

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Seventh Session
April 29, 2013**

The Senate Committee on Education was called to order by Chair Joyce Woodhouse at 4:27 p.m. on Monday, April 29, 2013, in Room 2149 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 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 Joyce Woodhouse, Chair
Senator Aaron D. Ford, Vice Chair
Senator Ruben J. Kihuen
Senator Barbara K. Cegavske
Senator Donald G. Gustavson

GUEST LEGISLATORS PRESENT:

Assemblyman David P. Bobzien, Assembly District No. 24
Assemblywoman Marilyn Dondero Loop, Assembly District No. 5

STAFF MEMBERS PRESENT:

Pepper Sturm, Policy Analyst
Asher Killian, Counsel
Diana Jones, Committee Secretary

OTHERS PRESENT:

Rorie Fitzpatrick, Interim Superintendent of Public Instruction, Department of Education
Joyce Haldeman, Associate Superintendent, Community and Government Relations, Clark County School District
Lindsay E. Anderson, Director, Government Affairs, Washoe County School District
Robin Vircsik, United Kindergarten Teachers, Las Vegas

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Barbara Clark, Chair, Advisory Council on Family Engagement
William T. Holmes, Ed.D., Principal, Oran K. Gragson Elementary School,
Clark County School District; Vice Chair, Advisory Council on Family
Engagement
Deanna LeBlanc, 2012 Nevada Teacher of the Year, East Valley Elementary
School, Lyon County School District
Judy Osgood, Senior Policy Analyst, Office of the Governor
Deborah Cunningham, Deputy Superintendent for Administrative and Fiscal
Services, Department of Education
Craig M. Stevens, Director of Government Relations, Nevada State Education
Association
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Dotty Merrill, Ed.D., Executive Director, Nevada Association of School Boards
Paula Berkley, Food Bank of Northern Nevada
Donnell Barton, Office of Child Nutrition and School Health, Department of
Education
Ashley Jeppson, Farm-School Grant Coordinator, Plant Industry Division,
State Department of Agriculture
Brian Daw, Legislative Representative, Community & Government Relations,
Clark County School District
Calli Fischer, Legislative Liaison, Department of Government Affairs,
Washoe County School District

Chair Woodhouse:

We will begin with Assembly Bill (A.B.) 357.

ASSEMBLY BILL 357 (1st Reprint): Revises provisions governing the regional
training programs for the professional development of teachers and
administrators. (BDR 34-272)

Assemblyman David P. Bobzien (Assembly District No. 24):

The Regional Professional Development Programs (RPDPs) play an important role
in providing professional development to our teachers. As we enact reforms
regarding educator evaluations and the use of longitudinal data, we need to
ensure we have a method of implementing these changes successfully at the
classroom level. The RPDPs provide a method to address this need.

There have been many discussions about the governance structure of the RPDPs. I would like to align A.B. 357 with Senate Bill (S.B.) 447 as it relates to this issue.

SENATE BILL 447: Makes various changes relating to education. (BDR 34-197)

I am open to recommendations from the Committee regarding determination of the fiscal agent or agents for this program. I have provided my complete statement to the Committee ([Exhibit C](#)).

Senator Cegavske:

I support the RPDPs. I do not know why this program needs to be fixed. It is working well in the Clark County School District (CCSD). What are the issues with this program?

Assemblyman Bobzien:

The RPDPs do excellent work. They are playing a major role in the rollout of the core curriculum and have delivered quality professional development to teachers on this topic. I see the scope of the RPDPs expanding in the future. I am concerned we require a higher level of collaboration between the RPDPs across the State to share information about teaching and learning. We also require better communication to implement the new evaluation system, with its focus on data analysis. We need to have more discussions and better coordination on these issues at the State level between the RPDPs and the Department of Education (NDE). The reforms we are enacting must be connected at the State level to the professional development being provided to educators by the RPDPs.

Senator Cegavske:

I do not see an issue with this in the CCSD. It appears the coordination and collaboration between the RPDP, the CCSD and the NDE is open and effective. Is there a concern about this program in the Washoe County School District (WCSD)?

