

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
February 19, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:30 p.m. on Thursday, February 19, 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 Ben Kieckhefer, Senatorial District No. 16

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Shelley Kyle, Committee Secretary

OTHERS PRESENT:

LaVonne Brooks, President and CEO, High Sierra Industries, Inc.; President and CEO, Washoe Ability Resource Center
Frank Selvaggio, Executive Director, Student Support Services Division, Washoe County School District
Adam Berger
Jan Crandy, Chair, Nevada Commission on Autism Spectrum Disorders

Robin Kincaid, Educational Services Director, Nevada PEP
Ruben R. Murillo, Jr., President, Nevada State Education Association
Nicole Rourke, Clark County School District
Lauren Hulse, Executive Director, Charter School Association of Nevada
Edward Guthrie, Executive Director, Opportunity Village, Las Vegas
Mary Pierczynski, Ed.D., Nevada Association of School Superintendents
Jon Sasser, Legal Aid Center of Southern Nevada; Nevada Commission on
Services for Persons with Disabilities
Gary W. Olsen, Leadership Education Advocacy Designs, through
Julie Balderson, Noncertified American Sign Language Interpreter
Bobbie Gang
Steve Canavero, Ph.D., Deputy Superintendent, Student Achievement,
Department of Education
Janeen Kelly, Director, Department of English Language Learners/World
Languages (ELL/WL), Washoe County School District
Tina S. Springmeyer, M.S., Director, Child and Family Services Department,
Washoe County School District
Craig Stevens, Clark County School District
Leo Murrieta, Latino Leadership Council, Las Vegas
Lonnie Shields, Nevada Association of School Administrators; Clark County
Association of School Administrators and Professional-Technical
Employees; California Teachers of English to Speakers of Other
Languages, Nevada Chapter
Jessica Ferrato, Nevada Association of School Boards
Theresa DeGraffenreid
Margaret Martini
Dennis Moltz
Amy Bauck
Linda Buckhardt
Barbara Dragon, Nevada Homeschool Network
Cleo Straight
John Eppolito
Yvette Williams, Clark County Black Caucus

Chair Harris:

We will open the hearing on Senate Bill (S.B.) 132.

SENATE BILL 132: Makes various changes relating to special education.
(BDR 34-217)

Senator Ben Kieckhefer (Senatorial District No. 16):

Special education needs a renewed focus in our education system. The funding for special education has been stagnant in our State for some time. One of our core functions of government is to provide services to people who cannot provide those services for themselves.

I am a member of the Board of Directors of High Sierra Industries, Inc., in northern Nevada. This organization provides work for those with developmental disabilities. These are some of the people who need our help the most.

This organization has developed and modified a training program for their employees that could be used for other organizations. The Washoe County School District (WCSD) has contracted with High Sierra Industries for training for their paraprofessionals in special education. Ensuring that these paraprofessionals have adequate training to maximize their time will have important benefits.

One benefit is that the paraprofessionals will be able to extract the behaviors from their students that are necessary for their effective learning. Maximizing the time we have with these students will help them achieve their highest potential and help improve the dynamic qualities of our school districts across the State. This benefit is critical to accomplish improving our graduation rates in special education. In the WCSD, the graduation rate for special education is 28 percent and has not grown over the past 2 years.

Senate Bill 132 requires the training for paraprofessionals who serve directly with students on Individualized Education Programs (IEP). It recognizes that this training is not free. A direct appropriation of \$2 million is to be set aside for the State Board of Education to serve as a pool of money for school districts. An amendment needs to be added to the bill to include charter schools to access this funding. This would reimburse a portion of the amount that school districts and charter schools spend on the paraprofessional training.

The school districts would be able to determine adequately and accurately the amount of funds needed for this bill, based upon the amount spent on their present training.

Section 1, subsection 1 requires the board of trustees of each school district and the governing body of each charter school to ensure that paraprofessional

training takes place. Section 1, subsection 2, allows the school districts to enter into external agreements for the paraprofessional training.

