

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
February 17, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:31 p.m. on Tuesday, February 17, 2015, in Room 2135 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 Becky Harris, Chair
Senator Scott Hammond, Vice Chair
Senator Don Gustavson
Senator Mark Lipparelli
Senator Joyce Woodhouse
Senator Moises (Mo) Denis
Senator Tick Segerblom

GUEST LEGISLATORS PRESENT:

Senator Michael Roberson, Senatorial District No. 20

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Jan Brase, Committee Secretary

OTHERS PRESENT:

Daphne DeLeon, Division Administrator, Division of State Library and Archives,
Department of Administration
Kevin Page, Chair, Board of Regents, Nevada System of Higher Education
Crystal Abba, Vice Chancellor, Academic and Student Affairs, Nevada System
of Higher Education
Paul Moradkhan, Las Vegas Metro Chamber of Commerce

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Caden Fabbi, Speaker of the Senate, Associated Students of the University of Nevada, Reno
Nicole Rourke, Clark County School District
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Ruben Murillo, President, Nevada State Education Association
Vikki Courtney, Clark County Education Association
Jessica Ferrato, Nevada Association of School Boards
Lonnie Shields, Assistant Executive Director, Nevada Association of School Administrators; Clark County Association of School Administrators and Professional-Technical Employees
Anna Slighting
Tom Mullins
Lauren Hulse, Charter School Association of Nevada
Patrick Gavin, Director, State Public Charter School Authority
Jeanette Belz, Friends of ACE Charter High School

Chair Harris:

I will open the meeting with Assembly Bill (A.B.) 33.

ASSEMBLY BILL 33: Changes the name of the Division of State Library and Archives of the Department of Administration. (BDR 33-318)

Daphne DeLeon (Administrator, Division of State Library and Archives, Department of Administration):

Assembly Bill 33 proposes to change the name of the Division of State Library and Archives to reflect increased duties based on legislation passed during the 77th Session. The proposed name is the Division of State Library, Archives and Public Records. In the last Session, the State Library and Archives, along with the Attorney General's Office, worked to create guidance and regulation for agencies to better handle and more effectively respond to public records requests. Sections 1 through 8 revise the definition of "administrator" to reflect the new proposed name. In all subsequent sections, the name of the Division is updated.

Chair Harris:

What types of public records are your responsibility?

Ms. DeLeon:

The State Library and Archives is tasked with developing retention schedules for all official State records created by the Executive Branch. We also provide consultation to the Judicial and Legislative Branches.

Chair Harris:

Do you also handle records requests from the public?

Ms. DeLeon:

Citizens who request information are, generally, directed to the agency that created the records. The Library and Archives holds only the permanent State records of Nevada, which have been transferred from the agency and archived by our Division. When this process is complete, the Library and Archives is the custodian of the records and would respond to public record requests.

SENATOR HAMMOND MOVED TO DO PASS A.B. 33.

SENATOR WOODHOUSE SECONDED THE MOTION.

Senator Segerblom:

Will there be a charge for public records?

Ms. DeLeon:

Unless otherwise stated in statute, the cost is 10 cents per page. There is specific statute allowing this charge.

Senator Denis:

Will there be a cost to change the name?

Ms. DeLeon:

The cost will be insignificant. Most of the changes will be made electronically. Our current envelopes will be used until the supply runs out. There would be no need to change the sign on the building.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chair Harris:

I will open the hearing on S.B. 128.

SENATE BILL 128: Revises provisions relating to the Governor Guinn Millennium Scholarship. (BDR 34-96)

Senator Joyce Woodhouse (Senatorial District No. 5):

I have submitted my testimony in support of S.B. 128 ([Exhibit C](#)). I would like to call attention to data sheets included in my handout. The Nevada System of Higher Education has compiled important data relating to students receiving the Millennium Scholarship and those who are not.

Kevin Page (Chair, Board of Regents, Nevada System of Higher Education):

Since joining Complete College America, the Board of Regents and the Nevada System of Higher Education (NSHE) have focused on the performance of our students and set forth a system-wide completion agenda. We know that full-time-student status supports completion. The Board supports changes in policies such as raising the minimum credit limit for eligibility for the Millennium Scholarship. We support S.B. 128.

Chair Harris:

In this bill, we propose increasing required credit hours from 6 to 9 for community college students. In an earlier meeting, we heard from Crystal Abba who tells us there is a momentum for completion at 30 credit hours for students in a 4-year college. Is there a similar credit hour momentum at the community college level?

