

**MINUTES OF THE JOINT MEETING OF THE
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION
AND THE SENATE COMMITTEE ON FINANCE**

**Seventy-third Session
April 7, 2005**

The joint meeting of the Senate Committee on Human Resources and Education and the Senate Committee on Finance was called to order by Chair William J. Raggio at 5:07 p.m. on Thursday, April 7, 2005, in Room 4100 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4401, 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 at the Research Library of the Legislative Counsel Bureau.

**SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION MEMBERS
PRESENT:**

Senator Maurice E. Washington, Chair
Senator Barbara K. Cegavske, Vice Chair
Senator Joe Heck
Senator Bernice Mathews
Senator Valerie Wiener
Senator Steven Horsford

SENATE COMMITTEE ON FINANCE MEMBERS PRESENT:

Senator William J. Raggio, Chair
Senator Bob Beers, Vice Chair
Senator Barbara K. Cegavske
Senator Bob Coffin
Senator Bernice Mathews
Senator Dean A. Rhoads
Senator Dina Titus

COMMITTEE MEMBERS ABSENT:

Senator Dennis Nolan (Excused)

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STAFF MEMBERS PRESENT:

Leslie K. Hamner, Committee Counsel
Marshellah D. Lyons, Committee Policy Analyst
H. Pepper Sturm, Chief Deputy Research Director
Patricia Vardakis, Committee Secretary

OTHERS PRESENT:

Charlotte Petersen, Superintendent, Humboldt County School District
Sheila Moulton, Board of School Trustees, Clark County School District
Mary Pierczynski, Superintendent, Carson City School District
Kendra Simms
Devon Anderson
Carolyn J. Edwards, Nevadans for Quality Education
Ryan Leavitt
Julie DeMarre
Carlos Garcia, Superintendent, Clark County School District
Paul Dugan, Superintendent, Washoe County School District
Stephen Augspurger, Executive Director, Clark County Association of School Administrators and Professional-technical Employees
John Soderman, Superintendent, Douglas County School District
Lonnie F. Shields, Clark County Association of School Administrators and Professional-technical Employees; Nevada Association of School Administrators
Dr. Keith Rheault, Superintendent of Public Instruction, Department of Education
Al Bellister, Nevada State Education Association
Barbara Clark, Nevada Parent Teacher Association
Ben Zunino, Superintendent, Eureka County School District
Jay L. Parmer, Voyager Expanded Learning
Craig Kadlub, Clark County School District
Dorothy (Dotty) Merrill, Washoe County School District
Jodie C. Anderson, Center for Charter School Development
Anne K. Loring, Washoe County School District
Joyce Haldeman, Clark County School District
David K. Schumann, Independent American Party; Nevada Committee for Full Statehood

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CHAIR RAGGIO:

This is a joint meeting of the Senate Committee on Human Resources and Education and the Senate Committee on Finance. We have various bills on education before us this evening for discussion. The bills in question include Senate Bill (S.B.) 56, S.B. 214, S.B. 284 and S.B. 460. We will take no action on the bills.

SENATE BILL 56: Makes various changes concerning charter schools and distance education programs. (BDR 34-18)

SENATE BILL 214: Revises provisions governing statewide system of accountability and revises other provisions governing education. (BDR 34-459)

SENATE BILL 284: Revises provisions governing education and makes appropriations for education. (BDR 34-550)

SENATE BILL 460: Revises provisions governing class-size reduction. (BDR 34-1091)

CHAIR RAGGIO:

Senate Bill 214 contains a reference to the Advisory Commission on Highly Effective Academic Programs for School Improvement and Educational Excellence. This has reference to a similar commission that the Governor has proposed which is in S.B. 404. That bill is not before us this evening, but does have similar considerations and content. Senate Bill 214 is in the Senate Committee on Finance and is an exempt bill.

SENATE BILL 404: Creates Commission on Educational Excellence. (BDR 34-1365)

Senate Bill 284 is the iNVEST bill that governs educations and appropriations for education. This bill is currently exempt and is in the Senate Committee on Finance.

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CHAIR RAGGIO:

Senate Bill 460 revises provisions governing class-size reduction. This is currently in the Committee on Human Resources and Education and is not exempt.

The reason we are having these joint hearings is so the policy considerations can be made at this time and, if necessary, be rereferred to the Senate Committee on Finance and is determined to be exempt.

We will first hear testimony on S.B. 284. Senator Washington will Chair this portion of the hearing.

CHAIR WASHINGTON:

I will ask staff to go through S.B. 284 and do a quick summary of the sections.

MARSHEILAH D. LYONS (Committee Policy Analyst):

I will skip the sections of S.B. 284 that are technical in nature. Section 1 of the bill includes the requirement that the Superintendent of Public Instruction is to compile school-district data including projected enrollment, cost and revenues. This must be included in the budget request.

Section 2 of the bill states ending-fund balances must not be used to fund salaries and benefits or settle salary negotiations. I will be referencing the "iNVEST '05" document ([Exhibit C](#), original is on file at the Research Library) when referring to iNVEST attachments. Section 2 corresponds to the information set forth in iNVEST Attachment 3.

Section 3 states calculating basic support, kindergarten pupils are counted and funded for a full day of attendance which corresponds to iNVEST Attachment 9.

Section 6 requires an annual audit of pupil count with reference to the *Nevada Revised Statute* (NRS) 388.710, and effectiveness of class-size reduction (CSR) with reference to the NRS 388.720 plan to reduce pupil-teacher ratio.

Section 8 states the CSR data is to be monitored.

Section 9 states that a district may develop a plan to reduce pupil-teacher ratios in Grades 1 to 3, not to exceed 22 to 1; and in Grades 4 and 5, not to exceed 25 to 1; if the plan is revenue neutral. Grade 6 may be included where elementary schools include that grade and this corresponds to iNVEST Attachment 13.

Section 12 deals with funding for inflation projected for utilities, property and liability insurance, health insurance, educational supplies, materials and equipment which correspond to iNVEST Attachment 1.

Section 13 deals with funding for textbooks, instructional supplies, instructional equipment and software. This corresponds to iNVEST Attachment 2.

Section 14 deals with funding for salary and benefit increases for educational personnel and corresponds to iNVEST Attachment 4.

Section 15 deals with funding for expenses related to providing health insurance for licensed personnel.

Section 16 deals with funding for signing bonuses to licensed educational personnel and school nurses who are newly hired and corresponds to iNVEST Attachment 6.

CHAIR RAGGIO:

Ms. Lyons, would you go back to section 12? As you go through the rest of the bill, indicate the appropriations that are being requested.

Ms. LYONS:

In section 12, the funding is for inflation projected for utilities, property and liability insurance, health insurance, educational supplies, materials and equipment. The appropriation is \$9,992,310 for fiscal year (FY) 2005-2006 and \$2,133,508 for FY 2006-2007.

In section 13, the funding is for textbooks, instructional supplies, instructional equipment and software. The appropriation is \$20,221,950 for FY2005-2006 and \$21,056,950 for FY 2006-2007.

In section 14, the funding is for salaries and benefit increases for educational personnel. The appropriation for FY 2005-2006 is \$55,234,492 and for FY 2006-2007 is \$117,298,259.

In section 15, the funding is for expenses related to providing health insurance for licensed personnel and this corresponds to iNVEST Attachment 5. The appropriation for FY 2005-2006 is \$20,067,029 and for FY 2006-2007 is \$45,113,007.

In section 16, the funding is for signing bonuses to licensed educational personnel and school nurses who are newly hired. The appropriation for FY 2005-2006 is \$5.6 million and for FY 2006-2007 is \$6 million.