Section 1, subsection 3, requires the State Board to prescribe by regulation the minimum training requirements. Subsection 3 may need consideration from the school districts, since some of them have training now. I understand there are training standards in place for paraprofessionals dealing with developmentally disabled individuals in other areas of law not specifically in education. That is an area where we could look.

Section 4 deals with the implementation and timing of the legislation. School districts may want to look at allowing a push-out on this. The effective date for the training requirements is halfway through a school year. To have this begin at the start of a school year would seem reasonable to me.

The intent of S.B. 132 is to serve a student population that needs additional help. I am willing to entertain all ideas on how to accomplish this goal and turn those policy decisions over to the Senate Committee on Education.

Chair Harris:

The Committee has lots of resources and experience in education matters and cares about the children of Nevada, particularly those who are in a vulnerable population within our schools. Since we are including charter schools, will we keep the distribution of funds at the Department of Education or include the charter authority in terms of allocation of funds?

Senator Kieckhefer:

Originally, my idea was to have money appropriated to the State Board of Education, which then could distribute the funds to individual school districts or individual charter schools upon application. The idea is to have a centralized fund available to both charter schools and traditional schools to ensure that training is compensated.

LaVonne Brooks (President and CEO, High Sierra Industries, Inc.; President and CEO, Washoe Ability Resource Center):

We are the agency Senator Kieckhefer was referring to in his testimony. A person ages out from the special education system in the school districts at approximately age 22. If they do not go on to post-secondary or some other form of competitive employment or placement, often they will come in to the

care of a provider system. A paraprofessional is responsible for education in moving a person forward in their individual service plan in that provider system.

In Nevada, a large number of those people are supported through a Medicaid home- and community-based waiver and the regional center. There is lengthy training prescribed that is already out there and tested through the process of using paraprofessionals. There is an opportunity to look at this prescribed training. What we found that we were doing differently from the WCSD was using evidence-based practices taught by the WCSD board-certified behavioral analysts who are working with the paraprofessionals in real time. That allows us to deliver actual classroom training.

The paraprofessionals are then coming back and working with the board-certified behavioral analysts who are trained in the science of learning within special populations. This enables paraprofessionals to receive coaching on the use of the tools they have learned. This is a different kind of application of the curriculum that already exists.

We volunteer to be on a committee to work on the language of S.B. 132. We point out that all special education budgets are not created equal. It costs money to deliver training and pay staff to participate in the training. This bill puts money where it can actually do some good.

Paraprofessionals are the one-on-one people dealing with the education of children who have some learning challenges. This bill gives the paraprofessionals the opportunity to receive some highly qualified training.

Frank Selvaggio (Executive Director, Student Support Services Division, Washoe County School District):

Washoe County School District has about 500 aides and assistants who work with students with special needs in our district. Most of these individuals are in lower paying jobs, and we are putting them in a situation to be with the most vulnerable population in our school district.

Working with Ms. Brooks, we have recognized the need for training and can do that on a limited scale based on our funding limitations. To provide a training program to our aides and assistants who work with our students with disabilities prior to being in the classroom is more beneficial than receiving training on the job. This training would make all the difference in the world.

The WCSD hopes that you will approve S.B 132 to enable us to increase the support for those students.

Adam Berger:

I am a teacher at Variety Special School in Clark County School District (CCSD). We have one of the highest staff-to-student ratios because of the amount of disabilities that our students have.

Paraprofessionals commonly assist students in special education, English as a Second Language , Improving the Academic Achievement of the Disadvantaged (Title 1), and early childhood education programs by helping students be productive with their peers in a general classroom setting. However, paraprofessionals are not limited in assisting in only federally mandated programs. When they have taken care of their primary responsibilities with their assigned students, they are free to assist any child in the classroom. A paraprofessional's role of assisting a teacher takes on different characteristics in various programs.

Most often paraprofessionals work with small groups of students or with individual students under the supervision of the teacher. Both the classroom teacher and the special education coordinator determine the types of help and instruction modifications offered. Paraprofessionals help maximize the amount of one-on-one instructional time for students with disabilities as well as provide another set of ears, eyes and hands for safety concerns.

