

**MINUTES OF THE MEETING
OF THE
COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
March 11, 2015**

The Committee on Education was called to order by Chair Melissa Woodbury at 3:17 p.m. on Wednesday, March 11, 2015, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/78th2015. In addition, copies of the audio or video of the meeting may be purchased, for personal use only, through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblywoman Melissa Woodbury, Chair
Assemblyman Lynn D. Stewart, Vice Chair
Assemblyman Elliot T. Anderson
Assemblyman Derek Armstrong
Assemblywoman Olivia Diaz
Assemblyman Chris Edwards
Assemblyman Edgar Flores
Assemblyman David M. Gardner
Assemblyman Pat Hickey
Assemblywoman Amber Joiner
Assemblyman Harvey J. Munford
Assemblywoman Shelly M. Shelton
Assemblywoman Heidi Swank

COMMITTEE MEMBERS ABSENT:

Assemblywoman Victoria A. Dooling (excused)

GUEST LEGISLATORS PRESENT:

None



STAFF MEMBERS PRESENT:

H. Pepper Sturm, Committee Policy Analyst
Kristin Rossiter, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Sharon McCallen, Committee Secretary
Trinity Thom, Committee Assistant

OTHERS PRESENT:

Crystal Abba, Vice Chancellor, Academic and Student Affairs, Nevada
System of Higher Education
Jessica Ferrato, representing Nevada Association of School Boards
Mary Pierczynski, representing Nevada Association of School
Superintendents
Nicole Rourke, Executive Director, Government Affairs, Community and
Government Relations, Clark County School District
Scott Baez, Government Affairs Specialist, Washoe County School
District

Chair Woodbury:

[Roll was taken. Committee protocol and rules were explained.] We have a work session today. We will roll Assembly Bill 111 and Assembly Bill 121 to our next work session meeting.

Kristin Rossiter, Committee Policy Analyst:

This is the first work session where we will be utilizing our binders. You will find each of the work session documents in the binder under a tabbed section.

Assembly Bill 76: Makes various changes relating to the education of veterans and their dependents. (BDR 34-296)

Assembly Bill 76 was first heard on February 11, 2015. [Read from Work Session Document ([Exhibit C](#)).] There are two proposed amendments. There are fiscal notes for this bill.

Chair Woodbury:

Is there a motion to amend and do pass?

ASSEMBLYMAN ELLIOT T. ANDERSON MOVED TO AMEND AND DO PASS ASSEMBLY BILL 76.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DOOLING WAS ABSENT FOR THE VOTE.)

Chair Woodbury:

Assemblywoman Diaz will take the floor statement.

Assembly Bill 112: Revises provisions governing the policy concerning a safe and respectful learning environment for children enrolled in public schools throughout the State. (BDR 34-220)

Kristin Rossiter, Committee Policy Analyst:

Assembly Bill 112 was first heard on February 25, 2015. [Read from Work Session Document ([Exhibit D](#)).] There are two proposed amendments. There is no fiscal note. There was no testimony presented in opposition or neutral for this bill.

Chair Woodbury:

Is there a motion to amend and do pass?

ASSEMBLYMAN GARDNER MOVED TO AMEND AND DO PASS ASSEMBLY BILL 112.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN HICKEY VOTED NO. ASSEMBLYWOMAN DOOLING WAS ABSENT FOR THE VOTE.)

Chair Woodbury:

Assemblyman Elliot T. Anderson will take the floor statement.

Assembly Bill 117: Authorizes a school district to lease school buses or vehicles belonging to the school district in certain circumstances. (BDR 34-510)

H. Pepper Sturm, Committee Policy Analyst:

Assembly Bill 117 was first heard on February 18, 2015. [Read from Work Session Document ([Exhibit E](#)).] There are two proposed amendments. There is no fiscal note.

ASSEMBLYMAN STEWART MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 117.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DOOLING WAS
ABSENT FOR THE VOTE.)

Chair Woodbury:

Assemblyman Elliot T. Anderson will take the floor statement.