In section 17, the funding is for tutoring, summer school, intersession programs, distance education and district support teams and this corresponds to iNVEST Attachment 7. The appropriation for FY 2005-2006 is \$23 million and for FY 2006-2007 is \$24 million.

In section 18, the funding is for English language learner programs corresponding to iNVEST Attachment 8. The appropriation for FY 2005-2006 is \$27,838,800 and for FY 2006-2007 is \$33,016,800.

In section 19, the funding is to prepare for and provide full-day kindergarten and this corresponds to iNVEST Attachment 9. The appropriation for FY 2005-2006 is \$12,045,000 and for FY 2006-2007 is \$59,907,821.

In section 20, the funding is for five additional days of school for professional development corresponding to iNVEST Attachment 10. The appropriation for FY 2005-2006 is \$32,051,820 and for FY 2006-2007 is \$33,812,635.

In section 21, the funding is for programs to provide temporary alternative placement for certain pupils removed from the classroom corresponding to iNVEST Attachment 11. The appropriation for FY 2005-2006 is \$32,759,559 and for FY 2006-2007 is \$34,112,259.

In section 22, the funding is for career and educational courses corresponding to iNVEST Attachment 12. The appropriation for FY 2005-2006 is \$6 million and for FY 2006-2007 is \$6 million.

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SENATOR TITUS:
Is there a total?

CHAIR RAGGIO:
The total for FY 2006 is approximately \$244.8 million and for FY 2007 it is \$401.5 million. The total for the biennium is approximately \$646.3 million.

CHARLOTTE PETERSEN (Superintendent, Humboldt County School District):
I am the President of the Nevada Association of School Superintendents (NASS). With me is Ms. Moulton from Clark County and Dr. Pierczynski from Carson City who will be testifying on S.B. 284.

SHEILA MOULTON (Board of School Trustees, Clark County School District):
I will give you a brief history of the iNVEST plan and the implementation of that plan. The acronym iNVEST stands for investing in Nevada's education, students and teachers. During the 2001 Legislative Session, we had several new superintendents who went to the Governor and asked him what they could do to make sure there were resources available to provide increased student achievement for the students of our State. They were told the Legislative Session was well advanced and they could prepare for the next Legislative Session. The superintendents began an 18-month investigation into student achievement. The "iNVEST 2003" plan was born. This plan was presented in the 72nd Legislative Session and had a cost of \$1 billion. At the conclusion of the 72nd Legislative Session, one-third of the iNVEST plan had been addressed and was helping our students.

In 2005, the plan was revised. The question is, what is needed to improve student achievement? This year the plan was reevaluated and adopted by all 17 superintendents and 17 school boards throughout the state. The question has not changed. We see the needs of our students in overcoming the challenges of higher standards brought on by the No Child Left Behind Act of 2001 (NCLB). We see school districts that have difficulty in one or two areas that are put on the needs-improvement list, but we need resources to improve student achievement. Never before have the needs of our students been greater in the areas of students living under poverty. The number of students who are English-language learners (ELL) in the United States has increased by 73 percent from 1992 to 2002. In Nevada, between 1994 and 2004, we saw an increase of ELL students of 457 percent and in Clark County the increase was

517 percent. Spanish is the language of Nevada's largest number of ELL. We have approximately 65 different languages spoken in Nevada. Nevada continues to be at the bottom of the funding charts. We are 48th in the nation in per-pupil funding. Inflation, employee health-care costs and retirement benefits are only a few of the dramatic financial drains that take funding away from the classroom. As school board members and superintendents, we stand on our conviction that all children can and will learn as we improve the standards, curriculum, instruction, parental involvement and accountability in Nevada.

A cornerstone of the "iNVEST '05" plan is the full-day kindergarten program. Another program that has been beneficial is the Voyager program that gives a teacher direct instruction on reading to students. Due to legislation concerning student achievement, we are making progress. We ask this Legislature to study our "iNVEST '05" proposal and support the 13 elements of student achievement given in the plan.

MARY PIERCZYNSKI (Superintendent, Carson City School District):

The iNVEST program is a long-term "road map" for students in Nevada. We will continually return to the Legislature because we feel that student achievement is our mission. We have been asked if there are priorities in the "iNVEST '05" proposal. We believe each attachment denotes an aspect of education that needs to be addressed. Full-day kindergarten rises to the top of the priority list. Help for our ELL is another important aspect of iNVEST. There is a tremendous growth in ELL in our State. Students who are new to a school must take the proficiency test and in the second year the test counts for adequate yearly progress (AYP). Remediation helps our students who need extra time to make AYP and to reach a proficient level.

Attachment 1 on page 4 of the "iNVEST '05" proposal addresses inflation and the increased costs of doing business in a school district. An example of inflation is the water bill for the Carson City High School which will increase by 34 percent next year. Electricity and gas bills will rise 6 to 7 percent in the coming years.

CHAIR RAGGIO:

Has NASS established priorities? Has this program been compared with what is presently in the Executive Budget? Some of these items are in the Executive

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Budget. We need you to work with staff and coordinate what is being proposed in the iNVEST bill. What is the position of the superintendents concerning the Governor's Executive Budget that the Legislature is considering? There is a proposal of \$50 million a year to be given to those schools that really need assistance. We need to get a focus on what portion of your request is already in the Executive Budget. If there are requests not included in the Executive Budget, then what would be the priorities this Legislature should consider. It has been indicated that this is a long-term request.

MS. PIERCZYNSKI:

We will work with staff to go through the proposals. We are aware of the \$100 million over the biennium that was proposed for remediation for students. It would be helpful to have some interaction and a return report as to what can be achieved.

CHAIR WASHINGTON:

When the Senate Committee on Human Resources and Education heard the iNVEST presentation, we asked for a prioritized list of requests. The language on page 3, lines 27 through 32 of S.B. 284 reflect upon the language on page 17, section 19 which addresses full-day kindergarten. Am I correct?

MS. PIERCZYNSKI:

Yes. We are proposing an additional 0.4-day allocation. We currently receive a 0.6-day allocation per pupil for half-day kindergarten.

KENDRA SIMMS:

I am a sophomore at Carson City High School. At Carson City High School there is a great atmosphere and I feel comfortable and safe. Many articles in the iNVEST proposal have come to my attention. The first is full-day kindergarten. Even though they have little bodies and brains, a lot can be stored in them. Their learning will increase throughout the years if they have this program. I have seen my brother go through kindergarten and it is amazing how much they can learn in just half a day.

A program to help disruptive students and an increase in parental involvement so students become accountable for their learning would be beneficial. This is a partnership between the parents and the students. This will open a needed door for parental involvement.

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Motivated teachers motivate students. I have had teachers who have shown me what I can do with my future. It is the teachers who care who make a difference. Teachers deserve a respectable salary for the work they do.

DEVON ANDERSON:

I am a senior at Carson City High School. Over the past four years, my education at Carson City High School has been extensive, which can be attributed to teachers, my parents and self-motivation. I plan to attend college on the East Coast after high school and I feel I am ready to make this move. I plan to study either biology or international politics and will go on to medical school. I realize that I will be a contributing member of society in a few years and will be a taxpayer paying for our legislative plans.

I took the high school proficiency exam two years ago and passed. I know of students who have had to take the proficiency exam numerous times in order to graduate. These exams are important and set a standard for what students should be learning in order to graduate. The education needed to pass the proficiency exams should take place in the classroom. The English-as-a-second-language (ESL) students are at a disadvantage because they are given the English exams as soon as they enter school and are expected to pass them with the same proficiency as students who are native to this country. Given the growth in population, it is surprising that there is only one Hispanic student in my classes. If Hispanics receive the education they need when they come to this country, they can pass these exams and not be at a disadvantage.