Assemblyman Bobzien:

There is not a regionally specific concern. As we implement more of our reform efforts statewide, there is a broader need to increase the coordination between the three RPDPs and the NDE. We are not fixing a specific problem.

Rorie Fitzpatrick (Interim Superintendent of Public Instruction, Department of Education):

The NDE is neutral on A.B. 357. We are in favor of the alignment of this bill to S.B. 447. An opportunity exists to be proactive in the enhancement of the appropriation for educator effectiveness in the Executive Budget. The RPDPs would remain in a system of governance where local RPDP governance councils are driving budget decisions and the statewide RPDP council is approving these decisions. Funds are to be split across these organizations, and they should not be split equally. Coordination between these programs will be necessary in a way it has not been required in the past.

Joyce Haldeman (Associate Superintendent, Community and Government Relations, Clark County School District):

The CCSD is neutral on this bill. We agree with changing the alignment of the governance structure to that which is articulated in S.B. 447. Bill Hanlon, Regional Director of the Southern Nevada RPDP, has expressed support for the governance structure proposed in S.B. 447.

The CCSD strongly feels the spending flexibility granted to districts in the last Session should remain. It is important to be able to contract with the RPDP for the services they do best but still be able to spend funds for other training if required by district programs. We realize the RPDP requires a minimum guarantee. In the last budget, RPDPs were allocated a baseline amount out of the districts' funding. The additional money allocated to the districts was then available for discretionary use. In the CCSD, 75 percent of the funds allocated were received by the RPDP. We would like to continue this arrangement.

The required training will be provided by the RPDPs as we move forward with the work of the Teacher's and Leader's Council in implementing the educator evaluation system. The implementation of the Common Core State Standards (CCSD) will require training provided by the RPDPs. We would like flexibility, however, to purchase training from other vendors or providers for programs such as SpringBoard being used in our districts. The CCSD Curriculum and Professional Development Division also uses some of the funds to provide training. This flexibility is removed in section 7, subsection 7 of A.B. 357. We oppose this section of the bill.

Senator Cegavske:

Would you please explain section 7, subsection 8 of A.B. 357. Who brought this amendment forward?

Ms. Fitzpatrick:

This section was part of the original bill. This content would be struck if the Senate and Assembly bills are merged. All the elements relating to governance would be deleted by that process. The Committee would need to determine whether to keep the current fiscal language or change it as shown in section 7, subsection 7. Assemblyman Bobzien has stated he will agree with the Committee's decision. This section does not affect the NDE, so we have no opinion on this issue.

Senator Cegavske:

Does S.B. 447 contain language relating to governance and fiscal agency?

Chair Woodhouse:

This Committee passed S.B. 447 and referred it to the Senate Committee on Finance. That bill dealt with the issue of the fiscal agent. We are hearing A.B. 357 as a courtesy to Assemblyman Bobzien.

Lindsay E. Anderson (Director, Government Affairs, Washoe County School District):

The WCSD was part of the working group that discussed the governance structure of the RPDP. We support moving to the governance structure in S.B. 447. We would like to be the fiscal agent for these funds so we can best address the professional development needs of our district.

Robin Vircsik (United Kindergarten Teachers, Las Vegas):

We overspend on the RPDP and underspend on funding our classrooms. Since 2004, class size in kindergarten has grown for a variety of reasons. Because of this, I have less time to work directly with my kindergarten students when I am teaching reading. In 2005, the CCSD no longer employed teacher aides for kindergarten classrooms. This meant my students went from having 60 minutes of direct instruction in reading to 30 minutes of direct instruction. They now have 60 minutes each day when they are expected to work independently because I am working with another group of students. This is not an optimal teaching or learning environment.

In 2006, one of the six kindergarten teachers in my school was reassigned to work as a literacy specialist. Working directly with students was listed low on the priority list of jobs to be performed by this specialist. This reassignment caused an increase in my class size. During this time, low-achieving students received 30 minutes of reading instruction in my classroom. They were pulled out of the classroom by the literacy specialist for an additional 30 minutes of instruction and had 30 minutes of independent work time. My medium- and high-achieving students suffered because they only received 30 minutes of direct reading instruction.

