

**MINUTES OF THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Eighth Session
April 9, 2015**

The Senate Committee on Education was called to order by Chair Becky Harris at 3:41 p.m. on Thursday, April 9, 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 Mark Lipparelli
Senator Joyce Woodhouse
Senator Moises (Mo) Denis
Senator Tick Segerblom

COMMITTEE MEMBERS ABSENT:

Senator Don Gustavson (Excused)

STAFF MEMBERS PRESENT:

Todd Butterworth, Policy Analyst
Risa Lang, Counsel
Betty Kaminski, Committee Manager
Beth Ann Reykers, Committee Secretary

OTHERS PRESENT:

Donnell Barton, Administrator, Food and Nutrition Division, State Department of Agriculture
Vic Redding, Vice Chancellor, Finance and Administration, Nevada System of Higher Education; Executive Commissioner, Nevada Western Interstate Commission for Higher Education
Brian Mitchell, Policy Advisor, Office of the Governor

Senate Committee on Education
April 9, 2015
Page 2

Constance Brooks, Ph.D., Vice Chancellor for Government and Community
Affairs, Nevada System of Higher Education
Patrick Gavin, Executive Director, State Public Charter School Authority
Kathleen Conaboy, Chair, State Public Charter School Authority
Blaine Spires, Silver State Charter Schools
Melissa Mackedon, Oasis Academy
Seth Rau, Executive Director, Nevada Succeeds
Lee Iglody
Colin Seale
Elissa Wahl, Vice Chair, State Public Charter School Authority
Lauren Hulse, Executive Director, Charter School Association of Nevada
Angie Kleven
Ray Bacon, Nevada Manufacturers Association
Craig Stevens, Clark County School District

Chair Harris:

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

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

Chair Harris:

Senator Kieckhefer has requested S.B. 132, relating to training for special education paraprofessionals, be rereferred to the Senate Committee on Finance.

SENATOR WOODHOUSE MOVED WITHOUT RECOMMENDATION TO
REREFER S.B. 132 TO THE SENATE COMMITTEE ON FINANCE.

SENATOR HAMMOND SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

Chair Harris:

We will now move to S.B. 391.

SENATE BILL 391: Revises provisions governing educational instruction in the
subject of reading. (BDR 34-644)

Senate Committee on Education
April 9, 2015
Page 3

Todd Butterworth (Policy Analyst):

I will now read from the work session document for S.B. 391 ([Exhibit C](#)). There are five amendments and a fiscal note for this bill.

Chair Harris:

The Governor's budget has set aside \$30 million for this piece of legislation.

Senator Hammond:

I have some concerns; specifically what happens to a child who does not reach the proficiency level of reading that is required. I want to make sure the student's parents are involved and I am now satisfied this bill addresses this issue. I was also concerned age-appropriate strategies are provided. Some students do not develop as quickly as others. As amended, I fully support S.B. 391.

I will be monitoring the outcomes of this program to ensure the desired outcomes are realized. I am excited about this bill. Many people have been waiting for something like the program outlined in this bill.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 391.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Harris:

We will now move to S.B. 503.

SENATE BILL 503: Provides for the creation and implementation of the Breakfast After the Bell Program. (BDR 34-1200)

Mr. Butterworth:

I will now read from the work session document for S.B. 503 ([Exhibit D](#)). There is one amendment to the bill and one fiscal note to the bill.

Senator Denis:

If a Title I of the Elementary and Secondary Education Act school has a certain percentage of students who are Title I eligible, does the entire school receive a free breakfast?

Donnell Barton (Administrator, Food and Nutrition Division, State Department of Agriculture):

Students are eligible by free, reduced or paid designations. It is a Title I school based upon the free and reduced school lunch rate. A designated Title I school does not necessarily mean all students receive a free breakfast.

The Clark County School District (CCSD) provides universal breakfast at some schools. That is a CCSD decision. The District receives reimbursement for only the children based on their eligibility for The National School Lunch Program.

Senator Denis:

My wife is a teacher. Her students benefit from breakfast at school. The class does not lose any instructional time because they incorporate breakfast during school announcements and story time. It works well and the students like it. This will be great for our children. I support S.B. 503.