In each of my classes, we received new textbooks which were part of the "iNVEST '03" plan. The teachers are important. Teachers prepare us to go on to college. I feel I am prepared because of my teachers. Teachers should be paid a respectable salary. I feel that due to my motivation I have advanced and that all students should have the same opportunities. I feel that the "iNVEST '05" proposal should be placed at the top of the legislative agenda.

CAROLYN J. EDWARDS (Nevadans for Quality Education):

Nevadans for Quality Education are in support of S.B. 284. If you are serious about improving the achievement of all Nevada students, then these appropriations are needed.

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RYAN LEAVITT:

I am a student in the Clark County School District. I encourage you to support the "iNVEST '05" proposal. Without the proper funding and supplies, the students of Nevada are never going to have the chance to meet their full potential. Things such as full-day kindergarten, class-size reduction, textbooks and supplies and funding for ELL are not luxuries but are necessities. The school districts have come together bearing a huge responsibility to prepare the students of Nevada for their futures. It is the Legislature's job to ensure that the necessary funds go to our students so they may be successful. The school districts have provided you with a list of needs. I urge you to approve them, because education is the most important investment we can make in our future.

JULIE DEMARRE:

I have been fortunate to attend a performing-arts academy. We are ranked one of the highest schools in the country. Our teachers receive the same pay as other teachers. They could choose to go elsewhere, because they are being paid 20 percent below the national average and education in Nevada is not being funded as in other states. Music has been an important part of my life. There was a threat to remove the arts from the curriculum because of funding issues. The arts are an important part of students' lives. They give students a passion to come to school. The monies invested in education are well spent. It is important for Nevada's schools to be funded as well as other states and the national average. We will be going into the workforce and will benefit the community.

CARLOS GARCIA (Superintendent, Clark County School District):

I wish to respond to Senator Raggio's question concerning priorities. We learned from the 72nd Legislative Session to list our priorities. All 17 superintendents have been meeting, and we have a priority list. Our number-one priority is full-day kindergarten. Our second priority is ELL, AYP and our inflationary costs. Our third priority is the teachers' salaries.

CHAIR RAGGIO:

Your answer is helpful and precise. The request for full-day kindergarten is \$72 million in the "iNVEST '05" proposal. Clark County School District has used some Title I funding to implement full-day kindergarten in a number of schools. What have you done in that regard?

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MR. GARCIA:

We have taken most of our categorical Title I funds and supported 54 of our most at-risk schools. We can provide the Committee with those results.

CHAIR RAGGIO:

How effective has that been?

MR. GARCIA:

Midway through the term the at-risk schools are ahead of where they were at the end of an entire year.

CHAIR RAGGIO:

Does the "iNVEST '05" proposal take into account the federal funding that is available for this purpose?

MR. GARCIA:

To use the monies to fund full-day kindergarten, we took it away from other programs. Based on the research, it would produce the best benefit.

CHAIR RAGGIO:

There is some funding available for this purpose. The Committee would like to know to what extent that funding has been utilized in the various school districts in the State.

PAUL DUGAN (Superintendent, Washoe County School District):

Washoe County has 18 schools that have made use of Title I funding to provide full-day kindergarten. We have one nontitled-funded school that has also initiated a full-day kindergarten through a parent-pay program. We will share with you the information concerning the impact of the full-day kindergarten. We have several other schools that do not have the funding available for the full-day kindergarten.

CHAIR RAGGIO:

On page 12 of [Exhibit C](#), there is listed a number of entities for the utilization of \$60.8 million for the biennium for ELL. Would you help the Committee understand this request?

Ms. PIERCZYNSKI:

Sheltered Instruction Observation Protocol (SIOP) is one of the methodologies that we are teaching and would like to expand throughout the state. It helps the regular classroom teacher deal with students who are struggling with the English language. It helps them be able to make the transition into the classroom. We have some ESL teachers who assist, but their primary time is spent in the classroom. Sheltered Instruction Observation Protocol helps the teacher gain skills to work individually with those students. We would like to expand that SIOP training throughout the State.

Some of the urban areas have found that the welcome centers have helped to inculcate the students into the language and into the society. It helps them learn the American culture.

Bilingual and teaching English as a second language (TESL) would help some of our teachers become ESL teachers. It is difficult to get TESL teachers. We need to promote more of our teachers in this area.

CHAIR RAGGIO:

Are all the programs listed in Attachment 8 on page 12 of [Exhibit C](#), in existence?

Ms. PIERCZYNSKI:

These are programs that are in place in some areas but not throughout the State. We are looking at 18.6 percent of the students in Nevada who are now ELL. We need to get help to our teachers throughout the State so that they can help our students.

CHAIR RAGGIO:

Have the programs that are in place proven to be effective? Is there any data that you could submit to the Committee to verify your position? To date, how have these programs been funded?

Ms. PIERCZYNSKI:

These are research-based programs. The way Carson City School District has funded the programs is to take monies from our regular instructional budget. We have not been able to do a full across-the-board training in SIOP, but we do want to institute that program because every teacher is dealing with students

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who are struggling with the language. I can provide information to the Committee.

CHAIR RAGGIO:

The information would be helpful to let us be aware of how you determined the cost, how the programs were funded, what funding is necessary and whether there is federal funding available or if the State is expected to fund the entire program. I believe there is federal funding available.

CHAIR WASHINGTON:

My concern is the AYP. I noticed in Attachment 7 on page 10 of [Exhibit C](#), you were going to enhance the skills and the knowledge of certain students in proficiencies in certain core subjects. I did not see anything about methodology or the cost of implementing your improvement plan or improving the teaching staff to enable the information to get to the students correctly.

MR. GARCIA:

All our site plans require us to address these types of issues. Anything we do must be measured. We keep data on everything. All our systems hold everyone accountable. The NCLB has made every child visible. When a site plan is developed, it must outline exactly what will take place and what methodologies they will use that will be different. We ask how they will be utilizing the resources and what types of methodology they will use to target the different populations that are not making AYP.

CHAIR WASHINGTON:

You are asking for \$47 million. As these site plans are put into place, who is measuring the accountability?

MR. GARCIA:

The data speaks for itself. We have Title I funds that help the schools that do not make AYP. What do you do with the schools that are not making AYP that do not receive Title I funds? The minority of schools in our district receive Title I funds. The vast majority of schools do not. We are talking about spreading this out to help the schools who are on the AYP list and need assistance but, do not qualify for Title I funding.

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CHAIR WASHINGTON:

Would the schools that come off the AYP list need some funding to remain off the list?

MR. GARCIA:

Yes.

CHAIR RAGGIO:

When a school has to submit a school-improvement plan, how is the cost determined?

MR. GARCIA:

I wish I could say that we honor everything they request of us, but we would never be able to afford those costs. Under Title I, the schools receive a budget and must work within their budget.

CHAIR RAGGIO:

I am speaking about the school-improvement plan. When they submit the plan, do they submit what they believe to be the cost of implementing the plan?

MR. DUGAN:

Yes. No improvement plan is accepted if there are plans in it that cannot be implemented due to funding. We check the fund availability before we accept the plan.

CHAIR WASHINGTON:

If a principal submits an improvement plan that costs XYZ, then you would determine whether there was appropriate funding; if the funding was not appropriate, then the plan needs to be revised. Would that occur in all counties?

MR. DUGAN:

Yes.