Paraprofessionals are a constant presence in schools today and are an essential part of the learning process. With the support of parents, school districts and proper training, paraprofessionals make a difference in creating successful classrooms. Paraprofessionals are instrumental in the effort to provide the best possible education for students. I ask for your support of S.B. 132.

Jan Crandy (Nevada Commission on Autism Spectrum Disorders):

Paraprofessionals need to have training specific to the disabilities they are serving. For students with autism, it is critical that the staff is trained to ensure prompt dependency does not occur and undesired behaviors are not reinforced and maintained.

School districts have reported that teachers in autism classrooms tend to stay only 3 to 4 years because it is a difficult disability to work with. If there are

trained professionals in the classrooms, it will lead to improved teacher retention. I encourage that the training include implementation of positive behavior supports and an overview of the characteristics for each disability that is going to be served. It would be beneficial if the training would include applied behavioral analysis.

Robin Kincaid (Educational Services Director, Nevada PEP):

I am a parent of a child with a disability. Increasing training requirements for paraprofessionals who work with students with disabilities will expand a paraprofessional's knowledge of the disability. It provides opportunities for new strategies to be implemented. I would encourage that training standards be established that could be shown to parents and keep them informed of the training. Staff needs to be well-trained so that students can gain the necessary skills and have access to the curriculum.

Ruben R. Murillo, Jr. (President, Nevada State Education Association):

We support S.B. 132. I am a former special education teacher and I could not have done my job without my paraprofessional. She was not someone who just copied papers. We were both in the classroom teaching the students. Professional development is not only for teachers. It is also for support staff, for professionals and administrators.

The State Education Association also represents support professionals. They have voiced their desires to have training that would help them in their daily work with students with disabilities. It is difficult for them to have the expertise in order to follow up on simple classroom activities that they are required to do.

I would like to suggest an amendment to include bus drivers and bus aides who also work with students with severe disabilities or children with behavioral disorders. It is important for everyone who touches a child in the classroom to have this training.

Nicole Rourke (Clark County School District):

The CCSD supports S.B. 132.

Clark County School District employs over 2,600 paraprofessionals to work directly with students. Each of our special education classrooms and resource rooms are assigned at least one to two paraprofessionals to work with students alongside certified teachers. We currently provide numerous training

opportunities for our paraprofessionals. These training sessions range from monthly to several times a year. We support training our staff, especially those who work with students every day.

Lauren Hulse (Executive Director, Charter School Association of Nevada):

The Charter School Association of Nevada supports S.B. 132 with the amendment to include charter schools.

Ed Guthrie (Executive Director, Opportunity Village, Las Vegas):

Opportunity Village, Las Vegas is a community rehabilitation program that primarily works with adults with severe disabilities. We also have some partnerships with the CCSD in our Job Discovery program and our Very Important Arts Program. We hire paraprofessionals in many cases to help us with the Job Discovery program and with the Very Important Arts Program. We support S.B. 132 because we think it is important for those who interact with the youth with disabilities to have the background and training they need to be effective.

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

We are in support of S.B. 132. We would appreciate having the school districts' representatives working with the State Board of Education and being part of that discussion as to the type of training and regulations.

Jon Sasser (Legal Aid Center of Southern Nevada; Nevada Commission on Services for Persons with Disabilities):

We support S.B. 132. I would note that federal law governs special education. It says that states may allow paraprofessionals and assistants who are appropriately trained and supervised in accordance with state law, regulation or written policy in meeting the requirements of this part to be used in the provision of special education related to services to children with disabilities. It is most appropriate to put these policies into State regulations to give people an opportunity to participate in them.

Gary W. Olsen (Leadership Education Advocacy Designs through Julie Balderson, Noncertified American Sign Language Interpreter):

I want to applaud the Committee for this effort. This will certainly help our deaf and hearing-impaired children in the school program.

