

**MINUTES OF THE  
SENATE COMMITTEE ON EDUCATION**

**Seventy-sixth Session  
March 30, 2011**

The Senate Committee on Education was called to order by Chair Mo Denis at 3:33 p.m. on Wednesday, March 30, 2011, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412E, 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:**

Senator Ben Kieckhefer, Washoe County Senatorial District No. 4

**STAFF MEMBERS PRESENT:**

Pepper Sturm, Policy Analyst  
Billie McMenamy, Committee Secretary

**OTHERS PRESENT:**

Anna Savala, Washoe County School District  
Keith Rheault, Ph.D., Superintendent of Public Instruction, Department of Education  
Dale Erquiaga, Senior Advisor, Office of the Governor  
Dylan Shaver, Wynn Las Vegas

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Nicole Rourke, Clark County School District  
Craig Stevens, Nevada State Education Association  
Joyce Haldeman, Clark County School District  
Mark Coleman, Clark County Association of School Administrators &  
Professional Technical Employees

CHAIR DENIS:

We will open the hearing with Senate Bill (S.B.) 315.

**SENATE BILL 315**: Authorizes the board of trustees of a school district to allow a person with certain qualifications to teach a particular course for a provisional time without licensure. (BDR 34-819)

SENATOR BEN KIECKHEFER (Washoe County Senatorial District No. 4):

I decided to bring this bill forward after discussions with people in the Washoe County School District (WCSD). We discussed efforts to broaden their applicant pool for teaching positions. This bill is a manifestation of those discussions as well as "Nevada's Promise." The issue over lacking an alternative route to licensure (ARL) for teachers which is now included in that document undermined our ability to apply for federal Race to the Top Funds.

Section 2 of this piece of legislation is the crux of the effort as it relates to creating an ARL—consistent with "Nevada's Promise." That ARL effort requires the Commission on Professional Standards in Education to draft the regulations and create systems by which these ARLs would be created. The statutory language would include several requirements listed on page 3, lines 23 through 41. Those are specific requirements listed in "Nevada's Promise."

Section 1 allows school districts to create an ability to offer a provisional license for someone to teach a specific course within their schools. My vision is to provide a member of the community, with a certain subject matter expertise, the ability to go into a school to teach a specific course. My goal is to ensure there are excellent teachers in our classroom.

The final edition to the "Nevada's Promise" concept is in section 5. This offers reciprocity to teachers who receive a license through an ARL in other states.

ANNA SAVALA (Washoe County School District):

I am here on behalf of the WCSD in support of this bill. The ARL proposed will help expedite our hiring process. We could put teachers in the classroom faster. In addition, this bill would allow us to fill those hard-to-fill positions, like math and science with those subject-matter experts. We also support the reciprocity of alternative routes from other states.

SENATOR WIENER:

Is there a time frame for which these experts would be brought in to teach?

SENATOR KIECKHEFER:

My idea is based on the notion that a person would offer a specific course for a semester, potentially a year. My intent is to make this a district program to allow district control. Ultimately, the district will know best their student and staffing needs. I do not want to create a system by which we allow a person with subject-matter expertise to enter a classroom, discover they are fabulous at what they do and then keep them from coming back because they have been there for a semester or a year. These are not individuals I envision changing professions or replacing full-time teachers. This provisional license is an opportunity to bring someone into a classroom with an expertise. These people have retired from a profession and should not be required to go through a new training system. I recognize an expert in a particular field might not be a great teacher.

SENATOR WIENER:

What happens if it is determined this person is not a good teacher?

SENATOR KIECKHEFER:

The person is not rehired. This is the excellent part of the provisional license.

CHAIR DENIS:

Who establishes the requirements?

SENATOR KIECKHEFER:

My vision is that this will be a board policy that is specific district by district. These will be established members of the community who want to give back to their community. The districts will determine what is in their best interest and what will best meet their needs.

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CHAIR DENIS:

Section 2 addresses the ARL. How does that differ from what we have had before?

Ms. SAVALA:

Currently, the ARL is three years. This will condense that to two years or less.