SENATOR CEGAVSKE:

On page 13 of [Exhibit C](#), you have added in the installation of 73 modular classrooms. When you previously talked to us, there was no cost for the modulars. Would you address this for me?

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MR. GARCIA:

You are correct. The 73 modulars are for all the other districts that would not have the resources to obtain the modulars. We are making the commitment to get the classrooms.

SENATOR CEGAUSKE:

You were only representing Clark County when you talked about the iNVEST program and the funding. Were you not referring to the State? The question is whether you can implement the program. Clark County has had to be on a waiver. It is difficult to mandate a program when it cannot be fulfilled. This will need to be done with the full-day kindergarten program. You are asking the Legislature to fund a program that is not available at this time. I have serious concerns about the extra monies that will be requested after the implementation of the program. We saw this in the class-size reduction program. There are many things in iNVEST with which I agree. There are sections I think we need to repeat and we need to designate areas for specific entities such as textbooks or computer systems. There are areas where we must make certain the accountability is in place. What percentage increase were you seeking for teachers' salaries?

MR. GARCIA:

It is in the "iNVEST '05" proposal.

SENATOR CEGAUSKE:

Is the bill exactly the same as "iNVEST '05?" I have received affirmation from a person in the audience.

CHAIR WASHINGTON:

Are there any federal monies available for the modulars?

MR. GARCIA:

To our knowledge, there are no resources for modulars.

CHAIR WASHINGTON:

Would this be putting the State in the position of building schools?

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MR. GARCIA:

We are asking this for other counties because they do not have a building program.

SENATOR HORSFORD:

When there are requests from the schools for site-improvement plans, do the districts track those requests at the requested amount? Do we compare the request to what the districts are able to fund based on Title I? What would have to be additionally allocated based upon what was allocated in iNVEST to bring those proposals to fruition? I believe the Legislature receives a pared-down version of the plans based upon what you realistically think you can request, whereas the requests by the schools are greater. The Legislature funds the plan at the pared-down rate, and then you ask for more funding or we fail to fully meet the goals as established. If we were to track that information, how would the full request compare to the requests in iNVEST?

MR. DUGAN:

Our schools get their budgets before they fill out their improvement plans. They know the amount of monies with which they are working. If there is a special request made by a school, they would work with their immediate supervisor and with our budget people to see if their request can be funded. When schools turn in their improvement plans, they have been based upon the budget that they have previously received.

SENATOR HORSFORD:

Is that based on the Title I funds? What are the schools based on who do not receive Title I funding?

MR. DUGAN:

It is based upon the State General Fund budget they receive, but that would not include any Title I funding.

SENATOR HORSFORD:

Would that be the Distributive School Account? During the interim, if you could gather data on what the schools request initially, when that comes forward the Legislature can evaluate whether what you request is adequate.

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STEPHEN AUGSPURGER (Executive Director, Clark County Association of School Administrators and Professional-technical Employees):

We support all of the "iNVEST '05" recommendations except one. We have a concern with the language which protects ending-fund balances in our school districts. When the original iNVEST proposal was brought forth by the superintendents, that proposal asked for a 5-percent legislatively protected ending-fund balance. In the CCSD alone, that would represent \$81 million. In the legislation that is before you, the ending-fund balance has been increased to 8.3 percent, which in the CCSD would represent \$135 million. Ending-fund balances at these levels will represent the highest ending-fund balance we have ever seen in our school district. We ask that you reconsider that legislation.

JOHN SODERMAN (Superintendent, Douglas County School District):

Senate Bill 284 is different than the initial proposal. As written, we do not support the ending-fund balance proposal. At first, we asked for 5 percent, which is a modest amount. Most of the school districts have less than that amount. We are not going to be making cuts to build this balance. The goal is, as we build balance, we do not want it to be available in arbitration for an ability-to-pay argument. We want to protect the balance that we have developed. I will give you an example. In Douglas County, we had the Carpenter bus incident. Out of 70 of our buses, 30 were Carpenter buses. If those buses had been deemed obsolete by the Nevada Highway Patrol, we would have only half the number of buses in our fleet, and the replacements would have cost \$2.1 million. Ending-fund balances are not to support ongoing costs. It is a "rainy day fund." Ending balances are used for any unexpected expenditures. We are looking at building in inflation in the proposal. Ms. Pierczynski previously testified about the unexpected increase in the cost of utilities. The ending-balance is where we go to find monies on the short-term so that we do not have to make cuts in programs. It gives us time to make adjustments until the next budget.

The part of the bill we do not support and would like to have segregated from being available to arbitrators is on page 3, lines 20 and 21. This is not part of iNVEST and we do not believe it should be. The language prohibits the use of an ending balance for salaries and benefits. Using it for that purpose would be the last thing we would do. However, if there was only the difference of 0.25 percent to settle the contract and you believed, due to increased

enrollment or other events, that the ending balance could resolve those issues, it would be better than going to arbitration.

Insurance renewal never occurs at the time of negotiations.

CHAIR RAGGIO:

When you are in arbitration, the arbitrator's decision is based upon ability to pay. If that is removed, how do you then respond? If you are going to have a true ending-fund balance that is not subject to arbitration, would you not need to keep that language?

MR. SODERMAN:

No. We want the ending-fund balance available when we need it and when we feel it is prudent for us to use it. What we want is that it not be considered by Nevada law as part of the ability-to-pay argument in arbitration.

CHAIR RAGGIO:

What percentage are you suggesting? The iNVEST program is proposing 8.3 percent.

MR. SODERMAN:

Our initial proposal was a 5-percent ending-fund balance that would be segregated from arbitration in terms of the ability-to-pay argument.

CHAIR WASHINGTON:

Is the request 8.3 or 5 percent?

MR. SODERMAN:

We would be happy with 5 percent.

CHAIR RAGGIO:

There was a case in Clark County where the school had an ending-fund balance of 1 percent, which were just enough monies to operate the district for only 2.5 days. There should be a safety net so that does not occur.

MR. SODERMAN:

Any law that would segregate the ending-fund balance from consideration in arbitration would be helpful at any number. Presently, we are vulnerable for our

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ability-to-pay argument. An ending-fund balance is not an ongoing revenue stream. We do have to backfill those monies.

LONNIE F. SHIELDS (Clark County Association of School Administrators and Professional-technical Employees; Nevada Association of School Administrators):

Our Association is in support of the "iNVEST '05" proposal as presented.

DR. KEITH RHEAULT (Superintendent of Public Instruction, Department of Education):

The State Board of Education has reviewed and is in support of the "iNVEST '05" proposal.

CHAIR RAGGIO:

Did the State Board of Education indicate any priority for the funding?

DR. RHEAULT:

They did not prioritize the funding. The Department of Education would agree with the four priorities that have been proposed.

AL BELLISTER (Nevada State Education Association):

The "iNVEST '05" proposal is a good step in identifying the needs facing Nevada's public schools. We do have some concerns. On page 2, line 13, the term merit increases is mentioned without definition. We believe there should be adequate increases for public school employees to meet the cost of living. Compensation and salary are subject to collective bargaining in the State. There is another bill that uses the descriptor of "enhanced compensation." We are supportive of that bill also.

Section 2 addresses the ending-fund balance issue. I do not believe it is as simple a matter as it is portrayed. In chapter 354 of the NRS, there is the district's "rainy day fund." That is the fund to stabilize their operations. The counties want ending-fund balances protected from arbitration and want to use the funds when they want. The *Nevada Administrative Code* (NAC) 354.410 prevents that from happening because it states that a fund balance once budgeted is not an available resource to them or to us.