Here is some data from a recent survey studying developing curriculum on the East Coast. The research shows that during second grade, hearing children learn 5,000 words; for deaf children, it is 500 words. By fourth grade, hearing kids have picked up 12,000 words; for deaf kids, it is 1,000 words. By the sixth grade, hearing kids have learned 20,000 words, and deaf kids have learned 700 new words. Having paraprofessionals trained in language communication, especially sign language, will work to improve this segregation.

I am proposing an amendment to S.B. 132, section 1, subsection 1 ([Exhibit C](#)).

Senator Hammond:

Senate Bill 132, as written, suggests the paraprofessionals who would be trained need to have contact with any student in an IEP.

Since we have many bus drivers in CCSD, are you suggesting every bus driver receive this training, or are you suggesting certain bus drivers that deal primarily with the transfer of students who have a disability of some sort receive it?

Mr. Murillo:

It would be the latter. There are bus drivers all across the spectrum who deal with special education students on a daily basis. Many bus drivers are held accountable for an IEP if transportation is included. That is where the focus would be. There may be students who have behavior plans that need to be followed on the bus. We understand that paraprofessionals would be the primary recipients of the training. We want to ascertain that bus drivers and bus aides be included when appropriate.

Senator Hammond:

Do you know the number of drivers and aides that would be included in this training plan?

Mr. Murillo:

At this time, I have no idea. That would be something for the school district to answer. There are school bus drivers who work with students who have behavior problems. We want to be certain the drivers have the same training as the teachers and paraprofessionals, so the drivers are protected and the students are protected so everyone is safe.

Senator Denis:

Could the school districts provide this information to us? This would be helpful to the Committee when we are in a work session.

Bobbie Gang:

My grandson was diagnosed with autism at age 10. He missed a great deal of the Applied Behavior Analysis training that could have been provided for him; he received very little. In middle school, the aides who were assigned in his special autism class and lunchroom aides did not know how to handle his autism. The bus drivers who transported him each day also did not know how to handle his autism. He received three citations to juvenile court from school personnel. This was traumatic for the family. The State is now supporting him in a group home in Texas for behavioral treatment. This treatment is more expensive for the State than having trained teachers and paraprofessionals that could have handled his autism behavior in his local schools.

Chair Harris:

I will close the hearing on S.B. 132 and open the hearing on S.B. 126.

SENATE BILL 126: Revises provisions relating to education. (BDR 34-408)

Senator Joyce Woodhouse (Senatorial District No. 5):

I will read written testimony I have submitted in support of S.B. 126 ([Exhibit D](#)).

Steve Canavero, Ph.D. (Deputy Superintendent, Student Achievement, Department of Education):

I will present a proposed amendment to S.B. 126 ([Exhibit E](#)). The proposed amendment will clarify the language and scope of the authority of the State Board of Education with regard to the prekindergarten (preK) standards. There are four sections to the bill establishing policy concepts.

The first provides the Board of Education with the authority to adopt preK standards. At this time, the Board has the statutory authority to adopt academic standards for kindergarten through Grade 12 (K-12). The Nevada Early Childhood Advisory Council establishes academic standards and makes recommendations to the Board of Education to adopt those standards in those grade levels.

Section 1 would clarify that the Board of Education has the authority to adopt preK standards upon receiving recommendations from the Nevada Early Childhood Advisory Council.

Section 2 moves the education of English Language Learners (ELL) across the State and shores up some of the provisions in statute. Section 2, subsection 2, paragraph (a), subparagraph (2) directs the Board of Education to prescribe a home language survey be conducted. This survey is included in an enrollment packet that is received by a family when enrolling students in public schools. This survey identifies if there is another language spoken at home.

The survey is then used by the school districts to determine whether to screen the child as a dual language learner or English learner. Based upon that screening, the student could be identified as an English learner or a limited English proficient student across K–12.

Under section 2, subsection 3, we clarify dual language. Section 4, subsection 2, specifies when the legislation becomes effective.

Chair Harris:

There is a lot of interest in this bill. There is not enough clarity in what the survey is or what it looks like.

Dr. Canavero:

It is a paper survey that goes to students upon enrollment. It asks specific questions in order to identify students that would be screened. In some districts, this survey can be completed online.