**Assembly Bill 150: Revises provisions governing the Governor Guinn Millennium
Scholarship Program. (BDR 34-200)**

H. Pepper Sturm, Committee Policy Analyst:

Assembly Bill 150 was first heard on February 25, 2015. [Read from
Work Session Document ([Exhibit F](#)).] There are no specific amendments. There
are fiscal notes.

Chair Woodbury:

Is there a motion to do pass?

ASSEMBLYMAN GARDNER MOVED TO DO PASS
ASSEMBLY BILL 150.

ASSEMBLYMAN HICKEY SECONDED THE MOTION.

Chair Woodbury:

Is there any discussion?

Assemblyman Stewart:

With your approval, I have agreed to let Ms. Abba from the Nevada System of
Higher Education make a comment.

**Crystal Abba, Vice Chancellor, Academic and Student Affairs, Nevada System
of Higher Education:**

I would like to share some ACT data with you so that you are aware of what
the potential impact of such a measure would be. The bill would essentially
provide discretion to the Board of Regents to select the college admission exam.
It would be a recommendation the Chancellor's office would make to them to
use the ACT, because starting in April 2015 we will have statewide
administration.

Approximately 18 states have statewide administration of the ACT, and what you consistently see in those states when they do statewide administration is a dropping of the state's average scores.

Looking at the class of 2013 data, the ACT essentially defines benchmarks within subject areas, including English, mathematics, reading, and science. The recommendation for students to be eligible for the Millennium Scholarship, in lieu of meeting the GPA requirements, is they must meet the college readiness benchmarks for ACT. There were approximately 7,600 students who took the test for the class of 2016. They may have taken it in their junior or senior year. Only 27 percent of students met the college readiness benchmarks in all areas.

It is interesting when you look at that data by race and ethnicity, and by the college readiness benchmarks. Of white students who took the ACT, 56 percent of them met the benchmark. For Hispanic students it was 32 percent. For American Indians it was 20 percent. For African-American students it was 20 percent. You see that disparity across the board.

We would urge the Committee to consider waiting until the fall of 2016 when we would have statewide data to see what it would look like for all students. Those students who take the ACT in April 2015 will hit our doors in the fall of 2016, and we will have data on all students as opposed to a snapshot of what it looks like now.

Chair Woodbury:

Would that be an amendment for the effective date?

Crystal Abba:

It is something for the Committee to consider. To wait until the fall of 2016 to see the data before you amend state law would be our recommendation.

Assemblyman Hickey:

Would it be your intention, Assemblyman Stewart, that students would have to meet all four of those criteria that were just described in order to qualify?

Assemblyman Stewart:

They would have to meet the criteria to graduate which would mean, at this point, passing the proficiency tests. As we transfer to the end-of-course tests, they would have to pass those tests when they are applicable. I would encourage the Board of Regents to make those standards on the tests extremely high if they do select the ACT.

We have already had a drop of about 200 students who have accepted the Millennium Scholarship from 2012 to 2013. I would expect this to be for those who are very bright no matter what ethnic background they have. I would recommend we pass Assembly Bill 150. If it does not work, then we can repeal it in the next session.

Assemblywoman Diaz:

I do not think I got the answer as to where Assemblyman Hickey was going. Do we want a certain score achieved by the students in each area of the ACT? I am thinking more of the core areas, such as mathematics and reading. Would we want them to hit a certain mark in all of the different areas?

Assemblyman Stewart:

My intent was for it to be a total score. I would leave that up to the Board of Regents.

Assemblyman Edwards:

If we pass the bill as is, if students wanted to start school in January of next year, they would be eligible for the scholarship now. If they graduate, pass the ACT with whatever score is determined, they could actually start school in January 2016 with the scholarship. Is that correct?

Assemblyman Stewart:

Correct.

Chair Woodbury:

Committee, is there any further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYWOMAN DOOLING WAS
ABSENT FOR THE VOTE.)

Chair Woodbury:

Assemblyman Stewart will take the floor statement.

