NEVADA LEGISLATURE
LEGISLATIVE COMMITTEE ON EDUCATION
(*Nevada Revised Statutes* 218.5352)

SUMMARY MINUTES AND ACTION REPORT

The tenth meeting of the Nevada Legislature's Legislative Committee on Education was held on Tuesday, October 7, 2008, at 9 a.m. in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" (Exhibit A) and other substantive exhibits, is available on the Nevada Legislature's website at www.leg.state.nv.us/74th/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblywoman Bonnie Parnell, Chairwoman
Senator William J. Raggio, Vice Chairman
Senator Bernice Mathews

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator Barbara K. Cegavske
Assemblyman Moises Denis
Assemblyman Harvey J. Munford
Assemblyman Lynn D. Stewart

COMMITTEE MEMBER PRESENT BY TELECONFERENCE:

Senator Maurice E. Washington

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Carol M. Stonefield, Supervising Principal Research Analyst, Research Division
Melinda M. Martini, Senior Research Analyst, Research Division
Joi Davis, Program Analyst, Fiscal Analysis Division
Maryann Elorreaga, Senior Research Secretary, Research Division

OPENING REMARKS

Chairwoman Parnell called the meeting to order and welcomed all those in attendance.

APPROVAL OF MINUTES OF THE AUGUST 21, 2008, MEETING

· The Committee **APPROVED THE FOLLOWING ACTION**:

SENATOR RAGGIO MOVED TO APPROVE THE MINUTES OF THE MEETING HELD ON AUGUST 21, 2008. THE MOTION WAS SECONDED BY SENATOR CEGAVSKE AND PASSED UNANIMOUSLY.

REPORT ON THE STUDY OF ALIGNMENT OF STUDENT ASSIGNMENTS TO THE ACADEMIC STANDARDS AS REQUIRED PURSUANT TO SENATE BILL 184 (CHAPTER 420, *STATUTES OF NEVADA 2007*)

· Ben Jones, Director of Research, The Standards Company, reviewed the Executive Summary of the Report on the Study of the Alignment of Student Assignments to the Academic Standards in the State of Nevada (Exhibit B). He addressed five of the results of the study:

1. Alignment to standards was poor in English language arts and especially poor in mathematics;
2. The most marked drop in alignment for English language arts occurred in sixth grade;
3. Mathematics featured a consistent and marked decrease in alignment as the grade level increased, resulting in only 40 percent of assignments meeting grade level standards by eighth grade;
4. Low-and high-performing schools differed little with respect to the concepts and skills addressed in student work; and
5. Letter grades received from students residing in areas of low socioeconomic status were significantly higher than their more affluent counterparts.

He noted the alignment to standards for collections in both mathematics and English language arts for just over 109,000 student samples was rather poor. Moving up through the grade levels, there was a significant drift in the amount of work in mathematics that was below targeted grade level.

Senator Raggio said it was not acceptable that only 40 percent of mathematics assignments met grade-level standards. He said the report needed to be evaluated and implemented and the alignment of standards must be improved.

REPORT FROM THE COMMISSION ON EDUCATIONAL EXCELLENCE

A. STATUS REPORT ON ALLOCATION OF FUNDS FROM THE ACCOUNT FOR PROGRAMS FOR INNOVATION AND THE PREVENTION OF REMEDIATION AS REQUIRED PURSUANT TO *NEVADA REVISED STATUTES* 385.3789

- Caroline McIntosh, Chairwoman, Commission on Educational Excellence, submitted a document titled "SB 185 Funding and Grant Distribution" (Exhibit C) and reviewed a chart which summarized the distribution of funds allocated through grants from the Account for Programs for Innovation and the Prevention of Remediation to schools and consortia of schools in the Nevada school districts. The chart also listed an estimated amount of funds returned to the account.

B. PRESENTATION ON SELECTED PROGRAMS PREVIOUSLY FUNDED AND CONTINUED IN THE 2007-2008 SCHOOL YEAR

- Juanita Jeanney, Senior Director, Options Programs, Washoe County School District (WCSD), gave a brief overview of the WCSD's Jump Start Program (Exhibit D). She said the program was designed as a remedial program for students who needed assistance prior to entering high school. The course was a three week program which focused on transition to high school, literacy, mathematics, and study skills. The students attended the program at their designated zoned high schools.

- Ben Hays, Program Evaluator, WCSD, discussed the evaluation data collected regarding the effectiveness of the Jump Start Program (Exhibit D). He said the study group included samples of Jump Start students, students who were eligible for the Jump Start Program but did not participate, and students ineligible for the program because they had demonstrated proficiency in both reading and mathematics, through the eighth grade. He compared the ninth grade credits earned and grade point averages of the students in all three categories.

PUBLIC COMMENT

Cliff Ferry, Member, State Board of Education, said the State had devoted a lot of important time on developing standards and assessment but not enough time on the implementation of standards.

Jan Biggerstaff, Clerk, State Board of Education, said the State Board would again like to request an analysis and evaluation of Nevada's public elementary and secondary school governance structure including all boards, councils, and commissions with responsibilities directly relating to elementary and secondary education.

