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**ASSEMBLY COMMITTEE
ON EDUCATION**



WORK SESSION DOCUMENT

April 9, 2003

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ASSEMBLY EDUCATION
DATE: 4/9/03 ROOM: 3143 EXHIBIT M
SUBMITTED BY: CAROL STONEFIELD

TAB

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Sponsor: Assemblymen Giunchigliani et al.

The measure repeals several legislative committees, including the Legislative Committee on Education, the Legislative Bureau of Educational Accountability and Program Evaluation, the Commission on Educational Technology, and the Council to Establish Academic Standards for Public Schools.

The measure also removes the requirement that students pass the high school proficiency examination in order to receive a high school diploma. The State Board of Education would be required to establish endorsements to the high school diploma that indicate the student pass the high school proficiency examination and that indicate the student completed advanced courses of study.

Currently, Nevada exempts certain special education students from participating in statewide assessments. No Child Left Behind requires that all students, including special education students and limited English proficient students to participate. This measure brings the Nevada requirements into alignment with federal law in No Child Left Behind and the Individuals with Disabilities in Education Act. A student with an individualized education plan may be assessed in an appropriate manner.

The University of Nevada Board of Regents may not require passage of the high school proficiency examination as a condition for receipt of the Millennium Scholarship.

Proponents:

With regard to the repeal of the various committees and commissions, proponents said that they were no longer necessary and that some of the oversight functions should reside with the State Board of Education. It was estimated that abolishing these committees and commissions would save \$500,000 annually.

With regard to the high school proficiency examination, proponents said that students were denied high school diplomas because they could not pass portions of the examination. They would receive instead certificates of attendance. Proponents said that no single high stakes exam should prevent students from getting a diploma.

Opponents:

Opponents said that an exit examination is needed. They said that:

- The math portion of the exam meets the academic standards set by the Academic Standards Council.
- Employers complain that a high school diploma does not guarantee that a student has skills.

- Local boards of trustees are responsible for setting the math course requirements and that they should set the requirements so that students take the courses necessary to obtain the skills that will be tested.

Fiscal Impact:

Local: None

State: Cost savings to the state if the Commission on Education Technology and the Council to Establish Academic Standards are eliminated.

Proposed Amendments:

No amendments were offered in writing. Suggestions were made that:

- The local boards of trustees be authorized to decide standards for awarding diplomas.
- An interim study be conducted of the alignment of the high school proficiency examination with the high school curriculum.
- A tiered diploma system be developed to reflect passage of the high school proficiency examination.

Subcommittee Report:

A subcommittee met with the sponsor and other interested parties and agreed to recommend that the committee amend AB 179 according to the subcommittee report.

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**REPORT OF SUBCOMMITTEE ON ASSEMBLY BILL 179
TO ASSEMBLY COMMITTEE ON EDUCATION**

Summary: Assembly Bill 179 provides for repealing the Legislative Committee on Education, the Legislative Bureau of Educational Accountability and Program Evaluation, the Commission on Educational Technology, and the Council to Establish Academic Standards for Public Schools. Assembly Bill 179 also removes the requirement that a pupil pass the high school proficiency examination as a condition of receipt of a standard high school diploma. It revises provisions governing the administration of examinations to pupils with disabilities and pupils whose primary language is not English.

Members Present

Assemblyman Kelvin D. Atkinson, Chair
Assemblyman Jason D. Geddes
Assemblyman William C. Horne

Subcommittee Meeting

The subcommittee met on April 8, 2003, in Room 3143 of the Legislative Building in Carson City to consider Assembly Bill 179. Testimony was received from Assemblywoman Chris Giunchigliani, Assemblywoman Vonne Chowning, Ms. Laura Mijanovich, representing the American Civil Liberties Union (ACLU) of Nevada, Mr. Terry Hickman, representing the Nevada State Education Association, and Mr. Richard Siegel, also representing the ACLU of Nevada.

Ms. Giunchigliani offered an amendment that would delete the provisions relating to eligibility for the Millennium Scholarship and delete the section that repeals the various sections of the *Nevada Revised Statutes* that enumerate the legislative committee, bureau, council, and commission.

Ms. Chowning offered an amendment that would create a process authorizing a local school board of trustees to establish a basic high school diploma. The board of trustees would be empowered to receive appeals from students who had failed the high school proficiency examination. After considering criteria specified, the board may grant a student a basic diploma.

Other witnesses testified that a discrepancy exists between the content of the mathematics portion of the high school proficiency examination and the graduation requirement in mathematics. The proficiency examination tests content areas in algebra, geometry, and other upper level mathematics courses. The State Board of Education requires only that students complete successfully three mathematics courses

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prior to graduation. The proficiency examination is not intended to be a college entrance examination.

Others testified that this is an issue of fundamental fairness. Students who fail the high school proficiency examination are denied federal financial aid as well as admission to a state university.

Subcommittee Recommendation

The subcommittee unanimously recommends that the full Assembly Committee on Education consider and approve a motion to "Amend and Do Pass" for A.B. 179 and that an amendment be drafted that reflects the intent embodied in the amendment offered by Assemblywoman Giunchigliani. This recommended amendment includes the following:

- Delete Section 11 of A.B. 179;
- Delete Section 12 of A.B. 179; and
- Insert a provision that the student who fails the examination must be required to retake only that portion or portions that he or she failed.

Submitted by Carol M. Stonefield, Senior Research Analyst, Research Division, Legislative Counsel Bureau.

Education/Reports/AB179Recommendations

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