CHAIR DENIS:

What criteria determines less than two years?

SENATOR KIECKHEFER:

The Commission on Professional Standards in Education determines what is necessary to create an ARL.

CHAIR DENIS:

Do you envision they would have different requirements for different subject matters?

SENATOR KIECKHEFER:

I would defer to them as the experts.

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

I signed up as neutral on S.B. 315. I support section 2 and section 5 which address ARL. Section 2 alternative route pieces are identical to the recommendations of the State of Nevada Education Reform Blue Ribbon Task Force (BRTF) through the federal Race to the Top Fund's application. This will allow for the completion in two years or less of the education and training required under the ARL.

There are eight core subjects requiring a license. They are as follows: English, math, science, foreign language, civics, economics, geography and history or the arts. This provision limits which teachers can be hired. In charter schools, 30 percent of teachers are not required to be licensed. They cannot teach core academic subjects. There are a few non-core subject areas such as career and technical education, technology and physical education. The Legislature passed a law requiring a Special Qualifications License. The Special Qualifications License is based on a person's degree and work experience. We have defined that a medical doctor can teach physiology, anatomy and life science. We also

have qualifications defined for those with engineering and political science expertise and lawyers. We already have this route available for those people. This is a renewable three-year license available not requiring additional course work.

CHAIR DENIS:

If they only teach one class, do the same requirements apply?

DR. RHEAULT:

Districts do not hire many of these individuals with a Special Qualifications License because the license is limited to a particular subject area. This is a method to hire an individual to teach one class in a particular subject area and be in compliance with the statutes.

SENATOR CEGAVSKE:

Can you please explain how the American Board for Certification of Teacher Excellence (ABCTE) compares to this program?

DR. RHEAULT:

A person can go the ARL through ABCTE and obtain a license. We have the ARL and the regular license. There are a number of ways to get individuals with expertise into the system. We have had special interest from aerospace engineers, physicists and a nuclear scientist, all of whom have received Special Qualifications Licenses. They came from the Nevada Test Site and are qualified to teach high-level math and high-level science. They are filling a niche in our teaching positions.

SENATOR WIENER:

There may be artisans who would like to contribute to the community but are unaware there is a need. Our local chambers of commerce could get the word out through their members.

DALE ERQUIAGA (Senior Advisor, Office of the Governor):

Governor Sandoval is a supporter of S.B. 315. The Governor has embraced virtually all of the recommendations from the BRTF. We appreciate Senator Kieckhefer for bringing forward these additional provisions.

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DYLAN SHAVER (Wynn Las Vegas):

Section 2 language has been fully vetted by the BRTF. We are here in support of S.B. 315.

NICOLE ROURKE (Clark County School District):

We were active participants on the BRTF and are supportive of ARL programs. We would like to be part of the group that works on compliance with the No Child Left Behind Act of 2001 (NCLB). We are in compliance with highly qualified teachers. We have hired a number of ARL teachers. Senator Wiener, Clark County School District's Website outlines procedures and qualifications of the program.

CHAIR DENIS:

Have you hired individuals in both the ARL and Special Qualifications License programs?

MS. ROURKE:

We have hired individuals using both programs. In the Special Qualifications License program an example is our technical education program. We have an entertainment engineering program that prepares students to work in shows located in casinos.

CHAIR DENIS:

In relation to section 1 of the bill, do you see this as a repeat of what already exists?

MS. ROURKE:

This bill might help us in specialized areas but will not help in English, math and special education which requires highly qualified teachers under the NCLB. It may be beneficial for those specialized subject areas that do not need to meet those requirements.

CRAIG STEVENS (Nevada State Education Association):

The Nevada State Education Association (NSEA) believes in section 2 of this bill, specifically the ARL sections. We were on the BRTF working with community partners, believing this is worth striving for. The goal is to find effective people with the best training.

The NSEA cannot support section 1 in its current form. How would they educate or reevaluate? Educators have licenses not just for content but for managing classrooms, for creating lesson plans and dealing with difficult students. What is needed is to get the content into a lesson and to teach that content so different types of learners can benefit.