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CHAIR WASHINGTON:

How do you interpret the language on lines 20 and 21, on page 3 of S.B. 284?

MR. BELLISTER:

Based on the language, ending-fund balances cannot be used for salaries and benefits. Ending-fund balances are not an available resource.

CHAIR RAGGIO:

Who will determine for the arbitrator what is an appropriate ending-fund balance?

MR. BELLISTER:

It is established through statute. There is a section where auditors are required to make an assessment of what fund balances are reasonable. In annual audits, there is an assessment by the auditor of what they consider to be reasonable.

CHAIR RAGGIO:

Would that be binding on the arbitrator?

MR. BELLISTER:

No.

CHAIR RAGGIO:

What would be wrong in establishing a reasonable percentage amount for ending balances?

MR. BELLISTER:

We do have concerns about sections 7 through 9. This is the subject of flexibility with class-size reduction. The Nevada State Education Association (NSEA) believes one of the best things this body has done is to institute class-sized reduction. It is good for children. We urge you not to back away from that concept.

Section 14 addresses a salary increase but it is specific to licensed employees. We also represent classified employees and they deserve cost-of-living increases.

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SENATOR CEGAVSKE:
How does NSEA feel about team teaching?

MR. BELLISTER:
The original legislation should have been the ratio that was set forth in the law which is 15 students to 1 teacher. If you look at the preamble of the Class-size Reduction Act of 1989, it sets goals for kindergarten through Grade 12. It is not an easy question to answer. Team teaching can work. We believe the smaller the class size the better.

SENATOR CEGAVSKE:
Do you feel that class-size reduction has been successful even though when it was implemented 16 out of 17 counties needed waivers because they could not facilitate the mandate? There are still 13 counties that cannot comply with the mandate.

MR. BELLISTER:
Yes. I do believe the Class-size Reduction Act of 1989 as passed has been successful; although, it has not been adequately funded.

SENATOR CEGAVSKE:
The unfortunate part is that we do not have the facilities to take care of the class-size reduction as it was legislated, which was the issue in the beginning and is still.

BARBARA CLARK (Nevada Parent Teacher Association):
There has been talk of priorities. At a recent meeting, the majority of the parents were Spanish-speaking. Their concern was how could they teach their children English? The ELL monies would help. Another parent was concerned when a child came home without a textbook. To that parent, the most important thing is to have monies for textbooks and classroom supplies. To a parent who has a child in a classroom with a ratio of 15 to 1 and their child is having difficulty and needs to have more time with the teacher one-on-one, class-size reduction is important. To the parent whose child needs extra help in being prepared to go into first grade, full-day kindergarten is important. It is a difficult decision to say that one priority is more important than another. We support the "iNVEST '05" proposals but, do not support changing class-size reduction. The theory behind class-size reduction is sound. It is curious that

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they are asking for class sizes to be reduced in the upper grades. We need to persevere and make the program successful.

CHAIR RAGGIO:

Attachment 13, on page 17 of the "iNVEST '05" proposal, indicates that Washoe and Clark County School Districts have the same flexibility that has been afforded all other Nevada school districts, is that correct? For all schools, not just some schools?

CHAIR WASHINGTON:

For the record, there was an affirmative response from people in the audience.

BEN ZUNINO (Superintendent, Eureka County School District):

Schools compete in a global economy. We are competing with other states for teachers. To think that it would be less expensive would be a fallacy on our part. I urge you to consider the cost of iNVEST when it comes to the realization that we are going to be competitive with other schools and other states in the nation.

JAY L. PARMER (Voyager Expanded Learning):

We are a partner with the CCSD in providing in-school core reading programs and intervention programs to 19 schools throughout Las Vegas. We offer two amendments ([Exhibit D](#)) to S.B. 284 for the purpose of clarity.

CHAIR WASHINGTON:

We will open the hearing on S.B. 56. Senate Bill 56 contains several policy recommendations regarding charter schools. The policy recommendations include: amendments to distance education; requiring fingerprints for charter school employees; and the responsibility for retesting costs. The bill also authorizes the State Board of Education to sponsor charter schools and to clarify revocation processes; it further includes important statutes for corrections for improvement for existing charter schools as well as provisions relating to financial responsibilities between charter schools and their sponsors.

Ms. LYONS:

I have provided for the Committee a document titled, Summary of Senate Bill 56 2005 Session ([Exhibit E](#)).

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DR. RHEAULT:

For the most part, we do not have any problems with the bill but I will comment on three sections of the bill. Local school districts require fingerprinting of employees and can make the determination whether to hire, and they do not have to bring the matter to the superintendent.

On page 19, section 13 is an amendment that clarifies who may submit a distance-education application. We have noticed that in the last biennium we have had a couple of distance-education applications that were coming from new charter schools. The way the current law reads, the governing body needed to submit the application. First, you must get the approval of the charter school request before you can have a governing body. I provisionally approved the distance-education application but required them to return to say that they were approved by the governing body. This allowed the committee to form a charter to submit a request at the same time we reviewed their application.

Section 16 of S.B. 56 appears to allow unlicensed teachers in universities and community colleges to provide distance-education course work. Currently, the distance-education laws state that entities such as universities or private institutions may submit to the State a request to be on the list of approved distance-education courses. The law says that they must be licensed. I have been able to approve various groups. However, the universities such as University of Nevada, Reno (UNR) or University of Nevada, Las Vegas (UNLV) which have a number of distance-education courses that could be on the list of approved courses have been denied, because they do not have licensed teachers. My argument was that all the same teachers are approved and teach many of the dual-credit courses for which high school students are given credit. We give them dual-credit but they were prohibited from being on the dual-credit list for the same course. This would allow courses to be both dual credit and distance education.

SENATOR HORSFORD:

Could the requirements that the public officers must follow be provided to us? Before that provision is passed on to charter schools, which are supposed to have more flexibility, we might want to review those requirements.

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CHAIR WASHINGTON:

Chapter 281 of the NRS addresses this issue. The requirements for public officers are for the protection of those who sit on the charter school boards so they will have the same immunity as others who sit on boards.

SENATOR HORSFORD:

It may provide protection, but it opens a person to more review. Where do the monies come from to provide a salary of \$80 for each meeting?

CHAIR WASHINGTON:

That funding issue is left up to the governing board.

SENATOR BEERS:

There are also provisions in the public-officer disclosure laws that treat officers who are compensated differently from those who are not. This would only authorize the payment of the \$80 and not require the payment. We may want some clarification as to how much of that burden can be lifted by opting not to take the pay.

CHAIR WASHINGTON:

Is it permissible language? I will ask staff to advise us about that chapter.

CRAIG KADLUB (Clark County School District):

We support section 1 of S.B. 56. We do not support the new language in section 3. We feel that if a charter is granted by a sponsor with the understanding that the school will serve at-risk students, then the majority of the students should be at risk. We appreciate section 4 and appreciate the time lines in section 5.

On page 8, line 17, we request the word "shall" be changed to "may" because there are instances in which it is best not to grant an amendment to a charter. If the amendment is compliant with law, but the charter is currently in the midst of revocation or already overextended, it would not be prudent to grant them approval to dig themselves further into the hole. We think that should be permissive language for the state-level and local-level sponsors.

CHAIR WASHINGTON:

I believe Dr. Rheault had an amendment to address that issue.

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DR. RHEAULT:

I did not offer any amendments to this bill. There are two other bills that have the same language, changing "shall" to "may," and they have been heard and passed through the Assembly Committee on Education.

