

**EXCERPT OF DRAFT MINUTES
OF THE MEETING OF THE
ASSEMBLY COMMITTEE ON EDUCATION**

**Seventy-Fifth Session
March 25, 2009**

Following is an excerpt of the draft minutes of the Assembly Committee on Education held on March 25, 2009, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was called to order by Chair Bonnie Parnell at 3:52 p.m.

COMMITTEE MEMBERS PRESENT:

Assemblywoman Bonnie Parnell, Chair
Assemblyman Mo Denis, Vice Chair
Assemblyman David P. Bobzien
Assemblywoman Marilyn Dondero Loop
Assemblyman Joseph (Joe) P. Hardy
Assemblywoman April Mastroluca
Assemblyman Richard McArthur
Assemblyman Harvey J. Munford
Assemblyman Lynn D. Stewart
Assemblywoman Melissa Woodbury

COMMITTEE MEMBERS ABSENT:

Assemblyman Ruben J. Kihuen (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kristin Roberts, Committee Counsel
Carol M. Stonefield, Committee Policy Analyst
Scarlett Smith, Committee Secretary



OTHERS PRESENT:

Jan M. Crandy, Member, Commission on Autism Spectrum Disorders;
Member, Nevada Autism Task Force, Las Vegas, Nevada
Bryn Lapenta, Senior Director, Public Policy, Accountability and
Assessment, Washoe County School District, Reno, Nevada
Scott Reynolds, Assistant Superintendent of Special Education and
Student Support Services, Washoe County School District, Reno,
Nevada
Bart Mangino, representing the Clark County School District, Las Vegas,
Nevada
Janelle Mulvenon, Bureau Chief, Early Intervention Services, Department
of Health and Human Services
Ellen Richardson Adams, Program Manager, Early Intervention Services,
Department of Health and Human Services

Chair Parnell:

[Roll was called.] We will start with Assembly Bill 359.

**Assembly Bill 359: Revises provisions governing the requirements for certain
personnel who work with children with autism. (BDR 34-1024)**

Assemblywoman Melissa Woodbury, Clark County Assembly District No. 23:

I appreciate the opportunity to appear before you today in support of A.B. 359.
As background on this bill, Assembly Bill No. 629 of the 74th Session created
the Nevada Autism Task Force, and I will quote from that legislation: "To study
and make recommendations to the Governor and the Legislature regarding the
growing incidence of autism and ways to improve the delivery and coordination
of autism services in the state."

The Task Force subsequently produced this document, which I believe you all
have on your desks (Exhibit C). In total, this report outlines
146 recommendations organized by the seven categories you will see on the
tabs. From those 146 recommendations, the 11 most critical priorities were
identified and outlined in the Executive Summary, which begins on page 9,
under the title "Recommendations for Immediate Action." Assembly Bill 359
addresses portions of item numbers 3, 4, 6, and 7 of those recommendations
for immediate action.

We worked with the Washoe and Clark County School Districts and also
received feedback from other school districts. There is an amendment that
representatives of the Washoe County School District will present; however,

section 6 is not included in that amendment because there were no changes to that section.

To review a few points in this bill, section 2 establishes a grant fund for training of educational personnel in autism to be administered by the Department of Education. While our intention in including the training of professionals and paraprofessionals in this bill was to make any training that takes place this biennium contingent on the provision of stimulus dollars, the additional establishment of this grant fund would allow gifts or grants to be accepted into this fund from any source at any time. In addition, important legislation would already be in place for funding considerations in future sessions.

Section 3 addresses the training of licensed personnel employed by school districts or charter schools who work with pupils with autism.

Section 4 of this bill directs that certain school personnel refer to this report, the *2008 Report of the Nevada Autism Task Force*, when assisting parents of pupils with autism in decision-making processes.

Sections 5 and 6 of this bill address the knowledge and skills needed by paraprofessionals and personnel of the Health Division of the Department of Health and Human Services who work with pupils with autism or provide services to their families.

Section 7 of this bill addresses stimulus money. This is a section we are still working on, but we are going to be looking for some stimulus money if any is available and designated for autism.

Our intent is to provide districts and agencies with what they need without adding more financial hardships than they are already facing. That is why each section includes the words "to the extent that grant funds are available." Further, we left some of the language broad enough that each district could have autonomy in establishing its own programs, with the report of the Task Force as a guide.

You all have testimony from Korri Ward, a former Nevada Autism Task Force member and mother of a now-15-year-old son with autism ([Exhibit D](#)). Seated with me here is Jan Crandy, another former member of the Task Force and current member of the Commission on Autism Spectrum Disorders (ASD), as well as Bryn Lapenta of the Washoe County School District.