Chair Harris:

There was concern expressed during the hearing that children could be singled out by participation in the program. Is there assurance within the bill that students will not be segregated or made to feel uncomfortable?

Ms. Barton:

Most school districts use a point-of-service system. The child either gives their name or identification number which is then keyed in to the system. Some of the rural districts have a list with the children's name and it is marked when a student receives breakfast. Neither system provides identifying information as to whether the student receives the meal at no cost, reduced price or pays for their meal.

Chair Harris:

Will every child who wants a breakfast receive one?

Ms. Barton:

Yes, that is correct.

Senate Committee on Education
April 9, 2015
Page 5

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 503.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Harris:

We will now move to S.B. 432.

SENATE BILL 432: Makes an appropriation to be distributed to certain public schools designated as Victory schools. (BDR S-1187)

Mr. Butterworth:

I will now read from the work session document for S.B. 432 ([Exhibit E](#)). There is one proposed amendment.

Senator Denis:

Will the Legislative Committee on Education (LCE) receive the reports in both years of the biennium or, during legislative years, will the Legislature receive the report?

Mr. Butterworth:

The LCE will receive the report each year in November.

SENATOR HAMMOND MOVED TO AMEND AND DO PASS AS AMENDED S.B. 432.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Harris:

We will now move to S.B. 405.

Senate Committee on Education
April 9, 2015
Page 6

SENATE BILL 405: Expands the program of Zoom schools and the provision of programs and services to children who are limited English proficient in certain other schools. (BDR S-887)

Mr. Butterworth:

I will now read from the work session document for S.B. 405 ([Exhibit F](#)). There are two amendments.

Senator Denis:

One of the amendments requires culturally appropriate communication with and outreach to parents be in the language of the parents.

Mr. Butterworth:

The term "culturally appropriate" in S.B. 405 addresses both communication and outreach endeavors.

SENATOR DENIS MOVED TO AMEND AND DO PASS AS AMENDED
S.B. 405.

SENATOR WOODHOUSE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Harris:

I will now close the work session and open the hearing on S.B. 195.

SENATE BILL 195: Revises provisions relating to higher education.
(BDR 34 509)

Vic Redding (Vice Chancellor, Finance and Administration, Nevada System of Higher Education; Executive Commissioner, Nevada Western Interstate Commission for Higher Education):

Since fiscal year (FY) 2010, the Board of Regents of the Nevada System of Higher Education (NSHE) has received the appropriations and provided operational support to the Western Interstate Commission for Higher Education (WICHE) program. The Commission's statutory duties are listed in the *Nevada Revised Statutes* (NRS) chapter 397, which defines the goals and

objectives of the program. Prior to FY 2010, WICHE was a stand-alone commission, similar to other boards and commissions in the State. As an early response to the recent recession and in conjunction with some concerns regarding staffing levels, budget, cash flow and collections, the program was placed under the NSHE by the 75th Legislative Session, where it has remained. In the intervening 6 years, the NSHE has substantially restructured the operation of the program. As both the commissioner of the WICHE and the NSHE chief financial officer, I can testify the NSHE has reduced the staff by 43 percent from the 2009 level, and has pushed the reset button on business practices, including the collection of large outstanding balances. This is a success story.

In preparing the biennial request this year, both NSHE and WICHE examined the program and made a recommendation for the new and improved business model to once again stand alone, completely independent of the NSHE Board of Regents. We determined there was no longer a benefit to keep it under the NSHE umbrella, as long as the program could maintain its efficient operations and a cost-neutral basis.

Senate Bill 195 is a better solution than we had originally proposed. This not only removes the program from NSHE, but also places it within the Office of the Governor. The WICHE has reviewed this legislation, sections 3, 4 and 5, and has voted to support the bill ([Exhibit G](#)).

Brian Mitchell (Policy Advisor, Office of the Governor):

A few weeks ago, the NSHE approached the Governor with the idea of moving the WICHE program within the Office of the Governor. The Governor supports this transfer. It will be a good fit. Having a closer working relationship will create synergy for economic and workforce development initiatives. The WICHE focuses their funding to high-demand health occupations such as mental and behavioral health specialists. The Governor's education team will provide support and assistance to the WICHE making this a mutually beneficial transfer.