Today, the CCSD continues to wonder why students are not succeeding in kindergarten. Decisions are still being made to remove good teachers from the classroom and make them trainers. At my school, there are now four kindergarten teachers, no aides, one literacy specialist and a coach for the literacy specialist. The coach does not work directly with children.

The number of students enrolled in kindergarten has remained the same since 2004. This year, I did not receive new math or phonics books for the students in my class. My only option is to teach six reading groups consisting of six students in each group. My lowest students meet with the literacy coach daily, but the contact time has decreased to 15 minutes a day. Students meet with me for direct instruction in reading for 15 minutes daily. My medium and high students still have 60 minutes of independent work time during reading. Using this model of removing teachers from the classroom, student instructional time has been cut by 50 percent.

Since 2008, I have surveyed kindergarten teachers in the CCSD to determine the biggest challenges they face. Class size has been the number one answer since that time. Teachers suggest the CCSD hire no additional teachers to work at the district level until all classrooms are below 24 students. It has been reported by the Nevada Policy Research Institute that for every certified employee in CCSD, there is one employee who is not assigned to a school or classroom. We need a leaner, more efficient model. I propose returning the teachers currently working with the RPDPs and the CCSD Curriculum and Professional Development programs to the classroom and providing training during the summer.

Chair Woodhouse:

I will close the hearing on A.B. 357 and hear a presentation from the Advisory Council on Family Engagement.

Barbara Clark (Chair, Advisory Council on Family Engagement):

As seen in our presentation ([Exhibit D](#)) on pages 2 and 3, the Advisory Council on Family Engagement is a skilled and diverse group from across the State representing many different stakeholders in education.

William T. Holmes, Ed.D. (Principal, Oran K. Gragson Elementary School, Clark County School District; Vice Chair, Advisory Council on Family Engagement):

Page 4 of [Exhibit D](#) provides information about the history of the Council. Page 5 discusses the research showing a clear relationship between student engagement and parental involvement. This research focuses on building and establishing trusting, collaborative relationships between schools and parents; establishing a foundation of respect between schools and parents; and establishing a copartnership between parents and schools. Our general brochure ([Exhibit E](#)) and our educator brochure ([Exhibit F](#)) list the six standards developed by the National PTA. We have used these standards as a foundation to encourage development of reciprocal relationships between parents and teachers. The greater the level of parent involvement at a school, the higher the level of student achievement that results.

Deanna LeBlanc (2012 Nevada Teacher of the Year, East Valley Elementary School, Lyon County School District):

I am the teacher representative on the Advisory Council for the northern Nevada area. Page 7 of [Exhibit D](#) provides details of three activities the Council has accomplished in the last year. The 2-year work plan is further described in [Exhibit E](#). We are developing curriculum in family engagement for teacher use. Most teachers have not had coursework in this area. The research shows this is an important area as it relates to student achievement. We have been working with the Nevada System of Higher Education (NSHE) to develop this curriculum. We have also looked at district and school level improvement plans across the State. While there is a requirement for family engagement in each of these, there is no matrix for guiding the development of these plans. Information about best practices to use in developing these plans is needed, and we are working to develop these materials. We have begun work on a toolkit for districts to use in implementing effective family engagement.

Dr. Holmes:

The programs that align with our work are listed on page 8 of [Exhibit D](#). Our 2-year work plan sets the foundation to drive this work forward to improve student achievement. We are using a three-layered approach to this work. We developed a general information brochure, [Exhibit E](#), and a brochure for educators, [Exhibit F](#). These provide information about the six standards. The educator brochure also provides tools to begin to change family involvement from an event to more of an ongoing process where parents are continually involved and engaged in the learning experience. The toolkit we are developing will provide resources for different stakeholders including teachers, administrators, districts, parents and community service organizations. We plan to create a handbook containing policies and resources, how-to guides and other types of information for those wanting to become more active with parental involvement.