Chair Parnell:

When you were referring to the grant fund, were you referring mostly to the language on the amendment that has been presented by Washoe County?

Assemblywoman Woodbury:

That language is only in the amendment. It is something we added.

Chair Parnell:

I just wanted to clarify that for everyone. Are there any questions from Committee members for Assemblywoman Woodbury? I do not see any. Welcome, Jan, please state your name for the record.

Jan Crandy, Member, Commission on Autism Spectrum Disorders; Member, Nevada Autism Task Force:

I know this document is thick. It does have an executive summary, but I encourage you to read the education and best practices sections. We felt strongly about improving the knowledge of those who work with and treat individuals with disorders, with an overall vision for treatment and education which includes provisions to ensure parents and caregivers receive accurate information. That is a serious problem in the field. We need to change that and see that students receive the necessary support, staff receive appropriate training, and teacher retention is improved.

The Clark County School District states that they are retaining only 70 percent of the teachers who teach in autism classrooms. In Nevada, there is no consistent statewide standard of service or treatment for children, youth, and adults with autism. That is, Nevada state agencies and school districts do not regularly support, recognize, or provide evidence-based services or education. Training is also inconsistent across the state. Paraprofessionals in Nevada are required to only have a high school diploma, except for those working at Title I schools, where there are additional requirements. Title I paraprofessional requirements include 60 credits, or an associate degree, or passing a high-stakes test. The State of Nevada does not require specific training or certification for paraprofessionals who work with individuals with autism. We would like legislators to change this fact. Nevada legislation has recognized the need in other areas and in past sessions has set requirements and standards for the deaf and hearing interpreters.

Children with ASD often demonstrate behaviors on a daily basis, making their needs intense for the teaching staff. Without trained support in the classroom, teachers often spend their day redirecting the higher needs child while providing less instructional time for the other students in the class. It is not unusual for a class to consist of eight children with autism, one teacher, and one

paraprofessional. One of the reasons cited by teachers for not remaining in ASD classrooms is the lack of support from trained paraprofessionals. If you have to teach your paraprofessional and the kids at the same time, it is a hard task. Paraprofessionals are instrumental to the success of individuals with ASD as well as providing the necessary support to teachers. Given knowledge of ASD and appropriate training, paraprofessionals become part of the classroom team which can better support students and become a key role in their success. Success means helping the student become independent.

Critical areas of knowledge also include having the skill level to know when to provide support and then knowing how to "fade," or gradually reduce, prompts. A lot of children with autism become very prompt-dependent because the aides are glued to them, and without proper training, the aides do not know how to fade prompts, and then we cannot get rid of the aides.

Although the school districts may provide some training in first aid and student confidentiality, many paraprofessionals have little or no experience or specialized training in working with students with autism other than what might be taught to them by the teacher, who is also trying to teach the class. Other states, such as Minnesota, Virginia, and California, provide appropriate training and have developed certification processes which reflect pay scales based on the paraprofessional's competencies. That information is in Appendices B, C, and D of the document.

Issues elaborated by the Autism Task Force concluded that staff retention in classrooms serving students with autism is problematic. Providing sufficient in-service and follow-up training for staff is difficult. Part of the Clark County School District's problem is that they train teachers, but the teachers are not retained so they must train new teachers, and the cycle just continues. The amendment states that, if funding is available, it could be used to help teachers get autism endorsements. I am from Las Vegas, so I know the statistics. In Clark County teachers report being overburdened by the paperwork, especially for high-risk students who have autism spectrum disorders. If the paraprofessionals in the classroom participated in the data taking, that could take some of that burden from the teachers.

Rural school districts have difficulty providing specific training for teachers and paraprofessionals who serve students. We think this bill could help them in different ways because rural school districts could use the funds as they see fit. Teachers report that caseloads and class sizes are too high to effectively meet the needs of the students. Research also indicates lack of training as a contributing factor to high staff turnover. Assembly Bill 359 will improve the performance and skills of paraprofessionals, which will improve the support the

teachers and the students receive in the classroom and, we believe, greatly improve staff retention. The bill is supported by the school districts. They recognize the need for training and are in critical need of funding to provide this training. On the health issues, we do plan to meet with the Health Division of the Department of Health and Human Services prior to the Health and Human Services Committee's hearing on this bill, and we will work with them on any amendments that may be needed.