We will open the hearing on Senate Bill 101, which authorizes a school district's Boards of Trustees to extend deadlines related to the reemployment status of certain employees. Assemblyman Elliot T. Anderson is here to present this bill.

Senate Bill 101: Revises provisions relating to the reemployment of employees of school districts. (BDR 34-405)

Assemblyman Elliot T. Anderson, Assembly District No. 15:

I am here today to introduce Senate Bill 101, which revises provisions relating to reemployment notices to certain employees of school districts. [Read from prepared text ([Exhibit G](#)).]

In a nutshell, this bill is necessary because of us. Because of anticipated revenues and having a good understanding of whether revenue would be there or not, this is what we have had to do. You may remember the bills that came before us at the end of last session. [Continued to read from prepared testimony ([Exhibit G](#)).]

Assemblyman Gardner:

It looks as though it is only extending this for two weeks. It is not even until the session is over, which is usually around the beginning of June. Why two weeks and not early June?

Assemblyman Elliot T. Anderson:

I think by that time the Economic Forum has passed, which is a big part of when we know whether we will have the resources or not. Also, we will have a better understanding of where the endgame is. This is the way it was drafted. You could pick a different date, but I do not know if that is necessary. The biggest event that happens within those two weeks is the Economic Forum. That is the most critical piece.

Jessica Ferrato, representing Nevada Association of School Boards:

The Nevada Association of School Boards (NASB) supports Senate Bill 101 as a solution to the challenges that arise when school districts must notify their employees for reemployment during odd-numbered years—the years we are in the Legislative Session—when funding public education has not yet been determined.

We think this bill is a permissive solution to that challenge. Employees sometimes have received notices that they will be reemployed when later changes in funding result in a decrease in workforce. Another thing that can sometimes happen is districts can anticipate that a cut will be coming, then try to end some contracts in anticipation of that, which we would also like to avoid if we can. Once the notice of reemployment has been issued, the districts have committed to employing that person for the next year.

I would like to address why this bill is permissive. In a district with a growing student population, the Board may decide that notification of employees on or before May 1 is important in spite of legislative funding determinations because the number of employees not returning will influence the number of new employees to be hired.

You will notice that this bill is effective upon passage. That is necessary and important for the local school boards because they need time to determine whether they need to notify employees on or before April 1 if they planned to delay notices for reemployment. This is a time crunch.

Thank you for considering this measure allowing local school districts the flexibility they need and the ability in preference for this.

Chair Woodbury:

What date would this need to be signed into law in order to use it for this year?

Assemblyman Elliot T. Anderson:

It is effective upon passage and approval. I would say it would have to be done in April which is when, under the provisions of this bill, they have to notify employees they are going to be extending the deadline. We would have to get this out by April.

Chair Woodbury:

It could not be signed into law May 14?

Assemblyman Elliot T. Anderson:

It could be signed into law, but then under the provisions of the bill, I do not think they would be able to comply with the notification that they are going to be extending deadlines in odd numbered years.

Assemblyman Stewart:

Having served on the Legislative Committee on Education during the interim, this bill makes it fair for the school boards by giving them the flexibility to act. It is also more fair for the employees on probation so they will know as soon as possible the situation they will be in. They will not be given a contract and then have it change. I am very much in support of this.

Chair Woodbury:

Seeing no further questions, is there anyone here to testify in support of Senate Bill 101?

Mary Pierczynski, representing Nevada Association of School Superintendents:

We are in support of Senate Bill 101. It gives school districts and school boards a little more flexibility with notification of employment.

Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District:

We, too, support this bill and thank you for the consideration of this flexibility. In years past we have had to utilize this. With the number of vacancies that we currently have, we do not anticipate that we would need it this term, but we certainly appreciate it being codified.

Scott Baez, Government Affairs Specialist, Washoe County School District:

We would like to offer our support of Senate Bill 101 as well.