Ms. Clark:

We are reviewing policies and programs across the State to provide a standard of guidelines for implementation of family engagement activities. We will develop indicators of program excellence and align them across the State. This will encourage higher achievement levels and decrease the achievement gaps between subpopulations. We hope to begin to collect data to assess the efficacy of our programs and develop an accountability process to use statewide. Our goal is to link this data to family engagement and positive student achievement.

Chair Woodhouse:

Family engagement and parental involvement are primary reasons students are successful. I will open the hearing on [A.B. 259](#).

[ASSEMBLY BILL 259 \(1st Reprint\)](#): Revises provisions governing the P-16 Advisory Council. (BDR 34-198)

Assemblywoman Marilyn Dondero Loop (Assembly District No. 5):

[Assembly Bill 259](#) is a bill recommended by the Legislative Committee on Education. The P-16 Advisory Council was created by the Legislature in 2007 to assist in the coordination between the public providers of elementary, secondary and higher education in Nevada. The Council consists of 11 voting members appointed by the Governor, the majority leader of the Senate and the speaker and minority leaders of each House. [Assembly Bill 259](#) requires that one of the

five members appointed by the Governor be a person who possesses knowledge of and experience with early childhood education programs and services in Nevada for children from birth through prekindergarten.

Section 1 of this bill increases the pool of qualified persons from which the Governor, majority leader and speaker may appoint a member to the Council to include an expert in early childhood education programs and services for children from birth through prekindergarten. Section 2 requires the Council to address the preparedness of students graduating from teacher preparation programs in the NSHE to teach the new Common Core State Standards (CCSS). Discussions by the Legislative Committee on Education indicated a need for increased teacher preparation in effective early childhood education and in implementation of the CCSS.

Nevada is ranked 50 out of 51 states, which includes the District of Columbia, in prekindergarten participation. KIDS COUNT has ranked Nevada's children last in the Nation in school readiness and chance of success in school. As districts move toward growth models to track student achievement and program effectiveness, it is crucial we seamlessly integrate prekindergarten education into the system. This integration will allow earlier identification of students with learning challenges, earlier intervention and earlier remediation. Outcomes for students identified and served earlier are better, more economical to deliver in the short term and more cost effective in the long-term. This bill is an important step in ensuring the coordination of our State's educational resources to deliver better outcomes for our students from prekindergarten through higher education.

Judy Osgood (Senior Policy Analyst, Office of the Governor):

I will explain the amendment incorporated into the first reprint of A.B. 259. I am speaking on behalf of the P-16 Advisory Council. The intent of the amendment to the original bill was to allow the Council to support collaboration better across the entire educational pipeline that includes early education, kindergarten through Grade 12 education, higher education and workforce training. It was recommended the membership of the Council be broadened by a representative from early childhood education. The proposed amendment in section 1, adds a representative from the Department of Employment, Training and Rehabilitation as an ex officio nonvoting member. The Council currently lacks representation from these sectors or agencies. With this expanded

representation, the Council should be renamed the P-20W Advisory Council as seen in section 1, subsection 1.

The amendment proposes a more focused look at the statewide longitudinal data work the P-16 Council has been conducting over the last year and a half. It was felt the bill should include language to specify this as a specific duty of the Council to support the focus of the Council on improving linkages between prekindergarten through Grade 12, higher education and workforce data systems for the purpose of facilitating data-driven decision making. This language is included in section 2, subsection 1, paragraph (g).

Deborah Cunningham (Deputy Superintendent for Administrative and Fiscal Services, Department of Education):

The NDE supports this bill as revised. The bill will strengthen the P-16 Council and the State longitudinal data system, which is vital to our reform efforts. This bill is not intended to give early childhood education a disproportionate weight on the Council. It will ensure that early childhood education is fully represented along with kindergarten through Grade 12 education, higher education and the workforce.

Ms. Haldeman:

The CCSD supports A.B. 259. Children who have the right types of activities in their lives from birth become literate at an earlier age. It is important not only to have students who are ready by exit, but also to those who are ready by entrance.

Craig M. Stevens (Director of Government Relations, Nevada State Education Association):

The Nevada State Education Association supports this bill. Prekindergarten is instrumental in making sure our students are ready to learn. This will also support our English language learners by helping them prepare for school. Once they are in school, they will be successful and graduate.