CHAIR DENIS:

Mr. Stevens, did I hear you say you support the language in section 2 but cannot support section 1?

MR. STEVENS:

Yes, that is correct. Mr. Chair, there was a bill last Session, A.B. No. 425 of the 75th Session, which helped place someone with specific knowledge into the classroom. It provides two years for licensing, and they are in the classroom with a mentor during those two years.

SENATOR WIENER:

What is your feeling on section 5 with regard to reciprocity?

MR. STEVENS:

As long as the State Board of Education and State Board for Career and Technical Education and the Department of Education approve and their quality standards are met, we have no problem trying to attract the best and brightest from other states.

CHAIR DENIS:

If there are no further questions, we will close the hearing on S.B. 315 and will open the hearing on S.B. 239.

**SENATE BILL 239**: Authorizes the board of trustees of a school district to establish a program to provide scholarships to pupils who graduate early from high school. (BDR 34-367)

SENATOR BARBARA K. CEGAVSKE (Clark County Senatorial District No. 8):

The purpose of S.B. 239 is to provide a partial higher education scholarship to high school students who have completed graduation six months prior to their expected graduation date. According to the Education Commission of the States (ECS), the senior year of high school is also called the senior slump. The policy makers and school staff have long bemoaned the wasted senior year. Few,

if any, students need to complete courses to fill high school graduation requirements. Mentally, if not physically, they have checked out. Some states are seeking solutions to the facility and staffing challenges posed by concurrent growing high school student enrollment and class-size limitation at a high school level. Why does everyone have to attend high school for four years? If students can master the material in less time, why not let them move on?

A number of states are exploring programs which allow students to put their senior year of high school to better use, by finishing graduation requirements early and getting a jump start on postsecondary education or a career. One of those approaches involves scholarship incentives for early graduation. When the ECS looked at this approach early in 2010, there were three states with such programs: Arizona, Texas and Utah. Since that time, Idaho has implemented a pilot program, and three other states have introduced such legislation this year. They each have slightly different approaches. Senate Bill 239 is similar to Utah's approach in that it minimizes the impact upon school districts. They keep one-half of the per-pupil income funding for the full school year, even though the student is no longer enrolled. This bill meets the ECS best practice criteria; it does not reduce graduation requirements for students participating in the program. It is permissive so any authorizing district to create a program if they wish.

The key provisions are on pages 6 and 7. Section 4 is the heart of this legislation. Section 4, subsection 1 provides that this is permissive. School districts "may" establish such a program. This will only apply to students graduating at least six months prior to their expected graduation date. Section 4, subsection 2, further specifies that students in the program must have satisfied all graduation requirements. They must have passed all required state high school proficiency tests. They must be enrolled in at least six semester credit hours at an institution of higher education. Section 4, subsection 7, on page 7, defines such institutions as federally or state approved degree-granting institutions with recognized accreditation. Section 4, subsection 3, specifies the process for a student's parent or legal guardian to apply for the participation in the program. Section 4, subsection 4 specifies that the scholarship award be one-half of the districts average per-pupil-expenditure. Section 4 subsection 5 allows a pupil to continue to receive the scholarship until the date they normally would have graduated. If a student is in good standing and enrolled in an institution of higher education, Section 4, subsection 6 provides for a reporting process to the State Department of Education.



SENATOR WIENER:

The pupils may continue to receive a scholarship if they remain in good standing in the institution of higher education. What would happen if the students did not remain in good standing?

SENATOR CEGAVSKE:

I will need to ask higher education to answer that question.

CHAIR DENIS:

Can this scholarship only be used in Nevada?

SENATOR CEGAVSKE:

No, this can be used out of state as well. Our model is similar to other states.

JOYCE HALDEMAN (Clark County School District):

Our position on the bill is neutral. The notion that you can keep students engaged and fully committed to their education is an intriguing idea. We have a few concerns connected with this bill. The school district hires teachers on a yearly contract at the beginning of the year. If we have a number of students who exit at the semester and take the funding with them, we still have to pay those teachers.