This model of the WICHE within the Governor's Office has worked well in other states. We believe it will work well in Nevada. There will be gains in efficiency and processing within the Governor's Office. We will work with staff to make the appropriate agency code change.

Chair Harris:

Does the proposed amendment delete sections 1 and 2 from S.B. 195?

Constance Brooks, Ph.D. (Vice Chancellor for Government and Community Affairs, Nevada System of Higher Education):

Yes. The proposed amendment ([Exhibit H](#)) deletes sections 1 and 2. We have had discussion with the bill's sponsor, Senator Hardy and his staff, relative to the concerns he brought forward in those sections. In reference to section 1, Senator Hardy was unaware of the NSHE policy regarding classifying students as residents and the documentation necessary for a student to change that status. Section 2 discusses volunteerism and making it a requirement for the Governor Guinn Millennium Scholarship. While the NSHE and its campuses encourage and value community service and volunteerism, it would be a significant challenge to track volunteerism. Senator Hardy agreed to drop sections 1 and 2 of S.B. 195.

Senator Lipparelli:

Does S.B. 195, as amended, delete the language in sections 1 and 2?

Dr. Brooks:

Yes, as amended, the bill includes sections 3, 4 and 5 only.

SENATOR WOODHOUSE MOVED TO AMEND AND DO PASS AS AMENDED S.B. 195.

SENATOR DENIS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

Chair Harris:

I will now close the hearing on S.B. 195 and open the hearing on S.B. 509.

SENATE BILL 509: Makes various changes to provisions governing charter schools. (BDR 34-1090)

Patrick Gavin (Executive Director, State Public Charter School Authority):

Senate Bill 509 aligns our statute with the Nation's leading charter school laws and policies. The bill will improve the quality and diversity of the State's charter school portfolio. The central premise of charter schooling is to provide greater flexibility in exchange for higher performance and accountability. To do this, we

are suggesting a set of changes to NRS 386, focusing on the inputs demonstrated to increase the number of high-quality charter schools in other states.

We propose to replace the contents required by NRS for each charter application with those utilized by the states with the most diverse and highest-achieving charter schools by adopting key provisions of the model law adopted by the National Alliance for Public Charter Schools.

A core purpose of S.B. 509 lowers the barriers for best-in-class nonprofit charter school networks qualified to serve our most vulnerable children. It allows them to do what they do best.

Howard Fuller has described governance as the core innovation of charter schooling. In other states, leading charter management organizations (CMO) have developed a variety of innovative governance models. The models include fidelity to a core mission; time-tested academic programming and local, family and community input. Senate Bill 509 will allow these best-in-class CMOs flexibility to import successful governance models from other states. Charter management organizations, or their affiliates, can implement best-in-class governance models while providing an appropriate level of local input and control based on terms negotiated with the sponsor.

A second core innovation of best-in-class charter schools and CMOs is a unique, results-oriented approach to recruiting, selecting, developing, rewarding and retaining the exemplary teachers who are critical to student success. Senate Bill 509 will allow these high-performing organizations to implement the teacher recruitment and development practices which have resulted in exemplary academic track records in other states.

Best-in-class charter organizations thrive on accountability. Based on our conversations with key stakeholders in the charter school community nationally, we know that best-in-class organizations seek out states which reward quality and sanction unacceptable performance. Senate Bill 509 seeks to increase accountability for underperforming schools and further protect students and public investments by giving sponsors explicit authority to sanction schools. These schools may perform at a level above the statutorily mandated automatic closure provision, but could still land on the state's list of underperforming schools.

An examination of best practices from other states, shows that high-quality charter schools can serve as a solution to the challenges faced by those charter schools which have not been as successful. Senate Bill 509 allows best-in-class Nevada and national charter operators to take on the challenge of serving students who have been underserved by our lowest-performing charter schools. In this way, we can hold adults accountable while providing higher-quality opportunities for students who have previously been underserved. The bill gives sponsors additional tools to safeguard the assets paid from the State Distributive School Account or other public funds.