Chair Parnell:

To clarify, this bill is going to have to be rereferred to the Assembly Committee on Health and Human Services. If you look at the original bill beginning with section 6, regarding Health Division personnel, that topic must be looked at by the Health and Human Services Committee. Following today's discussion, we will probably refer the bill to Health and Human Services.

Do you feel our special education teachers have been trained to deal with children who have autism spectrum disorder or is their training designed more for the classroom special education aide or the teacher?

Jan Crandy:

There is some training going on across districts, but it is not enough. They need more training but it is a funding issue. I know Clark County needs more staff to provide more training, and they have a waiting list for training. Teachers need to be trained, too. By training the paraprofessionals, we are hoping that we will not have as much turnover and that there will be some consistency in the classrooms. It is a first step.

Chair Parnell:

I chaired the Interim Committee on Education, and we found that we need to communicate better with the University. If the special education teachers coming out of our colleges of education feel they need more of that kind of training, then that might be a suggestion you and I could make. The teachers really should be qualified when they graduate from school. I can understand the paraprofessionals in the classrooms getting frustrated, because they have not learned the skills to deal with these students.

Assemblywoman Woodbury:

The training in colleges is good, but there are teachers who hold special education licenses but not endorsements in autism. Establishing the grant fund allows districts to choose to use that money to pay for endorsements. Some are not getting autism endorsements because there is a high burnout rate among autism teachers and also because they cannot afford it.

Jan Crandy:

The Clark County School District states that at least 20 percent of their classrooms that are autism-specific are taught by long-term substitutes. Those substitutes do not even have endorsements, and full-time teachers without the endorsements only have a certain period of time in which to get them. If the full-time teachers do not get autism endorsements, they must be moved out of their classrooms and be replaced by long-term subs.

Chair Parnell:

That is a serious issue. Are there any questions from Committee members? I do not see any.

Bryn Lapenta, Senior Director, Public Policy, Accountability and Assessment, Washoe County School District, Reno, Nevada:

I am here to support Washoe County School District's amendment in case there are any questions, but our Assistant Superintendent of Special Education, Scott Reynolds, is here to speak to the bill.

Scott Reynolds, Assistant Superintendent of Special Education and Student Support Services, Washoe County School District, Reno, Nevada:

I am here in support of A.B. 359. I have requested changes be made in the initial language of the bill ([Exhibit E](#)) in order to be more workable for the Washoe County School District. While professional development for District staff is currently available, clearly, A.B. 359 provides for much needed enhanced professional development.

The initial language was too restrictive as it related to who would receive the professional development and under what circumstances. We have worked with the bill's sponsors and provided suggestions. We believe that with some limited changes to the initial language of the bill, and the modification to the funding requirement attached to the bill this will provide much needed professional development for District staff, which will ultimately result in better outcomes for children and families affected by autism.

Bart Mangino, representing the Clark County School District, Las Vegas, Nevada:

We are in support of A.B. 359 as amended. Again, we would like to recognize the willingness of Assemblywoman Woodbury and also the Autism Task Force for assisting and adding the language for teacher training and paraprofessional training. That is very critical to our District.

Chair Parnell:

Are there any questions or does anyone else wish to speak in support of the bill? I do not see anyone. Is there anyone who wishes to testify in opposition to Assembly Bill 359 or is anyone neutral on the bill?

Janelle Mulvenon, Bureau Chief, Early Intervention Services, Department of Health and Human Services:

As indicated by the preceding testimony, we are most willing to work with the sponsors of this bill and the Autism Task Force on amendments to section 6. The Health Division recognizes the importance of professional training. We will defer our testimony until we are able to work on those amendments.

Ellen Richardson Adams, Program Manager, Early Intervention Services, Department of Health and Human Services:

I agree with Janelle.

Chair Parnell:

Is there anyone else wishing to speak on A.B. 359? I will close the hearing on Assembly Bill 359. Again, this bill must go to Health and Human Services. I think, because of time constraints, it would be best to move the bill.

ASSEMBLYWOMAN MASTROLUCA MOVED TO AMEND AND DO PASS AS AMENDED ASSEMBLY BILL 359 AND REREFER TO THE ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES.

ASSEMBLYMAN STEWART SECONDED THE MOTION.

Are the makers of the motion and the second in agreement with that language? Is there any discussion? [There was no response.]

THE MOTION CARRIED. (ASSEMBLYMAN KIHUEN WAS ABSENT FOR THE VOTE.)

I will turn the gavel over to my Vice Chairman and present Assembly Bill 505.