Mary Pierczynski, Ed.D. (Nevada Association of School Superintendents):

The Nevada Association of School Superintendents (NASS) supports this bill. We appreciate the clarification by the NDE regarding funding for prekindergarten programs.

Dotty Merrill, Ed.D. (Executive Director, Nevada Association of School Boards):

The Nevada Association of School Boards (NASB) is neutral on this bill. We appreciate the clarification regarding funding for prekindergarten. We support the focus on the longitudinal data system. We support the work of the P-16 Council.

Chair Woodhouse:

I will close the hearing on A.B. 259 and open the hearing on A.B. 337.

ASSEMBLY BILL 337: Encourages public schools to establish and participate in programs that promote the consumption of fresh fruits and vegetables by children. (BDR S-45)

Paula Berkley (Food Bank of Northern Nevada):

In 2002, the U.S. Department of Agriculture (USDA) Fresh Fruit and Vegetable Program began in 25 schools. In 2006, it expanded to six states, and in 2008 expanded Nationwide. This program focuses on addressing the problems of childhood obesity and diabetes. It is aimed at the elementary school level with a goal of developing good eating habits in children.

Nearly half the children in the United States now participate in federal school nutrition programs because they do not have access to adequate food. One in four students in Nevada are food-insecure which means the availability of nutritionally adequate and safe foods, or the ability to acquire acceptable foods in socially acceptable ways, is limited or uncertain. This program not only attempts to address health issues, but also to provide meals to children who may be hungry. It exposes children to a variety of fruits and vegetables, perhaps for the first time. Fresh fruits and vegetables are often too expensive for those living in poverty, so children are not exposed to a variety of foods. They additionally may live in "food deserts" where these foods may not be available for purchase.

The Fresh Fruit and Vegetable Program is available to schools with more than 50 percent of the student population participating in the federally subsidized free and reduced price lunch program. The program is flexible in how the foods are presented to students. The funding comes from the federal government and ranges between \$50 and \$75 per year, per student. The average expenditure in Nevada is \$58 per year. If this spending was lowered to \$50 per student, we could add an additional 7,000 students next year. Some rural districts

participate 100 percent in this program. The WCSD has the program in 32 of its 35 qualifying schools. The CCSD has 22 out of 127 qualifying schools participating in the program.

Senator Cegavske:

In the past, I have seen problems with spoiled food or food that did not taste good. Is the federal government supplementing the fruits and vegetables?

Ms. Berkley:

The food comes prepared for eating and is packaged in individual servings. It is all fresh.

Senator Cegavske:

Are you teaching students to make good food choices? Some fruits and vegetables have naturally high levels of sugar that might be harmful to a student with diabetes.

Donnell Barton (Director, Office of Child Nutrition and School Health, Department of Education):

One component of the program is nutrition education. Each district does this differently. Some districts use informational pamphlets, and some have the University of Nevada Cooperative Extension come to classrooms and provide instruction. In some of the smaller rural districts, the food service director goes into classrooms and provides the nutrition education program.

All of the fruits and vegetables used in this program are required to be fresh. Some districts prepare them in their school kitchens, and some use a producer to prepare the foods and prepackage them for use by students.

Senator Cegavske:

I am concerned about the preservatives used for the packaged foods. How do we deal with that? Are there warning labels? Some children are allergic to these preservatives. Are the packaged foods only used by the CCSD?

Ms. Barton:

I am not sure if preservatives are used on these foods. The CCSD and WCSD are both using a producer to chop the fruits and vegetables and then package them for students. Children need to try something new seven to ten times

before they will develop a taste for it. We want these foods to taste good for our students.

Nevada began participation in this program in 2008, with three school districts. There were 5,183 students participating at that time. Today, there are 37,662 students participating in the program in 9 school districts. I will read from my statement ([Exhibit G](#)). Grants for this program are not competitive. If a district applies, it receives funding. If this needs to become a competitive grant in the future, we will focus on the schools with the highest percentage of students receiving free and reduced lunch.