CHAIR WASHINGTON:

If we make the change, what does it do for the applicant who is not in revocation?

DR. RHEAULT:

Our testimony provided that the bill not put any limits but gives some authority for the State Board of Education to consider. There are quality issues about which there may have been concerns that could not be addressed. If you change the word to "may," it gives some authority to bring quality into the discussion.

CHAIR WASHINGTON:

Instead of deleting the word "shall," we should look for some other qualifiers that should be in the application and allow the sponsoring agent to examine these qualifications.

DR. RHEAULT:

We amended that bill to include that the State Board or anyone who would provide a written reason as to why they would reject the charter application, even with the "may," so the applicant knows on what quality or technical issues the application was being rejected.

MR. KADLUB:

We agree with section 8, and that may be a place where Senator Horsford's concern can be addressed. On page 13, section 10, we would prefer not to have the first sentence of the italicized language. That language requires the board of trustees of a district at the beginning of the year to itemize services that will be provided throughout the year. There are certain standard services or things we know the districts will do every year. What we cannot predict are the serious issues that sometimes require a great deal of time by multiple staff members, especially if we are dealing with the revocation of a charter school.

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CHAIR WASHINGTON:

You can itemize a menu of the services that will be provided by the district so that if a charter school needs certain services, they could go to that menu and select those services. Charter schools could select the services as they are needed.

DOROTHY (DOTTY) MERRILL (Washoe County School District):

The Washoe County School District is very concerned about this section for the reason you just stated. This language seems to imply that we will provide a menu of services and charter schools can pick and choose. We believe that to be a dangerous situation. One of the services we provide to charter schools each year is ongoing workshops regarding the administration of the tests that are a part of the proficiency program. We think it is important for our charter school staff and administrators to be very specifically trained about the administration of the writing assessments that are mandated, the criterion reference test, the Iowa test and the high school proficiency exam. We would not want one of our charter schools to have the choice to not attend those meetings. That is the concern we have about the menu approach this language suggests.

CHAIR WASHINGTON:

They could be categorized as mandatory services. They probably have questions about the auxiliary services. There are other mandatory services that they do have to receive. It is the other services they are being charged for that concern them. I will work with you on the language.

MR. KADLUB:

On pages 20 and 21, we support sections 14 and 15 of S.B. 56. They both have a deadline of February 1. We would suggest moving the date to the last day in February because students do not always have their semester grades by February 1. Their semester grades are often the deciding factor in whether they want to take a distance-education class. Other than the comments we have made, we support S.B. 56.

MS. MERRILL:

The Washoe County School District thinks that many of the proposals included in S.B. 56 bring greater coherence and consistency to the existing statutes governing charter schools, and there are some important clarifications. Like

Clark County School District, there are many things that we support, such as section 1 and the new requirements that would be included for applicants for employment within charter schools and sections 4 and 5. We support extending the number of days from 30 to 45 days for the board of trustees to review an application which is in section 5. In section 7, we support the language relating to the revocation of the charter. We agree with sections 8 and 9 about the governing body and clarifications; we deem them to be important. We have discussed our concern with section 10 and will work with you to provide clarification on that issue.

There is some confusion on page 5, in section 4. The point of the amendments that we have proposed to the Assembly is the sponsor of the charter school that is going to conduct the evaluation. The monitoring, the oversight, the technical support, the accountability reporting requirements and everything are within the domain of the sponsor. Existing statute requires the local school district to provide technical support for accountability reporting and other things even though the local school district does not sponsor the state-sponsored charter school. We would like to discuss meshing some of the suggestions into S.B. 56, given the language that is proposed.

CHAIR WASHINGTON:

Are you suggesting we separate the responsibilities and duties based on whether the sponsor is the State or district?

MS. MERRILL:

Yes.

MR. BELLISTER:

We have a concern with section 3 of S.B. 56. The primary focus of the charter-school movement was to serve a population of students identified as at-risk. We concur with the Clark County School District that for a school to be serving an at-risk population that population should be a majority of students who are identified as at-risk. That would be consistent with the NAC 386.080.

MS. EDWARDS:

We support S.B. 56. We concur with the recommended changes. We have a proposal for your consideration. On page 22, lines 39 and 40, we are concerned about the generality of that language. Some teachers at the community college

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and the university teach only one course. It might be prudent to include the language "in their area of expertise" or some similar language.

JODIE ANDERSON (Center for Charter School Development):

I represent the consortium of charter schools in Nevada. Together, they represent over 200 Nevada students and over 200 public employees. I have provided the Committee with my written testimony and proposed changes to S.B. 56 ([Exhibit F](#)).

CHAIR RAGGIO:

This was discussed briefly in the Senate Committee on Finance this morning. There is a list of proposed amendments.

CHAIR WASHINGTON:

We will take your proposals under advisement. There will be a work session and we will address your amendments at that time.

CHAIR RAGGIO:

We will open the hearing on S.B. 214.

SENATOR WILLIAM J. RAGGIO (Washoe County Senatorial District No.3):

In the 71st Legislative Session, this body adopted a strong test-security law for our system of state accountability assessments. This action received some very favorable, unanimous and bipartisan support. It represented one of the many measures adopted by this state that anticipated actions by other states and we were ahead of the federal government. Since that time, the NCLB revised our state accountability system.

Senate Bill 214 contains several ideas and concepts that were raised during discussions of the Legislative Committee on Education (LCE). The items were brought to the Committee's attention by the schools and the school districts. This bill makes technical adjustments to clarify parts of our school-improvement process to help Nevada's accountability program under the new federal requirements. There are provisions that continue the Legislature's constitutional obligation to provide for public education and to be fully involved in the process.

There are four main components of S.B. 214. The bill has a monitoring system for the Criterion Reference Test (CRT). These are the standard-based tests that

are part of the Nevada testing requirements under the NCLB. The results of the Norm-Referenced Test (NRT) given in the selective grades will be compared to the CRTs for those grades to identify any significant discrepancies. The Department Of Education would be responsible for the system and for any needed follow-up with the schools. These issues have been discussed with Superintendent Rheault and others.

The second component concerns our standards in Nevada as they relate to economic competition. We need to determine if there are significant differences in what Nevada considers proficient compared with the proficiency definitions that are set by the National Assessment of Educational Progress (NAEP) and with parallel scores on nationally normed tests. We may need to adjust our academic standards if there are significant differences, which is a measurement we do not currently have.

Accountability is the third component. The school-improvement plans are the cornerstone of the State's accountability program. Various provisions of this bill will clarify the roles and the responsibilities of the schools, the school districts and the Regional Professional Development Program (RPDP) with regard to those plans.

SENATOR RAGGIO:

The fourth component is the Education Excellence Advisory Commission. The Governor addressed the concept in his State-of-the-State message. This bill has a slightly different composition of the Advisory Commission, recognizing the Legislature's mandate under the Nevada Constitution as the primary body responsible for education in this State. The commission would assist in the distribution of state grant funds, assist schools and assist districts with their improvement plans. The process outlined in this bill is consistent with the mechanism that is already in place for the distribution of remediation funds. We are happy to discuss this with the Executive Branch and others but we do not want to abdicate a role that the Legislature has in place for remediation funds. I am referring to the proposed trust fund of over \$100 million over the biennium. There are some additional sections.

I have visited Anderson Elementary School in Reno. They have a program that makes use of what is termed a parent-involvement compact. We have been striving to find some method that accomplishes parental involvement. This

school progressed from needing improvement to excellence and has created a parent-involvement compact that defines the roles of students, parents and the school. It is an excellent model. The bill provides a format that could be used for the various parental-involvement activities that are already specified in our statute. There are some miscellaneous sections of the bill. One clarifies the budgeting and the personnel issues for the Western Region Professional Development Center professional development programs. Another section adds charter schools to existing requirements about informing schools concerning significant legislation. There were some districts that had not notified some schools and charter schools about changes in legislation.