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

We are proposing to increase required minimum credit hours from 6 to 9 in the community colleges and 12 to 15 in 4-year institutions. These changes are meant to send a strong message supporting full-time attendance for Scholarship eligibility. As we have seen, data suggests a significant increase in college graduation rates for full-time students, particularly for community college students.

Chair Harris:

By requiring a minimum of 9 credit hours rather than 12 credit hours, we will maintain flexibility for nontraditional students in community colleges. Is that correct?

Ms. Abba:

That is correct. Remember the 6-year limitation on the Millennium Scholarship. Most nontraditional students who attend part-time do not graduate in 6 years and are no longer eligible for the Scholarship.

Chair Harris:

How many part-time students are graduating?

Senator Woodhouse:

Students who enrolled full-time have a 62 percent graduation rate. Students who enroll in a mixture of full-time and part-time semesters have a 37 percent completion rate. Only 12 percent of students who never undertake a full-time class schedule complete their courses of study.

Chair Harris:

What percentage of Millennium Scholarship recipients are full-time and part-time?

Ms. Abba:

A report on a recent cohort of Millennium Scholarship community college recipients, those receiving funds in fall 2013 or spring 2014, finds 56.3 percent were enrolled in 12 or more credit hours. This means 43.7 percent were enrolled in fewer than 12 credits hours.

Senator Lipparelli:

Why are we no longer considering increasing the credit requirement to 12 hours in your proposed amendment?

Senator Woodhouse:

I have spoken with a number of individuals, students and others, who expressed a concern about their ability to work and attend college. Many students are the sole source of support for their families, or they are caring for children and need to have flexibility in their course load. We are trying to address the needs of

these students while requiring an increase in credit hours. The goal is to encourage students to graduate and to build a culture of completion.

Senator Moises (Mo) Denis (Senatorial District No. 2):

Today, I am speaking as a member of the Nevada Hispanic Legislative Caucus. We want all of our students to graduate and have a responsibility to spread the word in our community about the importance of preparing for and completing college. We support S.B. 128 and the proposed amendment.

Paul Moradkhan (Las Vegas Metro Chamber of Commerce):

The Metro Chamber supports the policy direction proposed for the Millennium Scholarship. The Metro Chamber views NSHE as a strategic partner, and we believe S.B. 128 will encourage student college course completion. The State's economy and workforce will benefit as a result.

Caden Fabbi, (Speaker of the Senate, Associated Students of the University of Nevada, Reno):

The Associated Students of the University of Nevada, Reno is neutral on S.B. 128. However, our senate is considering a resolution in support of the bill. We have passed a resolution generally in support of the goals of "15 to Finish." The resolutions are meant to express our belief if taxpayers are subsidizing a portion of student tuition, students are obligated to be making progress in a timely manner.

Chair Harris:

Are you a Millennium Scholarship student?

Mr. Fabbi:

Yes, Scholarship funds have been very helpful in my being able to continue as a full-time student. I expect to graduate on time, possibly a semester early.

Chair Harris:

I will open the hearing on Senate Bill 133.

SENATE BILL 133: Authorizes the reimbursement of teachers for certain out-of-pocket expenses. (BDR 34-118)

Senator Michael Roberson (Senatorial District No. 20):

Senate Bill 133 proposes to address the issue of teachers funding of classroom supplies as an out-of-pocket expense and suggests a method for reimbursement. In my conversations with teachers, I have found it most evident that these professionals are dedicated to their students' success. This dedication goes beyond their hard work, in and out of the classroom, and often includes paying out of their own pockets for materials needed by their students. Many times, we overlook the definitions section of our bills, but it is important to note section 2 specifies that only those teachers who devote a majority of their time to providing direct instruction may benefit from this program.

Section 3 creates the Teachers' School Supplies Reimbursement Account within the State General Fund. Section 6 appropriates \$2.5 million in each year of the biennium to this Account. The account is also authorized to receive gifts, grants, bequests and donations. If there are any funds remaining in the account at the end of each fiscal year, the amount is held as a balance forward and does not revert to the State General Fund.

Section 4 specifies that each school district will be apportioned a share of money from the account based upon the number of classroom teachers employed in the district. This section also requires each district to establish a special revenue fund to be used only for reimbursing teachers for the purchase of necessary school supplies for their students. You will find the limitation in subsection 3 of section 2. A district's board of trustees may seek the assistance of the local teachers association in administering the reimbursement process, but the organization itself cannot be compensated for this service.

Finally, section 5 sets forth the forms and processes through which a teacher may submit a claim for reimbursement. Teachers can submit claims totaling up to \$100 per fiscal year, subject to the availability of money in the revenue account. In addition, section 5 requires the Department of Education to adopt regulations specifying a claims procedure and approval process. These regulations must also identify the school supplies eligible for reimbursement.