Engagement with other states and with charter organizations in Nevada and across the Country confirms the wisdom of the strategic plan adopted by the State Public Charter School Authority (SPCSA) board. Nevada is in fierce competition for talented, high-performing charter school networks. As in the case of the State's recruiting of Tesla and other leading employers, we cannot simply assume that if we build it, they will come. We must get the word out. In some cases, we must go to them. Consequently, S.B. 509 provides the SPCSA explicit statutory authority to recruit best-in-class CMOs to serve students from across Nevada, including urban, suburban and rural students.

At the suggestion of the state superintendent of public instruction, we are proposing to allow charter schools access to the monies in the Trust Fund for Educational Technology. As you know, there are a number of bills which propose to give charter schools access to either existing or new revenue streams of categorical funding. Senate Bill 509 proposes to equalize funding for educational technology.

Over the past 4 years, this body has made considerable policy investments to improve our charter school sector. We are deeply appreciative of the capacity, expertise and focus that the creation of the SPCSA in 2011 has permitted. While we have made significant progress, we know we have much farther to go to ensure we are fulfilling our mission and vision of a quality public school choice for every child. During this Session, this body is evaluating a broad set of policy initiatives designed to improve the achievement of students statewide, including our most vulnerable children. The provisions of S.B. 509 complement these initiatives and are essential to improving the performance and diversity of our State's charter school sector.

I will now provide an overview of S.B. 509 and the proposed amendment ([Exhibit I](#)).

Section 2 provides the definition of CMO. The proposed amendment clarifies that some CMOs—highly successful schools and networks of charter schools from other states—may, for purposes of their home state’s law, have to create a separate entity. This also provides a balance of expertise with local membership and governance.

Section 4 clarifies several kinds of amendments to a charter contract for which the sponsor can require board approval at a hearing. The amendment makes it clear that the approval given is to pursue an additional campus facility instead of holding up the actual lease or purchase and sale for a sponsor board vote.

Section 4, subsection 1, paragraph (e) provides a process by which two charters can be consolidated, combined into a single school, either at the request of the schools or based on a sponsor’s intervention in a low-performing school which rates at higher than 1 Star. The criteria are further defined in sections 28 and 29.

Section 5 explains the process of consolidation. The amendment clarifies that in the event a high-achieving school consolidates with a low-performing school based on a sponsor’s decision that this will improve academic achievement, the prior academic achievement of the low-performing school will not be held against the combined school.

Section 6 provides a process for reconstituting the board of a charter school. The amendment limits the number of former board members who can be reappointed to no more than 40 percent and provides for each sponsor to develop a policy appropriate to its circumstances to implement the reconstitution.

Senator Denis:

Section 4 changes “must” to “may” regarding the public hearing process. The public hearing process ensures the public has access to information and the ability to provide input on policy. It is not easy to make decisions in a public hearing, but it allows involvement.

Mr. Gavin:

The school districts stated the public hearing requirement presents a fiscal burden to them because it requires additional resources and time during a school board meeting. The SPCSA requires its meetings to be held in a public hearing. The language is an attempt to be collaborative with our district partners. The jobs and duties of a school district board of trustees are quite different from the sole purpose of the SPCSA Board.

Senator Denis:

I think people should have the opportunity to provide comments. It is not always easy, but this language concerns me.

Chair Harris:

If there are concerns with this provision, we will review the language.

Mr. Gavin:

We will be happy to revisit this issue.

Chair Harris:

Section 6, subsection 7 states, "the new governing body is not required to offer employment to any teacher or other employee of the charter school whose written charter has been revoked or whose charter contract has been terminated." Do you have a process in place for evaluating teachers? I would hate for effective teachers to be let go. There should be a way to retain teachers who can best serve the students.

Mr. Gavin:

During the reconstituting process it is typical to invite every teacher to reinterview. The process includes a review of teacher records of success and whether their views align with the new mission and leadership style of the newly restructured charter school. This process will be outlined either in regulation or during the review of the charter school operator. It is essential that schools and school leaders have the ability to select teachers who are able to do the work. The process must be fair and transparent.

