. Teachers can be available to teach prisoners by videoconference and the Internet.

CHAIR DENIS:

We will close the hearing on S.B. 216 and we will open the hearing on S.B. 212.

[SENATE BILL 212](#): Revises provisions governing charter schools. (BDR 34-900)

MR. STURM:

This is a redraft of S.B. No. 385 of the 75th Session. Last Session this bill passed out of Senator Wiener's Senate Committee on Health and Education, and passed the Senate with a 21 to 0 vote. However, it did not pass the Assembly. Essentially, with a few technical changes, this is a redraft of S.B. No. 385 of the 75th Session. The name changes from the "Nevada Charter School Institute" to the "State Board of Charter Schools (SBCS)". Senate Bill 212 creates the SBCS. The bill establishes that the SBCS has seven members: two appointed by the Governor, two each by the Senate Majority Leader and the Speaker of the Assembly, and one by an association of charter schools. This legislation removes the authority of the State Board to sponsor charter schools and instead authorizes the SBCS to sponsor these schools in Nevada. The sponsorship of all State Board sponsored charter schools is transferred to the SBCS. The State Board subcommittee on Charter Schools is therefore abolished. The bill authorizes the SBCS to adopt regulations relating to charter schools and eliminates the authority of the State Board to adopt these regulations. The State Board may disapprove any regulation adopted by the SBCS: only if the regulation threatens the efficient operation of the public

school where it creates an undue financial hardship for a charter school in Nevada. The Department of Education maintains authority to adopt regulations relating to the finances and budgets of charter schools. The bill also creates the Account for the SBCS and authorizes the SBCS to accept gifts, grants and bequests for deposit into the Account. Finally, the measure provides for the appointment of staff to the SBCS. It requires a sponsor of the charter school to forward accountability information to the SBCS to be included in the SBCS annual accountability reports for all charter schools in Nevada.

JIM ENDRES (Government Affairs Group, Executive Director, McDonald Carano Wilson):

I am here today representing K12 Inc. K12 Inc. is an education management organization and supports Nevada Virtual Academy. Nevada Virtual Academy is a distance-education charter school created four years ago. The school started with 300 to 400 children and today is the largest charter school in the State with over 3,200 children. There is a huge demand for the technology and educating opportunity that Nevada Virtual Academy offers through their distance-education program. Last Legislative Session, many people worked tirelessly on S.B. No. 385. We have observations in three general areas. We hope after the hearing today that interested parties will have an opportunity to gather as a common group and work through these thoughts. One of these thoughts deals with the scope of authority of the SBCS. What authority, after they promulgate regulations and other rules, will that board have over the district-sponsored charter schools? We would like more discussion about the creation of the district. On page 48, line 43 addresses the creation of the school district. This is existing language. Last Session, we were hoping to have more conversation. There are restrictions in that language. It is important to understand that once this SBCS is created and we construct a new district, it will be the third-largest district in the State. Charter schools in the State educate approximately 12,300 children, following Washoe County School District in total students. It will have a very large presence as a district. As a group, we hope charter schools will take advantage of the values that a constituted district would have, rather than the limitation we have on line 43. The last area to discuss is on page 61 of the bill and has to do with the fee structure. We hope to understand more fully the 2 percent fee structure that all charter schools pay. For our charter school, it is not a lot of money; it is \$85,000, but I want to bring into perspective what that is to a charter school of 3,200 children. This school year we are not being compensated for 600 children. We have an open-enrollment policy and continue to receive

children. The school watches its resources closely, so we would like some conversation regarding the 2 percent, how are they applied and other constructs around the 2 percent.

RAY BACON (Nevada Manufacturers Association):

I am here representing the Blue Ribbon Task Force. Current wording on page 46, line 15 reads "school finance." I recommend that be changed to school finance and/or accounting. A key thing is to keep choices. We have seen the growth that is taking place in charter schools. It is an option for parents, one that needs to get stronger. This bill is a step in the right direction.

BRIN GIBSON (Attorney At Law, Lionel Sawyer & Collins):

I am here on behalf of Nevada Connections Academy, a statewide charter school that provides hundreds of Nevada children highly individualized instruction. We support the bill. Our request is, that the board be a Local Education Agency (LEA) for State sponsored charter schools. They would then be able to seek Federal Title Funds. Nevada State-sponsored charter schools are missing out on hundreds of dollars per student in available federal funding. If remedied, this could mean up to \$500,000 per school annually.

KEITH RHEAULT, PH.D. (Superintendent of Public Instruction, Department of Education):

We are supportive of the SBCS concept. There is no equity within the State. If you are a school district-sponsored charter school, we can funnel federal funds to the school. If you are a State Board-sponsored charter school, of which there are ten in the State, you are not recognized as a school within a LEA. We cannot provide you the special education funds, the Title I funds, or a number of other funds. I support getting a group of interested parties together to improve the bill.