In closing, we have heard anecdotal accounts of teachers spending a great deal more than \$100 out-of-pocket for school supplies, and I am sure we will hear more about it today. I understand this concern and will point out an indirect benefit of S.B. 133 will be to provide some insight into the true scope of the issue. For the first time, there will be a mechanism in place to identify the types

of resources that are needed but not provided. In addition, in examining the number of claims, we will gather data about the actual scale of the problem throughout the State. I hope that the Committee will give favorable consideration to this bill.

Nicole Rourke (Clark County School District):

The Clark County School District (CCSD) supports S.B. 133 and suggests a friendly amendment concerning the reimbursement process. We all know teachers who spend personal funds for classroom supplies to support an engaging learning environment. In 2006, the CCSD offered a similar program to our licensed personnel. Teachers were provided with prepaid debit cards to use for instructional supplies for their classrooms. This distribution method gave the CCSD greater control over where funds were used and gave teachers the freedom to purchase what was needed. Teachers were required to sign statements upon receipt of the debit cards stating they understood the cards were meant for instructional supplies only, they were required to retain receipts, and they were subject to audits at any time. The debit card system allowed the CCSD's accounting department to track all purchases without needing to run 30,000 to 40,000 additional transactions through our purchasing and accounting departments.

Our amendment would allow using prepaid debit cards as described. Purchases would be subject to an internal audit process for accountability. Teachers who purchase items deemed ineligible would be required to reimburse the CCSD. In addition, the amendment would allow school districts to follow their own procedures to ensure the most efficient distribution and expenditure of funds.

Senator Woodhouse:

Section 2 defines "teacher." In CCSD, there are more than 600 long-term substitute teachers; would they qualify for this program?

Ms. Rourke:

We expect, because of the tracking mechanism and the need for accountability, the program would best apply to full-time licensed classroom teachers.

Senator Woodhouse:

Would section 4, subsection 4, paragraph (b) be affected by your amendment's prepaid debit card system?

Ms. Rourke:

Districts will have the option to enter into an agreement with the recognized employee organization for administering the reimbursement of teachers. If CCSD utilizes the debit card system, however, it will be administered by the CCSD Accounting Department.

Chair Harris:

To clarify, section 4, subsection 4, paragraph (b) is permissive and not mandatory. Some districts might find it useful to use an employee organization in administering the program. They are able to do so, but it is not required.

Senator Hammond:

Do you propose giving debit cards to all eligible teachers, or would they be required to request them?

Ms. Rourke:

Once the funds are distributed to the school districts, we would process the cards. Each teacher would sign a statement of understanding. Once the funds are expended, no reimbursement to the school district would be required. No request from the classroom teacher would be necessary. The distribution would be automatic, as indicated in the bill.

Senator Roberson:

Ultimately, it is the Committee's decision. From my perspective, it does make sense that a teacher proactively elects to participate in this program.

Chair Harris:

I agree with Senator Roberson. A proactive opt-in system would allow for more awareness of the program.

Senator Denis:

How many debit cards can be purchased with the suggested budget of \$2.5 million per year?

Senator Roberson:

We estimate the budgeted funds would accommodate all interested teachers. I can return and provide more detail.

Senator Denis:

What is the mechanism for collecting unexpended funds from teachers who do not spend the full \$100?

Ms. Rourke:

Teachers in the CCSD had the opportunity to extend unspent funds after a deadline in March or April. If the money was not spent, it was swept and offered to schools for needed supplies. In this bill, other options could be considered.

Senator Lipparelli:

Teachers regularly spend more than \$100 on classroom supplies. I hope the program we develop does not cost more than \$2.5 million in auditing expenses. We may need to have some accommodation in the bill for school districts that do not have resources to set up a debit card system.

Chair Harris:

The fiscal note reflects assessments from several school districts. They do not anticipate a fiscal impact. For others, the amounts are listed for your reference.

Senator Segerblom:

Most teachers do spend more than \$100. Employees covered under union contracts such as firefighters and police officers are given funds for uniforms and some equipment. They are not required to provide receipts or submit to audits. We might save money by simply allocating \$100 to each teacher.

Senator Woodhouse:

Can you outline the audit process for the debit card system? The plan you have described seems very labor intensive, though potentially we could collect useful data.

Ms. Rourke:

We are proposing this conceptual amendment to clarify and refine the process. Teachers would be required to retain receipts at the school site and be subject to an internal audit along with a regularly scheduled audit.