Chair Woodbury:

Is there anyone else here in Carson City or in Las Vegas wishing to testify in support? [There was no one.] Is there anyone in either location wishing to testify in opposition? [There was no one.] Is there anyone wishing to testify as neutral? [There was no one.] I will close the hearing on Senate Bill 101. Is there anyone opposed to passing this today?

Assemblyman Elliot T. Anderson:

Assembly Standing Rule No. 57, section 4, states, "Absent unanimous consent to waive the waiting period, a committee may not take final action on a bill or resolution until at least 24 hours after the close of the hearing on a bill or resolution." However, the other parts of the rule contemplate definite action of a majority of the entire committee. If we are wrong, we would have to reconsider the bill. However, the way I read it, it would be proper.

Chair Woodbury:

Do I have a motion?

ASSEMBLYMAN MUNFORD MOVED TO WAIVE ASSEMBLY
STANDING RULE NO 57.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYWOMAN DOOLING WAS
ABSENT FOR THE VOTE.)

Chair Woodbury:

I will take a motion to do pass Senate Bill 101.

ASSEMBLYWOMAN DIAZ MOVED TO DO PASS
SENATE BILL 101.

ASSEMBLYWOMAN SWANK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN ARMSTRONG,
DOOLING, AND EDWARDS WERE ABSENT FOR THE VOTE.)

Chair Woodbury:

I will now close the hearing on Senate Bill 101. Is there any public comment?

Assemblywoman Swank:

I would like to give a little shout out to a great group of people in the audience today. They are members of The Links, Incorporated, which is a really significant volunteer organization of about 14,000 professional women of color. I attended a fabulous fundraiser and luncheon last year. I want to welcome you to the Assembly Committee on Education.

Assemblyman Munford:

Ditto.

Nicole Rourke, Executive Director, Government Affairs, Community and Government Relations, Clark County School District:

I believe it is time for a good news minute. The Clark County School District celebrates the achievements of the following magnet schools that received prestigious merit awards from Magnet Schools of America, which recognizes schools that display commitment to academic standards, curriculum innovation, diversity efforts, specialized teaching, parent engagement, and community involvement. The following schools received the highest level of excellence in all facets of the merit award application:

Gilbert Magnet School of Performing Arts
Walter Bracken STEAM Academy
Jo Mackey Academy of Leadership and Global Communications
Sandy Searles Miller International Baccalaureate Programme
Cashman Middle School Academy of Mathematics, Science and Engineering
Robert O. Gibson Middle School Leadership Academy
K.O. Knudson Middle School Academy of Creative Arts and Technology
Roy Martin Middle School International Baccalaureate Program
Hyde Park Middle School
Canyon Springs High School Leadership and Law Preparatory Academy

Ed W. Clark High School AMSAT Program
Ed W. Clark High School TEACH Program
Ed W. Clark High School Academy of Finance
Rancho High School Academy of Aviation Science and Technology
Rancho High School Academy of Medical Science and Technology
Valley High School Academy of Hospitality and Tourism
Valley High School International Baccalaureate Program
Kit Carson International Academy
Mabel Hoggard Elementary School Math and Science Program
The STEAM Academy at Jim Bridger Middle School
Southeast Career and Technical Academy

We wanted to tell you about all of these wonderful awards and merits.

Chair Woodbury:

It is so nice to hear all of the wonderful things that are happening. Is there any further public comment? Seeing none, we are adjourned [at 3:50 p.m.].

RESPECTFULLY SUBMITTED:

Sharon McCallen
Committee Secretary

APPROVED BY:

Assemblywoman Melissa Woodbury, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Education

Date: March 11, 2015

Time of Meeting: 3:17 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 76	C	Kristin Rossiter, Committee Policy Analyst	Work Session Document
A.B. 112	D	Kristin Rossiter, Committee Policy Analyst	Work Session Document
A.B. 117	E	H. Pepper Sturm, Committee Policy Analyst	Work Session Document
A.B. 150	F	H. Pepper Sturm, Committee Policy Analyst	Work Session Document
S.B. 101	G	Assemblyman Elliot T. Anderson	Prepared Testimony