Chair Harris:

The purpose for the survey is to provide additional resources for those students who might be limited English learners so we know who may or may not require special or additional assistance at school.

Dr. Canavero:

That is correct. It is the first step in a process to identify students who would be limited English proficient and would need those services to obtain academic English to excel in school.

Chair Harris:

Please walk us through your amendment.

Dr. Canavero:

Section 1 is amended to clarify that the State Board of Education shall prescribe by regulation, standards of content and performance. Section 1 has specific language out of the existing statute that is consistent with the K–12 language that is used to adopt standards in the core subject areas. We then have narrowed the scope about school district preK and charter school preK programs. This is about public funded preK programs within our school districts. The standards would be required in Title 1 preK programs, special education preK, the Zoom Schools pilot programs-funded preK and our State-funded preK program. The programs that would not be obligated to follow the standards would be private preK programs, Head Start and Child Care and Development Fund programs. However, they may elect to follow the standards.

The proposed amendment does not deal with private licensing under the Department of Health and Human Services. These standards would reside within our district and charter school preK programs. The State Board needs the clear authority to adopt these preK standards. We want to narrow the definition to whom these standards apply.

In section 2, subsection 2, paragraph (a), subparagraph (2), the proposed amendment removes “at the home of a pupil.”

Chair Harris:

To clarify, are you striking the language, “at the home?”

Dr. Canavero:

In the proposed amendment, we are striking “at the home of a pupil.” In subparagraph (3), we are adding “and evaluation.” In English language work, you identify and evaluate the pupil for inclusion as a dual language learner. In subparagraph (4), we are striking “an early childhood education program.” It would be specific that this authority would require school district or charter school prekindergarten programs.

In section 2, subsection (2), paragraph (a), subparagraph (3), sub-subparagraphs (I) and (II), we are striking “an early childhood education program” and adding “a school district or charter school.” In subparagraph (4),

“for classification” would replace “and classified.” The proposed amendment strikes at the heart of section 2 about working with our youngest children and identifying their language acquisition needs as early as possible. Early intervention and early work with our students shows and demonstrates benefits within our Zoom schools.

In section 2, a new subsection 3 would define the term, “dual language learner” for our preK program so a child can be identified in kindergarten as a student who may have limited English proficiency.

There are no changes to sections 3 and 4.

Senator Hammond:

In section 1, are we talking about publicly funded schools? When we have a private school or private day care center with a pre-school that wishes to take advantage of the grant monies that we have received, would they be tied to the standards through this language or would we need to include language that would reflect that?

Dr. Canavero:

Yes. It is the publicly funded component of the school district. Your second question relates to the State PreK Development Grant. In this grant, the State would have a mix of State and federal funds for preK development grant monies to develop and expand seats. Some of these seats may be in school districts and some may not be in school districts. That grant has specific standards that must be followed. The standards that are adopted by the Board of Education would meet those requirements.

Senator Hammond:

In the application, it states specifically if you do choose to receive this money, you will be required to adhere to these standards.

Dr. Canavero:

Yes. That is a condition of receiving the grant that all of our sites would be high quality sites.

Senator Gustavson:

If a child comes into the school district and is not speaking English, is it not evident that English is not that child’s primary language? Why is a survey

needed and what does the survey include? It is quite evident to me that this child would be an English Language Learner.

Dr. Canavero:

The survey has three required questions. Some districts may add a few questions to their surveys. It is not to ensure that we capture students who are non-native English speakers or have little academic English. It is to ensure that we know and can support the students who do not have English as the primary language spoken in their home. This enables us to deliver services to the student so that the academic English proficiencies can expand. This ensures that we are doing our part to support students who are living in an environment where there is more than one language spoken.

Senator Gustavson:

Is this being done?

Dr. Canavero:

Yes. I failed to mention that this is practice. This particular piece of language in statute just requires the State to go to regulation and work with the school districts to create a uniform survey. In practice, this has been widely used across the State for years.