H. PEPPER STURM (Chief Deputy Research Director):

I have provided a document titled, School Accountability ([Exhibit G](#)). The measure contains a number of provisions relating to Nevada's public school accountability structure, the related academic standards and the system of tests that monitor that structure. The bill also provides for parent-involvement accords and a new Commission on Educational Excellence.

Section 1 of the act requires the Department of Education to establish a system to monitor school-level testing discrepancies between results of the statewide NRTs and CRTs. The Department is required to investigate and audit, if necessary, any significant discrepancies and provide a report to the Legislative Committee on Education, as well as any affected school district.

Sections 4 through 8, on pages 5 through 15 require reference to appropriate changes in curriculum and teaching methods, both generally and at the student subgroup level that will lead to student achievement. A topic that came up today was a budget to carry out that plan. This will make sense once the Committee reviews the Education Excellence Advisory Commission in this bill. That is on the budget sheet that would be used to make the decisions about programs under that structure.

Page 9, section 5 of S.B. 214 requires school-district improvement plans to identify and promote programs, practices and strategies that have proven successful in improving pupil achievement, both generally and for each student subgroup. There may be a program that is more effective with ELL or other programs.

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Section 16 on page 20 of the bill requires the governing body of the regional training program to review school and district improvement plans as part of their review of the overall training needs and priorities for districts served by the program.

Section 12, beginning on page 17, requires the Department of Education to report any variation between the statewide percentages of students considered proficient under the state CRTs compared to the proficient levels for the State's National Assessment of Education Progress (NAEP). For those who have seen the NAEP it is reported in the same way.

CHAIR RAGGIO:
Is there a federally funded position to do this?

DR. RHEAULT:
We get a grant from the National Center for Education Statistics to fund a full-time position.

CHAIR RAGGIO:
Is it in place?

DR. RHEAULT:
Yes. It has been in place for approximately one year.

CHAIR RAGGIO:
So, this will not be onerous to the Department?

DR. RHEAULT:
No.

MR. STURM:
The NAEP results are reported as a percentage of students who are proficient. We also administer our CRT in two of the grades that NAEP covers which are Grades 4 and 8. This person would compare how many students in Grade 4 are proficient under our State-standards versus what NAEP considers proficient. A related provision under transitory language in section 24 on page 26, requires the Department of Education to participate in any national study to benchmark Nevada's academic standards against the NAEP standards.

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CHAIR RAGGIO:

Is that the Achieve Incorporated group? Is there a cost?

MR. STURM:

It is the group. I do not believe there is a cost.

CHAIR RAGGIO:

This is available at no cost to the State.

MR. STURM:

The bill specifies that it would be at no cost.

CHAIR RAGGIO:

This should not need to be mandated. If there is no cost, then we should take advantage of it.

CHAIR WASHINGTON:

What is the Achieve Incorporated group?

MR. STURM:

The Achieve Incorporated group was formed by the Governor along with the private sector after one of the education summits.

CHAIR WASHINGTON:

Is it a data resource group that collects information?

MR. STURM:

They collect data on state standards and standard-based activities in the states.

CHAIR RAGGIO:

It is a study to benchmark these standards.

MR. STURM:

Section 19, beginning on page 22, creates the seven-member Advisory Commission on Highly Effective Academic Programs for School Improvement and Educational Excellence under the Legislative Committee on Education. I have provided the Committee with a chart ([Exhibit H](#)) which explains how the process operates from a policy prospective. Members from this body would

include one each from the Department of Education, the Budget Division, Department of Administration and Legislative Bureau of Education Accountability and Program Evaluation appointed by their respective authorities. Four of the members, a school board representative, a teacher, an RPD member and a parent are appointed by the Governor. The Governor would select the chair from among the appointees. The Legislative Committee on Education's role would be to set the policy direction and priorities, receive periodic reports and recommend effective programs and strategies, which would include a list of effective remedial programs.

Under section 20, if funding for this program is provided, the Advisory Commission then reviews plans for improvement, evaluates and ranks any grant requests and then makes its recommendations to the Interim Finance Committee (IFC) and the LCE. The Advisory Commission reports periodically to the IFC and LCE with regard to the program.

The role of the IFC is to review the body of recommendations and approve the work plan and its recommendations for grant distribution. It would also receive periodic reports from the Advisory Commission.

The Department of Education would provide administrative support to the Advisory Commission.

Section 22, on page 25 of S.B. 214, requires the LCE to recommend programs, practices and strategies that have proven effective in improving pupil academic achievement and proficiency. The LCE currently recommends effective school-wide remedial programs and supplemental services under the NCLB.

CHAIR RAGGIO:

The Governor has concerns about the makeup of the body that will review the programs that are submitted. The idea is to allow some flexibility. The Governor has concerns that the people who have been involved in some of the successful programs in schools would be major participants in these determinations. We do not want to abdicate the responsibility of the Legislature under the Nevada Constitution to provide the funding necessary to support education.

SENATOR MATHEWS:

Would you go through Section 17?

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MR. STURM:

Section 17 requires the Department of Education to prescribe the form and content of an educational-involvement accord to be used by each school in compliance with existing parental-involvement statutes. The form is an agreement about the roles and responsibilities of each of the parties involved: the pupil, the parents or guardian and the school.

CHAIR RAGGIO:

That is the section I referenced when I spoke of the Anderson School in Reno where they have been successful in establishing a parental-involvement model.

SENATOR MATHEWS:

Is this the report-card provision?

CHAIR RAGGIO:

No.

SENATOR BEERS:

Do some of the parental-involvement contracts involve a threat to expel a child from school?

CHAIR RAGGIO:

I am not aware of such an agreement.

MR. STURM:

Section 14 and 15 of S.B. 214 concerns the RPDPs. The section clarifies that the RPDP coordinator is hired by that region's governing body and the coordinator salary is set by the body as part of their budgeting process.

Section 2 expands existing law for the Nevada Department of Education to notify charter schools about significant legislation affecting education. Current law requires a superintendent to notify the districts who then notify the schools and school personnel. It will include such legislation if adopted during a special session after July 1.

The two related sections, 9 and 10, of S.B. 214 requires charter schools to inform parents and teachers about the information contained in the

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Department's communication and this parallels what is required of public schools. The measure takes effect July 1, 2005.

DR. RHEAULT:

I have submitted my written testimony and our recommendations concerning S.B. 214 to the Committee ([Exhibit I](#)). I have one objection to the bill not covered in my written testimony. I suggest changing the name of the program because the acronym that would be used would be confusing.

CHAIR RAGGIO:

Otherwise, do you not have any problem with the bill?

DR. RHEAULT:

Correct.

CHAIR WASHINGTON:

There is a bill that will be before the Senate Committee on Human Resources and Education that will review the role of the RPDP and the improvement plans.

MR. AUGSPURGER:

Our concerns with this bill directly relate to the new language that has been added in section 14, on page 19 of S.B. 214. The NRS 391.512 states that the CCSD will establish a regional training program. The law as originally drafted provides that the governing body in each regional training program shall appoint a coordinator of the program who serves at the pleasure of the governing body. When this law was passed, the CCSD administrator was selected by the governing board to fill the position of coordinator. The salary of this CCSD administrator was not set by the governing board of the RPDP but was determined by a procedure agreed to by the CCSD and the Clark County Association of School Administrators (CCASA). The procedure that was used to determine this salary is exactly the same procedure that is used to determine the salary of all other administrators in the school district.