Chair Harris:

Is there value to having a set standard for schools to follow in terms of how they evaluate teachers for the purposes of retention after a charter school has been reconstituted?

Mr. Gavin:

We do not have a statutory standard for charter schools in this area. The Legislature grants charter schools considerable autonomy. This has been a highly effective method. The high degree of mutual consent and autonomy is critical to the work of charter schools. There are best human resources practices that any organization should follow. We expect any school we sponsor to adhere to those practices as well.

Senator Hammond:

The broader question is whether or not we should allow charter schools to develop their own system of evaluation for teachers. As a teacher, I think it is invaluable for teachers to have input to the evaluation process.

Mr. Gavin:

Both in existing statute and the proposed changes to the charter school application, there is a specific requirement discussing the selection, recruitment and evaluation process of teachers.

Section 7 provides that charter school board members must undergo criminal background checks. The amendment clarifies that conviction of a felony or crime of moral turpitude precludes sitting on a charter school board. This same standard generally applies to serving as a teacher in a public school.

Section 8 requires the Department of Education (NDE) to establish regulations regarding a weighted lottery—an emerging practice which the federal government has approved—as a means of ensuring charter schools can reflect the surrounding communities. This allows charter schools to be “intentionally diverse.” The section also allows the NDE to mandate a common application process and time line if the number of charter school students and schools grows to a certain number. This ensures completing multiple applications will not create an excessive burden for families who are desperate to find new options. The amendment clarifies that the term “weighted lottery” has the same definition which exists in federal guidance related to the charter schools program.

Sections 9 through 15 of S.B. 509 allows SPCSA staff to become members of the unclassified service. It clarifies the staff the Authority shall employ. It amends the title of the head of the Authority to reflect the historic practice of the SPCSA and specifically authorizes this individual to fulfill the professional

responsibilities of the role, as determined by the SPCSA Board. This includes serving on boards and task forces for the professional association of charter school authorizers and other national charter policy organizations. The amendments to these sections omit references to the nonclassified service and provide the Authority with more flexibility due to the salary constraints of the unclassified service.

Existing law requires that the SPCSA serve as the local education agency (LEA) for any school sponsored by an NSHE institution. The LEA services account for more than 50 percent of the Authority's budget. Section 17 clarifies that an NSHE sponsor may enter into an agreement to cover those costs with its own sponsor revenue.

Section 18 provides conforming language.

Sections 19 and 20 provide that other sponsors may enter into interlocal agreements with the Authority to share expertise or other services. It also gives sponsors authority to develop policies, practices and strategic plans related to implementation of its statutory duties. The proposed amendment clarifies a sponsor, such as a district, has the discretion to determine whether it will adopt a strategic plan. It also requires a needs assessment be conducted in the event that a sponsor will be accepting applications. The amendment also limits the recourse that a third party, such as vendor or school employee, can pursue if the execution of its sponsorship duties has an impact on that party.

Section 21 is based on an assessment of the current charter application content requirements adopted by the National Alliance for Public Charter Schools. It includes important provisions demonstrated to assist sponsors to evaluate quality applications. It addresses issues encountered by Authority board members, staff and third-party reviewers. Section 21, subsection 5, paragraphs (c) and (g) of the amendment, clarifies that internal, school-created assessments are not an appropriate means for a sponsor to evaluate the performance of a school. It clarifies that students apply to enroll in a school rather than go through an admissions process. The amendment in subsection 5, paragraphs (o) and (q) of section 21, provides applicants and sponsors with discretion to negotiate innovative governance structures based on proven best practices of high-achieving schools. Adherence to school mission and model must be balanced with local input from parents and community.