SENATOR DENIS:

Dr. Rheault, will you put together a group?

SENATOR WIENER:

When we considered the similar bill last Session, one of the concerns was about local school districts that were not sponsoring anymore. They had capped the number of charter schools. Can you tell us how many school district-sponsored, and how many State Board-sponsored charter schools we have now? It will help us with perspective.

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DR. RHEAULT:

We have 17 sponsored by school districts. The State Board sponsors ten. The State Board just approved six or seven new charters for start-up in the fall.

SENATOR WIENER:

When was the last school district-sponsored charter school instituted?

DR. RHEAULT:

It was a new charter school in Elko three years ago.

STEVE CANAVERO, PH.D. (Director, Office of Charter Schools, Department of Education):

The national charter organization classifies state boards of charter schools as independent chartering boards. These independent chartering boards are mission-specific boards, authorized by a state for the sole purpose of granting and overseeing charters. Through this bill, Nevada is poised to join seven states already having such boards. Through conversations with policy experts, I can offer general principles for your consideration ([Exhibit G](#)).

BART MANGINO (Clark County School District):

The Clark County School District supports S.B. 212.

FRANCISCO AGUILAR (Andre Agassi Foundation for Education):

We are here in support of S.B. 212 and the SBCS. The opportunity this bill presents in advancing charter schools in Nevada and attracting best-in-class operators to Nevada is exciting.

Ms. Turner:

The Nevada PTA supports S.B. 212. We have long been a supporter of charter schools. We believe this bill brings equity to the Department of Education and local school districts.

SHAUNDELL NEWSOME (100 Academy of Excellence):

I am in favor of the new charter institute. I experienced firsthand how charter schools transform a neighborhood. Children are now encouraged through the different methods of teaching which charter schools allow. Rainbow Dreams Academy focuses on "The Seven Principles of Kwanzaa." There are attributes to be explored to get children to read. The 100 Academy of Excellence has been working with their students, many of whom come from single parent homes or

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come from homes broken by crime or drugs. We are teaching these children shared values and parent choice and satisfaction.

LEIGH BERDROW (Director, Academy for Career Education):

The Academy for Career Education (ACE) was established in 2002 for students in grades 9-12 who had an interest in pursuing a career in construction and engineering and related fields. The ACE focuses on core academics such as reading, writing, math and science, through the application of construction skills. We are sponsored through the Washoe County School District.

I would like to go on record in support of the majority of S.B. 212. The creation of a SBCS is a great idea for sound charter school public policy. As in 2009, when this concept was introduced and debated, ACE does not support the proposed language in section 46, subsection 3, of the bill which would increase the amount of the sponsorship fee paid by a charter school to the new SBCS or existing sponsor ([Exhibit H](#)).

MIKE CATE (Board Member, Academy for Career Education):

I am one of the founding board members of ACE. The board is aligned with this bill with the exception of the fee structure.

SENATOR LESLIE:

You currently pay \$12,000 to \$14,000 per year for monitoring every three years. Is that correct?

MS. BERDROW:

Actually, that is our sponsorship fee. Included in that would be monitoring. The bill from our district does not change, whether we are monitored or not. We are always billed the maximum.

SENATOR LESLIE:

Your amendment contemplates if you meet the criteria, you would continue to pay that amount.

MS. BERDROW:

That is correct.

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SENATOR LESLIE:

If you did not meet the criteria, then the subsequent year would you pay the 2 percent?

MS. BERDROW:

Yes.

CHRIS FERRARI (Ferrari Public Affairs):

I am appearing on behalf of Imagine Schools. We speak in strong support of this bill.

RICCI RODRIGUEZ-ELKINS (Principal, E-TECHS):

I am the principal of a new charter school. E-TECHS is an entrepreneurial, technical and engineering charter high school. We are in favor of this bill. As a new school, the 2 percent fee is a large amount for us to pay. As required by law, we currently are required to pay 1.5 percent. We are establishing a new body for the State which requires resources and staff. It is worth investing in our new entity, so we do not oppose paying the 2 percent.

SENATOR CEGAVSKE:

While I do appreciate this bill, I will be excited to see the Governor's bill when it comes over as it relates to the charters.

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CHAIR DENIS:

We will have more hearings as we work through this process. I close the hearing on S.B. 212. Having no further business, this Committee is adjourned at 5:42 p.m.

RESPECTFULLY SUBMITTED:

Billie McMenamy,
Committee Secretary

APPROVED BY:

Senator Mo Denis, Chair

DATE: _____

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C		Proclamation
S.B. 211	D	Carol Crothers	Common Core State Standards
S.B. 211	E	Beth Wells	Nevada Stem Education Coalition News
S.B. 216	F	Dr. Ralph Reynolds	Reading Skills Development Center Proposal
S.B. 212	G	Steve Canavero	Written Testimony
S.B. 212	H	Leigh Berdrow	Academy for Career Education written testimony