I have provided the Committee two informational documents from the USDA. The first is an executive summary of the Fresh Fruit and Vegetable Program ([Exhibit H](#)). This summary reports that children participating in this program consumed one-third cup more fruit or vegetables per day than other children. It is also reported participating students were more likely to try fresh fruits and vegetables. The second document is a one-page summary of the Fresh Fruit and Vegetable Program ([Exhibit I](#)).

Ashley Jeppson (Farm-School Grant Coordinator, Plant Industry Division, Department of Agriculture):

The term farm-to-school in relation to school meals is typically defined as meaning two things: school gardens and serving local foods as part of school meals. School gardens are an ideal environment for teaching about nutrition while developing science, math and literacy skills through hands-on activities. There are approximately 50 school gardens in southern Nevada and 35 in northern Nevada. Farm-to-school efforts are limited due to the high volume of produce needed to fulfill the needs of school meal programs. The limited growing season and limited fruit resources also impact this program in Nevada.

Sometimes concerns are expressed about food safety that limit farm-to-school programs. The State Department of Agriculture (NDA) has partnered with the Office of Child Nutrition and Student Health, NDE, to help address food safety training needs. The NDA provides information on good agricultural practices. We are establishing a document for food safety within the school garden. We have provided training to food service directors on procuring more locally produced fruits and vegetables. I have provided additional information about our efforts on my overview ([Exhibit J](#)).

Brian Daw (Legislative Representative, Community & Government Relations, Clark County School District):

The CCSD participates in the Fresh Fruit and Vegetable Program. We administer the program through our Food Services Department to minimize the time site administrators are required to spend to bring this program to their students. Our Food Services Department supplies produce for the program and coolers for the safe storage of milk. They also perform the bookkeeping and other administrative tasks required by the program to allow sites to focus on instruction. We encourage all eligible schools to participate in this program. We support the concept of providing students with fresh fruits and vegetables to promote healthier lifestyles and to broaden food choices.

Senator Cegavske:

Are there school gardens in any CCSD schools, or are you only using prepackaged foods? What are the preservatives in these foods? Are the preservatives listed on the packages?

Mr. Daw:

I do not know about the preservatives that are used. I will investigate and provide you a response.

Some schools have school gardens. A number of elementary schools have robust garden programs and have integrated school garden activities into their curriculum. I will provide that information to you as well.

Dr. Merrill:

The NASB supports A.B. 337. The actions that will occur from implementation of this bill are steps toward the important public policy goal of improving nutrition for the children of Nevada. This supports the NASB goal of increasing student learning and achievement.

Dr. Pierczynski:

The NASS supports this bill. Good nutrition leads to good academic performance, which is our goal for all of Nevada's children.

Calli Fischer (Legislative Liaison, Department of Government Affairs, Washoe County School District):

Thirty-four schools in the WCSD participate in the Fresh Fruit and Vegetable Program. We incorporate food from local farms in Yerington, Fallon,

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Winnemucca and Sparks into the program. We are partnering with the Food Bank of Northern Nevada to procure locally grown produce to serve during the summer in our at-risk neighborhoods. The number of school garden programs has increased in our district, providing additional opportunities for student learning.

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Chair Woodhouse:

I will close the hearing on A.B. 337. Seeing no further business, the meeting is adjourned at 5:34 p.m.

RESPECTFULLY SUBMITTED:

Diana Jones,
Committee Secretary

APPROVED BY:

Senator Joyce Woodhouse, Chair

DATE: _____

<u>EXHIBITS</u>				
Bill	Exhibit		Witness / Agency	Description
	A	1		Agenda
	B	5		Attendance Roster
A.B. 357	C	3	Assemblyman David P. Bobzien	Testimony
	D	13	William T. Holmes	Presentation
	E	4	William T. Holmes	Informational Brochure
	F	4	William T. Holmes	Teacher Brochure
A.B. 337	G	1	Donnell Barton	Testimony
A.B. 337	H	14	Donnell Barton	USDA-Executive Summary Document
A.B. 337	I	2	Donnell Barton	USDA-Summary
A.B. 337	J	1	Ashley Jeppson	Program Overview