Senate Bill 509, section 22 states a nonprofit CMO may be an eligible applicant. The amendment clarifies that a Nevada-based affiliate of a CMO from another state may also be an eligible applicant. This ensures an out-of-state charter network does not have to choose between complying with Nevada law or the law of a state in which they hold another charter. The section further codifies best practices for charter school application evaluation. The amendment, in section 22, subsection 2, clarifies a sponsor may engage external reviewers, inside and outside of the State, to supplement its expertise. Subsections 11 through 13 of section 22, allows sponsors to review applications at multiple points during the year. It also allows a sponsor to establish time lines, processes and criteria to facilitate review and feedback. This allows a more careful evaluation of experienced charter holders as well as applicants who have little or no experience with the process. The SPCSA may train applicants or engage other parties to provide such training. Any donations used to fund the training may not originate from a charter holder or applicant.

Kathleen Conaboy (Chair, State Public Charter School Authority):

I am the chair of the SPCSA Board. Since its creation in 2011, the SPCSA and the Legislature have continued to refine and further define the application process for charter schools. It focused on the mission of a school and the accomplishment of its mission. This section codifies the items required to be included in a charter school application. Section 22 continues by including the criteria for evaluating a charter school application.

Mr. Gavin:

Section 23 of Senate Bill 509 provides a sponsor may require a charter holder to enter into an amended and restated charter contract as a condition approval. This provides a mechanism to move more charter schools onto the charter contract in the event they wish to change the terms of their initial agreement with their sponsor.

Section 24 of S.B. 509 contains parallel language to section 23. The amendment clarifies the approval to occupy an additional facility is for either new or old construction.

Section 25 defines the term “performance framework” to mean the performance framework for each charter school versus the more general Nevada School Performance Framework. The sponsor may provide a means to calculate student performance data. Calculations for evaluating student data may include,

allowing for a combined score for a full kindergarten through Grade 12 charter school and for a score for each campus facility in the case of a multisite school. It also provides the data shall be publicly disclosed. Information used for the calculations must comply with The Family Education Rights and Privacy Act.

Section 27 of S.B. 509 is conforming language related to the reconstitution of a school's board. It states a sponsor may take action in the event it discovers a school omitted or provided deceptive information in its application or other key submission.

Section 28 affords sponsors the explicit authority to make high-stakes decisions about a school in the event that it is not a 1-star school for 3 consecutive years, but is otherwise on the State's list of low-performing schools.

This language mirrors the language in Senate Bill 77 and in similar legislation to ensure charter schools are held to the same standards as traditional public schools. It permits interventions other than school closure, including reconstitution and consolidations, for such schools. The NDE Superintendent of Public Instruction may allow a pause year, or another such future change, without reopening the statute. The amendment clarifies that the sanctions contained in Assembly Bill 205 remain unchanged. This avoids any conflict with the language in S.B. 460.

SENATE BILL 77: Revises provisions relating to education. (BDR 34-314)

ASSEMBLY BILL 205: Creates the Nevada Advisory Commission on Mentoring. (BDR 34-116)

SENATE BILL 460: Revises provisions related to the statewide system of accountability for public schools. (BDR 34-1108)

Ms. Conaboy:

As S.B. 509 was developed, we consulted with the local school districts and other education stakeholders. We are grateful for their input. Senator Woodhouse mentioned collaboration with the LCE in nonlegislative years. Since the SPCSA does not have bill draft request privileges, working with the LCE will create a good opportunity to work with Legislators during the interim so next Session we do not have such a large bill under consideration.

Sections 29 through 31 contain conforming language related to reconstitution and other interventions.

Sections 32 and 33 provide bifurcated rulemaking between the Authority and the NDE for the sponsorship activities of districts and colleges and universities. It also requires the NDE to develop regulations in key areas such as financial transparency and ethics requirements for charter schools. The amendment clarifies the Department will consult with the SPCSA and other stakeholders when drafting such regulations.

Section 34 of S.B. 509 provides that a district must provide school bus services at cost if a charter school is permitted to use a school bus.

Section 35 of the bill requires a collaborative review of charter school statutes and regulations. Policy changes should be the subject of appropriate dialogue during future interim sessions.

Section 36 requires board training for charter school board members.

Section 37 is conforming language.

Section 38 aligns the policy for fees charged by charter schools with existing policies for school districts.

Section 39 states districts which provide services to schools shall do so on a per-pupil cost basis. It requires a district to permit a charter school student who is a member of a district athletic program to travel on a school bus if there is space available and the student is picked up with students from the district school.