Janeen Kelly (Director, Department of English Language Learners/World Languages (ELL/WL), Washoe County School District):

The Washoe County School District Department of English Language Learners/World Languages supports S.B. 126 and the amendments that have been proposed.

Tina S. Springmeyer, M.S. (Director, Child and Family Services Department, Washoe County School District):

I am in favor of S.B. 126 with the proposed amendments.

Craig Stevens (Clark County School District):

El Dorado High School won a \$10,000 prize for efforts to promote the annual Hour of Code activities in December 2014. Hour of Code is a worldwide effort to introduce computer science designed to demystify computer codes to show that anyone can do it.

The CCSD fully supports S.B. 126.

Senator Lipparelli:

As representatives of the school district, we are talking about a regulation that would prescribe the survey. How is that beneficial to you, since you are already doing the survey, or is it a problem?

Mr. Stevens:

It is not a problem. We do many of these things already. It codifies what we are trying to do and it enables the State to support the work and ensure that everyone is doing it as well.

Chair Harris:

It seems this bill would help us identify students at an early age for whom we might have literacy concerns. It would enable us to make certain the children who may struggle or who may not have the benefit of two strong English-speaking parents in the home are able to get the resources they need. We then can ascertain they are reading the way they need to by third grade.

Mr. Stevens:

That is correct. Kindergarten is sort of the new first grade. We want to make certain all students are ready and prepared when they enter kindergarten and identify those issues that may arise early. The earlier they are prepared, the better.

Senator Denis:

In a unified way throughout the State, will this create more work for each of the districts?

Ms. Kelly:

Yes. It will help us have a more unified system across the State. We already have the Home Language Survey. Having an additional survey to give more information about the children will begin to help us to help the children.

Ms. Springmeyer:

We are doing the same survey with our Early Childhood Program. We want to make those connections and support those families and get our students identified to decrease the achievement gap and make sure those students are successful in school.

Leo Murrieta (Latino Leadership Council, Las Vegas):

We are in support of S.B. 126 and the proposed amendments. It helps to identify ELL students prior to enrolling in school and our classrooms. It helps in the level of instruction and the quality of care that students need to receive in school.

Dr. Pierczynski:

We support S.B. 126 with the proposed amendments.

Lonnie Shields (Nevada Association of School Administrators; Clark County Association of School Administrators and Professional-Technical Employees; California Teachers of English to Speakers of Other Languages, Nevada Chapter):

We support S.B. 126 and the amendments.

Mr. Murillo, Jr.:

We speak in support of S.B. 126 and amendments that are presented.

Jessica Ferrato (Nevada Association of School Boards):

We are in support of S.B. 126. In regard to the survey, I do not have that information for you today. However, we can get information to you on how other school districts are handling their surveys.

Theresa DeGraffenreid:

I oppose S.B. 126. It gives unnecessary authority over preschool programs to the Department of Education. We are already proficient at the preK level in helping these students succeed.

Margaret Martini:

I am opposing S.B. 126. This bill adds another layer of government to our Nevada school systems. The school systems, school boards and school districts have their own unique parameters and unique populations. The teachers should be doing their jobs by identifying the students who need to be in a literacy program that is offered by their school boards. Why is gathering more data necessary?

Dennis Moltz:

I oppose this bill for similar reasons that Margaret Martini expressed.

Amy Bauck:

I oppose S.B. 126. It adds another layer of regulation, which is not needed. The school districts know their populations. Sending a survey home would waste time and resources. There would be no incentive to learn English if the survey was sent home in the family's native language. It is imperative that the survey is completed by the parent of the minor and not the child. If this bill is tied to public funds, the obligation for people to apply for grants would create an environment where the private or charter schools have to comply with a standard simply to fit the norm. When state or federal funds are attached to anything associated with pre-school, we run the risk of taking away parents' rights to have choice on how their children are educated.

Linda Buckhardt:

I recommend two changes to language in S.B. 126: changing references to children who are "limited English proficient" or "dual language learners" to "English Language Learners" would be more inclusive.