CHAIR DENIS:

Would the payment be made by the school districts or the State?

SENATOR CEGAVSKE:

The payment is coming through the Distributive School Account.

MS. HALDEMAN:

The impact would be the same if you have a number of students exiting in the middle of a semester. The contracts are obligated.

MARK COLEMAN (Clark County Association of School Administrators & Professional Technical Employees):

In the early 1990s, there was a school district in Virginia with a block scheduling program. Students who graduated after three years, would receive half of the money that would have been provided by the state. The other half of the money stayed in the school district. This is not a new idea but a good idea that we can support. If students are going to finish the junior year and attend

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college the senior year, simply write language in the bill that says they must attend the first semester. Whatever they earn will be received as a reimbursement at the end of the semester. If they have not enrolled in college, simply work out details for reimbursement after the fact.

CHAIR DENIS:

We will now open a work session on S.B. 211.

[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)

PEPPER STURM (Policy Analyst):

Senate Bill 211 directs the Legislative Committee on Education to study the implementation of the Common Core State Standards within the public school curriculum. As part of that study, the Committee must consult with the Nevada Science, Technology, Engineering, and Math (STEM) Education Coalition to review the implementation of the Common Core State Standards (CCSS) related to the STEM Education Coalition within the school districts of the State. The Committee shall make its report and any recommendations to the 2013 Legislature. Attached is a letter from Gathering Genius, Inc. and the Nevada Stem Education Coalition which addresses the activities they anticipate to help the Legislative Committee on Education in their deliberations ([Exhibit C](#)).

SENATOR WIENER MOVED TO DO PASS S.B. 211.

SENATOR KIHUEN SECONDED THE MOTION.

SENATOR CEGAVSKE:

What is the price tag? I am looking for the rationale of implementing the CCSS when we have already implemented standards. I am trying to determine the need.

CHAIR DENIS:

We do have standards in place. The Nevada STEM Education Coalition will work through the interim Legislative Committee on Education to assist us with gathering information on STEM issues.

SENATOR CEGAVSKE:

We have been implementing the standards for many years. I know the teachers used the work studies that were generated. I am trying to understand the difference. If we are going to wait until the interim starts, we get further behind implementing the CCSS.

CHAIR DENIS:

This is not instead of implementing the CCSS, this is in addition to that.

SENATOR WIENER:

I see this as an interim study, directing the Legislative Committee on Education to address this need during their work in between Legislative sessions. The CCSS are moving ahead, therefore this will be a parallel activity, not in lieu of, but in addition to the implementation of the CCSS.

CHAIR DENIS:

Dr. Rheault, my understanding is the CCSS has been implemented. Is this to see how we are implementing the CCSS?

DR. RHEAULT:

I see the value in section 1, subsection 3, where the Committee looks at recommendations to further the implementation. This gives direction to the Legislative Committee on Education. We are moving ahead with phases to implement the CCSS.

SENATOR WIENER:

The language in the summary is "to study" the implementation of the CCSS.

CHAIR DENIS:

As a Committee, it is important to say we want to look at and then allow the money committees to make their decision.

SENATOR CEGAVSKE:

Mr. Chair, I know you like to look at policy and money issues differently; I look at them the same. There is not a fiscal note at this time. I would vote to refer to the Senate Committee on Finance.

SENATOR WIENER:

I would like to amend my motion.

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SENATOR WIENER MOVED TO DO PASS AND REREFER S.B. 211 TO THE  
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS.

SENATOR KIHUEN SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR CEGAVSKE AND SENATOR BROWER  
ABSTAINED FROM THE VOTE.)

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CHAIR DENIS:

Having no further business to come before the Senate Committee on Education,  
the meeting is adjourned at 4:50 p.m.

RESPECTFULLY SUBMITTED:

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Billie McMenamy,  
Committee Secretary

APPROVED BY:

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Senator Mo Denis, Chair

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

<u>EXHIBITS</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 211	C	Gathering Genius, Inc.	Nevada STEM Education Coalition