Section 40 of the bill forbids contracts with educational management organizations from containing a variety of provisions which are contrary to good public policy.

Section 41 is conforming language.

Sections 42 and 43 state the SPCSA is the administrator of the statewide charter loan program and will serve as the rule maker for that program. It clarifies the loan is for costs anticipated versus reimbursement costs.

Section 44 is conforming language.

Section 45 of S.B. 509 states a charter school which has been approved to set a higher standard for graduation than the state or district cannot be required to issue a diploma if a family does not wish to meet the school's standard.

Section 46 provides that the parent or guardian of a charter school pupil must be present at any disciplinary hearing.

Section 47 requires a charter schoolteacher to meet the federal highly qualified definition which is applicable to public charter schools nationally. The teacher must have a bachelor's degree and demonstrate subject-area expertise via a test such as the Praxis or other State-approved method. The amendment clarifies that a charter school general education teacher is not required to hold State licensure unless it is explicitly required by the State and aligns the requirements for English Language Learners and special education teachers with federal requirements.

Sections 48 through 51 of Senate Bill 509 allow charter schools to access education technology funding. The amendment clarifies federal law regarding charter teachers and the highly qualified status pertains to this section as well.

Sections 52-56 are conforming language.

Blaine Spires (Silver State Charter Schools):

Senate Bill 509 is forward thinking. We want quality charter schools in Nevada. We support this bill and are excited there will be dialog between the SPCSA and the charter schools. The goal is to work together to improve student performance.

Melissa Mackedon (Oasis Academy):

I have the unique experience of not only running an exemplary charter school, but also sitting on an authorizing board. I understand how critical it is to have high-quality authorization policies in Nevada. I was able to read S.B. 509 through both lenses. There will be some people concerned with the licensure component of the bill. As a school administrator, this provision provides school leaders the flexibility to move teachers based upon their demonstrated performance and expertise in the classroom, not merely by certifications held. I have personally seen a fifth grade teacher reassigned to a seventh grade

classroom. One-hundred percent of her seventh grade students passed the Reading Criterion-Referenced Test, in no small part because of her elementary school teaching methods course work. Charter schools need the autonomy to make site-based decisions in the best interest of their students. The different licensure requirements provide the flexibility to do so. I support S.B. 509.

As a charter school authorizer, I support policies that allow us to bring high-quality teachers to the State. I think S.B. 509 helps open the doors to make this happen.

Seth Rau (Executive Director, Nevada Succeeds):

We have been working with Mr. Gavin and the members of the SPCSA board and other charter stakeholders to ensure Nevada has a truly high-performing charter sector in Nevada. Nevada Succeeds strongly supports the provision for two paths to authorize a charter school as contained in S.B. 509. The one-size fits-all model is a difficult process for small start-up entities. The new process allows a vision to become the cornerstone of a charter school and over the following 2 years with the assistance of the SPCSA, the other pieces can be developed resulting in a high quality charter option. Allowing an expedited time line for experienced CMOs will encourage the best charter school operators to enter into the Nevada market. Senate Bill 509 is a strong step forward for charter schools in Nevada.

Lee Iglody:

I support S.B. 509. The bill codifies best policies and practices for our charter schools. This bill will provide the guidance to charter schools they desperately need. The proposed changes both clarify the process and criteria under which charter schools operate. The bill also provides our sponsor, the SPCSA, with a clear mission to maintain and enforce those standards. All charter schools depend on clear rules that are uniformly and fairly enforced.

As a charter school, we try to make the most efficient use of our funds. Our mission is to teach. Most of our administrators spend significant time in the classroom. It is in the classroom that we create our future citizens and community leaders.

Codifying these clarifications for the SPCSA including the expectations, requirements and standards will benefit all of Nevada's students who attend charter schools.

Colin Seale:

Senate Bill 509 is needed in response to the growth in Nevada's charter school portfolio. I favor school quality. Charter schools are one of the most promising vehicles to get there; however, they must define quality. With increased autonomy must come increased accountability. When Nevada was dealing with a much smaller charter school portfolio, many things could stay as they were. As we grow, we need to have the accountability piece in place and S.B. 509 does that.