Language needs can be assessed within 5 minutes by talking to a student whether it is English, Spanish or Tagalog. A survey would not be successful because many families are transient, may not open their doors out of fear, or fail to complete the survey. Literacy begins at home. Nevada needs more ELL classes for adults.

Barbara Dragon (Nevada Homeschool Network):

We are neutral on S.B. 126 because homeschoolers want the right to educate their children as they see fit. Senate Bill 126 allows for choice for parents to be able to choose homeschooling, public schools or private schools.

Cleo Straight:

Some parents would like to do their own prekindergarten education and not have government or school district interference.

John Eppolito:

I am still neutral and could be swayed either way. I am more against than for and will need more information to make the final decision. I have submitted a letter ([Exhibit F](#)) endorsed by 500 early childhood educators and education professionals that there is little evidence that standards for young children lead to later success.

Yvette Williams (Clark County Black Caucus):

We are neutral on S.B. 126. We support any efforts by the Legislature to improve quality instruction.

We submit that for our high-risk students, we also need a survey for early assessment. High-risk students also need to be identified at an early age, such as preK.

We are advocating there be an amendment to include students in poverty attending preK programs to identify students early who may have a learning disability and benefit from IEP in preK. They would then be on track to be successful when they reach kindergarten.

The definition of the term "limited English proficient" must be clear so that all understand what is being talked about. Last session, in NRS 388, we interpreted "limited English proficient" to mean it was inclusive of any child who was struggling with proficiency, when in fact, it went to a federal term of which we were unaware. That federal term meant or is being interpreted as "second language." In Title VI of the Civil Rights Act, it is clear what is required. It says you cannot limit access or deliver access based on race, ethnicity or language of origin. We need to do this for other students who are at high risk and struggling with illiteracy as well as our second language students.

Ms. Buckhardt:

Why does the reference to "Grades 1 to 12" remain in section 2, subsection 2, paragraph (a), subparagraph (3), sub-subparagraph (IV) if this pertains to preschool?

Chair Harris:

The hearing is closed on S.B. 126. We will now move into our work session on S.B. 76.

SENATE BILL 76: Revises provisions governing the Western Interstate Commission for Higher Education. (BDR 34-320)

Todd Butterworth, Policy Analyst:

I will read from the work session document for S.B. 76 ([Exhibit G](#)).

Senator Lipparelli:

Section 3 and section 4 are consistent with the description offered by Mr. Butterworth. Furthermore, the suggested change language is acceptable to me. The main objective was the three state commissioners could not waive the obligations they have. This language does that.

Mr. Butterworth:

I have been given a note that the intent of the proposed amendment by the Division of Public and Behavioral Health is not to replace the terms, "medically underserved area" and "medically underserved population." The term, "health professional shortage area," would be an addition to those terms.

Senator Denis:

Are we including that amendment with this clarification from the Division of Public and Behavioral Health?

Chair Harris:

Yes, previous testimony indicated by expanding their area, they will be able to provide more health care to some at-risk populations. That helps them further to meet the needs to administer their program.

SENATOR HAMMOND MOVED TO AMEND WITH ALL AMENDMENTS
AND DO PASS AS AMENDED S.B. 76.

SENATOR DENIS SECONDED THE MOTION.

Senator Lipparelli:

Does Senator Hammond's motion include the revised language?

Chair Harris:

Yes.

THE MOTION CARRIED. (SENATOR SEGERBLOM WAS ABSENT FOR THE
VOTE.)

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Chair Harris:

There being no further comment or business before the committee, the meeting is adjourned at 5:19 p.m.

RESPECTFULLY SUBMITTED:

Shelley Kyle,
Committee Secretary

APPROVED BY:

Senator Becky Harris, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit		Witness or Agency	Description
	A	1		Agenda
	B	8		Roster
S.B. 132	C	1	Gary W. Olsen	Proposed Amendment
S.B. 126	D	3	Senator Joyce Woodhouse	Written Testimony
S.B. 126	E	3	Steve Canavero	Proposed Amendment
S.B. 126	F	12	John Eppolito	Letter
S.B. 76	G	3	Todd Butterworth	Work Session Document