Section 14 of S.B. 214 will amend the NRS 391.532 to now allow the governing body to employ the coordinator and set the salary. It is important to note that this individual will be an employee of the CCSD. The language of this bill will allow for a significant increase in the salary of one individual in the CCSD. The push for the inclusion of this language is self-serving. The NRS 288

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stipulates that salary and benefits are the topic of mandatory bargaining. Passage of this bill will circumvent the collective-bargaining agreement that is in place between the District and CCASA. This is an agreement that is applied to every administrator except one if this bill is passed. There seems to be something inherently wrong with the governing body of the RPDP setting the salary for a school-district employee and will violate an existing collective-bargaining agreement. If S.B. 214 is passed, the governing body will establish the salary of this individual at a level that is higher than that of most high school principals and equal to that of assistant superintendents.

Four years ago, a classification procedure was established that provides direction to how administrative salaries are established. There is a reason for how those salaries are created. My concern is that if this language is adopted we will revert back to an arbitrary procedure that will be unfair. We urge you to delete this language from the bill.

CHAIR RAGGIO:

The RPDP includes three or four school districts. The governing body is not the CCSD's board. Your concerns are valid but not with respect to this position. The salary is not paid by the CCSD. It is paid through state funding.

ANNE K. LORING (Washoe County School District):

The Washoe County School District is in support of S.B. 214. We want our students to be competitive nationally and internationally. We support the distribution of the Legislative Summary by the Superintendent of Public Instruction to charter schools and the updates on special sessions. We appreciate and support the identification of effective programs, practices and strategies. With the increase in data that is available to schools and the software to analyze that data, this is important and valuable to us. We support the idea of school, parent and student accord for elementary, middle and junior high schools.

CHAIR RAGGIO:

Could you address Senator Beer's question?

MS. LORING:

I am not aware of an agreement to expel students for not complying with the contract. The program from the Anderson Elementary School is similar to the

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program described in S.B. 214. It is a statement of the responsibilities of the entities involved in a child's education. It is recognizing that it is a partnership. We are supportive of these provisions.

JOYCE HALDEMAN (Clark County School District):
The Clark County School District is in support of S.B. 214 and the various provisions of the bill.

CHAIR RAGGIO:
Does the CCSD have any concerns with the issue of the RPDP?

Ms. HALDEMAN:
I cannot speak on behalf of CCASA. This legislation clarifies that position and makes it easier for the district.

CHAIR RAGGIO:
Am I correct that the position would be paid by state funding?

Ms. HALDEMAN:
You are correct. They have a concern with the individual being an employee of the CCSD.

Ms. CLARK:
We support parent involvement. There are successful strategies and programs. We are in support of the bill. There are bills coming from the Assembly that address parent involvement. They are similar to S.B. 214. To achieve effective parent involvement, there have been talks about the six standards for parent involvement. Every district, site and school developed a policy. In Washoe County, they have a parent-involvement council that looks at implementing those six strategies. This is just a piece of parent involvement. There are many variables that are necessary in operating this program to make it effective. We do support S.B. 214 and believe the bill may need some improvements.

CHAIR RAGGIO:
We have been searching for a way to get meaningful parental involvement. If there are other programs that are highly successful, then we would like to know about them. The program at the Anderson Elementary School works, and you

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would be astounded as to what has been accomplished. If there is a program that works better, then let us endorse it.

CHAIR RAGGIO:

I will close the hearing on S.B. 214 and Ms. Lyons will give a overview of S.B. 460.

Ms. LYONS:

A summary of S.B. 460 ([Exhibit J](#)) has been provided to the Committee. The difference between S.B. 284 and S.B. 460 is that S.B. 460 authorizes the flexibility in the NRS for school districts with populations of less than 100,000. This bill authorizes flexibility for Clark County and Washoe County School Districts and a transitory section only for the 2005 and 2007 biennium.

CHAIR RAGGIO:

The flexibility was recommended by the Governor and requested by Clark County School District and Washoe County School District.

DR. RHEAULT:

We support the passage of S.B. 460. Without the bill being enacted, the alternate use of class-size reduction would sunset. It is important that to continue class-size reduction, it has to be approved in a bill carrying it forward.

CHAIR RAGGIO:

Which counties utilized flexibility?

DR. RHEAULT:

White Pine, Elko and Churchill Counties did in the past school year.

CHAIR RAGGIO:

Have they reported?

DR. RHEAULT:

Their reports will be coming in December of this year. I did have a report from Elko and White Pine from the previous year. I have had inquiries from other districts.

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MS. MERRILL:

The Washoe County School District supports S.B. 460. We appreciate the inclusion of our District in the flexibility and the continuation of the permissive language that was provided.

MR. BELLISTER:

The NSEA remains committed to the continuation of Nevada's class-size reduction program as currently provided by statute. We continue to be concerned about the notion of flexibility. We believe it is a code word for increasing class size. The program works. We urge you to continue with our model of class-size reduction.

CHAIR RAGGIO:

It has worked in the counties. Is the NSEA opposed to both continuing flexibility for the 15 other counties as well as not extending it to CCSD and the Washoe County School District?

MR. BELLISTER:

Yes.

DAVID K. SCHUMANN (Independent American Party; Nevada Committee for Full Statehood):

Research will prove that government schools in the 1940s and 1950s had classes of 30 to 40 students. The records indicate that children were far better educated than children are today. I have provided documentation, *A Nation at Risk* ([Exhibit K](#)) for the Committee's information. There are theories that spending more for education will provide a better education, but there is evidence to the contrary. Japan spends a little more than half of what this country does and their children are better educated. This is true of Singapore also. The theory of class-size reduction needs to be rethought.

CHAIR RAGGIO:

What is your position on S.B. 460?

MR. SCHUMANN:

The sooner you sunset class-size reduction, the better it will be for the children, because then you can put emphasis on qualifications for teachers.

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Ms. HALDEMAN:

The CCSD is in favor of this bill. The reason is class-size reduction is important to the CCSD. There have been references that not all our classes are single-taught classrooms in the class-size reduction rooms. That is largely a function of the facilities. When class-size reduction was first implemented, 60 percent of the classrooms were team-taught. The number is down to 12 percent. All of our new buildings since 1992 have been built with class-size reduction in mind. They have single-taught classrooms within them. There have been extensive additions to many of the schools. We do have schools that are older schools and of a different design that are landlocked. These schools will never be able to accommodate class-size reduction for the student population we have unless we do team-teaching. If we were to have the flexibility in those schools, we definitely would use that flexibility. Instead of having team-teaching in those schools we would have smaller classes in each of those grade levels. This would make better use of the facilities. This flexibility would not mean that we would make a drastic change in the way we would have class sizes, but there are sites that would benefit from that flexibility so that the space would be better utilized.

CHAIR WASHINGTON:

Is it difficult to have enough teachers to staff class-size reduction?

Ms. HALDEMAN:

We have aggressive recruiting campaigns. We hired 2,510 teachers for this school year. The space configuration is the problem.

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CHAIR RAGGIO:

There being no other issues before us today, the joint meeting of the Senate Committee on Human Resources and Education and the Senate Committee on Finance will adjourn at 8:10 p.m.

RESPECTFULLY SUBMITTED:

Patricia Vardakis,
Committee Secretary

APPROVED BY:

Senator Maurice E. Washington, Chair

DATE: _____

Senator William J. Raggio, Chair

DATE: _____