Nevada has had a difficult time with teacher licensure. The changes in S.B. 509 will expedite the licensure process and remove the barrier to highly qualified charter schoolteachers moving to Nevada. Charter schools will not be hiring staff in unmanageable numbers, like the CCSD and the State.

Elisa Wahl (Vice Chair, State Public Charter School Authority):

I echo the testimony previously provided in support of S.B. 509. I have spent hours going over every word in this bill and asking every question imaginable. I am satisfied with it.

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

I support S.B. 509. The provisions within this bill will propel forward the charter school movement in Nevada. It is important to develop a strong authorizer and get the infrastructure in place. Senate Bill 509 does that.

Angie Kleven:

I am a parent, I have worked on a committee form for a charter school, and I am currently working in a charter school as part of the administrative team. I appreciate all of the clarifications within S.B. 509. I support the provision to allow charter schools more autonomy to set their graduation requirements. This bill allows charter schools to set a higher standard. I homeschooled my children for many years because there was not an educational program that met my children's needs. Once we had the opportunity to start a school, we were able to set the bar where we wanted it to be and where we felt it should be. We look forward to be able to enforce it at that level. We support S.B. 509 and the opportunity to let students grow.

Ray Bacon (Nevada Manufacturers Association):

I have provided written testimony ([Exhibit J](#)). The way the law is written right now, only a university could be a possible authorizer instead of the individual

colleges within that university. If we are serious about Science, Technology, Engineering and Mathematics education, the colleges of engineering and sciences should be included.

Craig Stevens (Clark County School District):

The CCSD is neutral on S.B. 509, as amended. We appreciate the work done to address many of the concerns of the CCSD with this bill.

If CMOs and Education Management Organizations are coming, they need to be held accountable. We believe the amendment does that. Until they actually get here and we see what they are doing and not doing, it is impossible to fully address all of the possible scenarios, but this bill makes a strong start.

Section 21 of S.B. 509 states that if new charter schools are going to be opening they have to state where they are going to be located and the purpose that they serve within that community. With the growth and addition of new schools in Clark County, we need to look long and hard at how we establish schools, including charter schools, and determine the best locations for schools.

Charter schools and public schools are funded through public dollars. If there is a school in the CCSD that is a 4-Star or 5-Star rating, is it the best use of resources if a charter school moves right down the street? Just as if there is a high-performing charter school, is it the best use of our public dollars to put a traditional public school down the street? How is it that we can look at the growth and develop a comprehensive plan and strategy? We should be able to develop a comprehensive strategy for the location of all new schools, public and charter.

Chair Harris:

I will now close the hearing on S.B. 509.

Mr. Stevens:

The CCSD "Good News Minute" is: CCSD is not just a place where students go to learn. It is a huge part of our local community. We want to take this minute to thank the many partners we have across Clark County and State and the immeasurable way they provide help to our students.

Just this week Smith's Food and Drug Stores donated \$25,000 to Communities In Schools, which helps our students across the county. The Clark County

Senate Committee on Education
April 9, 2015
Page 22

District Court donated some old computers to help some of our schools. These are just two of our partners, but we have thousands and I recommend you look at the CCSD's community partnership Website so you can see just how much our community supports our schools.

Remainder of page intentionally left blank; signature page to follow.

Senate Committee on Education
April 9, 2015
Page 23

Chair Harris:

There being no further comment or business before the Committee, the meeting is adjourned at 5:29 p.m.

RESPECTFULLY SUBMITTED:

Beth Ann Reykers,
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. 391	C	23	Todd Butterworth	Work Session Document
S.B. 503	D	14	Todd Butterworth	Work Session Document
S.B. 432	E	2	Todd Butterworth	Work Session Document
S.B. 405	F	2	Todd Butterworth	Work Session Document
S.B. 195	G	1	Vic Redding	Letter
S.B. 195	H	1	Constance Brooks	Proposed Amendment
S.B. 509	I	101	Patrick Gavin	Proposed Amendment
S.B. 509	J	1	Ray Bacon	Written Testimony