Lindsay Anderson (Washoe County School District):

The Washoe County School District (WCSD) supports S.B. 133. We have had a similar program and could implement it again. Our fiscal note reflects costs for

processing the funds. We support the concept and have done some research to determine best practices.

Senator Denis:

Would the WCSD have a preference in fund distribution methods? Would you support a simple allocation of \$100 to each teacher as opposed to a process that required receipts and audits?

Ms. Anderson:

We will need to review the amendment and continue our study of similar programs before making a determination. The goal would be to do all we can to assist teachers.

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

We support both S.B. 133 and the amendment, particularly the section that allows each school district to decide, for itself, the most-effective system.

Ruben Murillo (President, Nevada State Education Association):

I have submitted written testimony ([Exhibit D](#)). We support offering this program to all teachers, members and nonmembers of the Education Association. It should be available to any teacher who works to assure student success. Senator Segerblom suggested granting \$100 without the need for receipts and audits. I agree and would support this system recognizing that teachers are professionals who deserve our assistance.

Vikki Courtney (Clark County Education Association):

We support S.B. 133. Education in Nevada continues to be shortchanged, affecting students in numerous ways. Classroom resources and materials are lacking or nonexistent in Clark County schools. This is why every year thousands of teachers across the CCSD feel compelled to reach into their own pockets to purchase necessary supplies. More than 75 percent of schoolteachers report they are not provided needed supplies and resources. To cover the gap, teachers spend \$936, every year, from personal funds.

Paul Moradkhan (Las Vegas Metro Chamber of Commerce):

The Metro Chamber supports S.B. 133. We welcome the conversation concerning finding the proper balance between accountability and ensuring the program is easily administered in all 17 school districts.

Jessica Ferrato (Nevada Association of School Boards):

We support S.B. 133.

Lonnie Shields (Assistant Executive Director, Nevada Association of School Administrators; Clark County Association of School Administrators and Professional-Technical Employees):

This bill brings many groups together; superintendents, teachers, principals and the public. We support S.B. 133.

Senator Roberson:

I would agree with providing this allowance to all teachers without an opt in and defer to the Committee on effectuating the process. From my perspective, teachers in this State are underpaid and underappreciated. We need to do everything we can to assist teachers and students.

Anna Slighting:

I am a teacher in a charter school. I support legislation providing reimbursement for teachers' out-of-pocket expenses. A reimbursement is recognition for the time and energy we spend beyond what is required. I speak for myself, but I do not think I am alone in saying it is a pat on the back and is appreciated. I support S.B. 133.

Tom Mullins:

Some teachers in my department at Silverado High School in Las Vegas suggested that \$100 is a small sum which will not be of much help in defraying actual costs for supplies. As I thought it through, I decided this is a good start. Maybe we should all get on board and use the funds to help students. We all know Nevada education is seriously underfunded. This is one part of a solution, and I want to express my support for the process.

Lauren Hulse (Charter School Association of Nevada):

We support S.B. 133 and have a proposed amendment ([Exhibit E](#)). The intent of the amendment is to recognize all teachers in public schools by including those in charter schools in the reimbursement for school supplies.

Patrick Gavin (State Public Charter School Authority):

We support the Charter School Association of Nevada's proposed amendment. We estimate there are 3,000 teachers in the charter school system who should benefit from this program. In my personal experience as a teacher in a high-need

middle school, I spent hundreds of dollars out of my own pocket for books that addressed my students' special needs. Including teachers in charter schools would be a vote of confidence and recognition of their hard work.

Jeanette Belz (Friends of ACE Charter High School):

We support S.B. 133 and the proposed amendment.

Ms. Rourke:

Palo Verde High School has been named as an International Baccalaureate World School by the International Baccalaureate (IB) organization and will begin offering the Diploma Programme. Schools which implement the IB 2-year program give students the opportunity to develop into young adults with strong critical thinking skills on a global scale as well as the ability to tackle challenges through inquiry, action and reflection.

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Chair Harris:

There being no further comment or business before the Committee, the meeting is adjourned at 4:40 p.m.

RESPECTFULLY SUBMITTED:

Jan Brase,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

| EXHIBIT SUMMARY | | | | |
|-----------------|---------|---|-------------------------|--------------------|
| Bill | Exhibit | | Witness or Agency | Description |
| | A | 1 | | Agenda |
| | B | 5 | | Attendance Roster |
| S.B. 128 | C | 6 | Senator Joyce Woodhouse | Written Testimony |
| S.B. 133 | D | 2 | Ruben Murillo | Written Testimony |
| S.B. 133 | E | 3 | Lauren Hulse | Proposed Amendment |