CONSIDERATION OF BILL DRAFT REQUESTS (BDR) NOS. 295, 296, 297, 300, 301, AND 302, APPROVED BY THE LEGISLATIVE COMMITTEE ON EDUCATION ON AUGUST 21, 2008, AND RESERVED FOR FURTHER CONSIDERATION

BDR 34–295 Revises Provisions Governing Expenditures for Textbooks, Instructional Supplies, and Instructional Hardware

- Carol M. Stonefield, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB), said the Committee, during the LCE work session in August, considered a proposal to provide that, during periods of economic hardship, school districts could apply for waivers from the required expenditures for textbooks, instructional hardware, and instructional supplies. The Committee agreed to reserve a BDR so that it could consider additional language that would define a process for the application to place limitations on the uses of the money that is available as a result of the granting of the waiver.

- Joi Davis, Program Analyst, Fiscal Analysis Division, LCB, said Committee Staff had been directed to define economic hardship and to develop draft language regarding restrictions on the use of the available funds pursuant to the granting of a waiver and the limitations on the duration of the waiver. She then reviewed the draft language for BDR 34–295 (Exhibit E). She explained that the board of trustees of a school district would need to have its request for a waiver approved by the Department of Education (DOE), the State Board of Examiners, and the Interim Finance Committee (IFC).

Senator Raggio said the procedure as described in the BDR language was too long. He said the determination of the existence of an economic hardship should be made by the DOE with further review by the IFC, if needed.

Senator Cegavske said she did not support the BDR because she had concerns about the whole issue of granting waivers. She suggested the structure of the requirements for the utilization of textbook money should be reconsidered during the 2009 Session.

Chairwoman Parnell said the Committee needed to decide if the issue was one that needed to be discussed and amended during the 2009 Legislative Session. She said she was in favor of going ahead with the BDR as it was written to preserve a BDR on the subject, bearing in mind it will be discussed during the 2009 Session.

Assemblyman Denis said he agreed that the waiver procedure as described in the BDR was onerous and needed to be reconsidered. He said the Committee should move forward with the BDR and then consider the issue when it came up during the 2009 Session.

The Committee **APPROVED THE FOLLOWING ACTION**:

SENATOR RAGGIO MOVED TO ACCEPT THE LANGUAGE IN BDR 295. THE MOTION WAS SECONDED BY SENATOR MATHEWS AND PASSED UNANIMOUSLY.

BDR 34–296, Revising Provisions Governing Education and Making Appropriations

- Ms. Stonefield said Committee members had reserved a BDR that included appropriations for programs for which it has typically requested funding in recent sessions. These include funding for the Regional Professional Development Programs, educational technology, and contractual services for a web-based program to provide parents with test results and resources.

- Ms. Davis said the BDR also now included a proposal to fund a research study, through a competitive request for proposals process, to measure the alignment of assignments in Algebra and Algebra I in grades 8 and 9 to standards upon which portions of the high school proficiency examination are based.

- The Committee **APPROVED THE FOLLOWING ACTION**:

  SENATOR RAGGIO MOVED TO ADD THE PROPOSAL TO FUND A RESEARCH STUDY TO BDR 296. THE MOTION WAS SECONDED BY ASSEMBLYMAN DENIS AND CARRIED. SENATOR CEGAVSKE AND ASSEMBLYMAN STEWART VOTED NAY.

BDR 34–297, Revising Provisions Governing Sponsorship of Charter Schools

- Ms. Stonefield said the Committee had adopted a proposal to establish a charter school institute as an independent entity at its work session on August 21, 2008. She said staff envisioned the new charter school institute would be placed within the Executive Branch of Nevada State government in the DOE. The department would continue to review all applications for completeness and the institute would adopt all regulations for all charter schools and review and approve applications for sponsorship by the Institute. The State Board of Education would have specific authority to disapprove a regulation only if the regulation threatened the operation of charter schools or created an undue financial hardship for any charter school in Nevada.

  Ms. Stonefield said the Chairwoman had directed the Committee staff to develop an estimate of the costs to establish and operate the institute and provide those estimates to the Committee at its final work session. The estimate was developed by the Department of Education (DOE) in consultation with the Committee staff.

- Keith W. Rheault, Ph.D., Superintendent of Public Instruction, DOE, referred to a document titled, "Proposed Fiscal Note Nevada Charter School Institute" (Exhibit F). He said the fiscal note was based on limited information regarding what will be the actual

expected functions of the institute and on conversations between DOE and LCE staffs. He said the fiscal note was composed of two categories—funding needed to support the operational costs of the seven-member board and funding needed to support the costs of establishing the institute, which will serve as a local education agency for sponsored charter schools.

Assemblyman Stewart asked if the new Charter School Institute would be separate from the DOE.

Dr. Rheault said the Institute would be an independent body with full authority to set regulations for charter schools. The DOE would continue to review initial applications to determine if regulatory and statutory requirements were met until such time as the Institute had sufficient staff to conduct the review process.

Senator Washington said the Institute would function independently under the proposed structure.

- The Committee **APPROVED THE FOLLOWING ACTION:**

  SENATOR WASHINGTON MOVED TO APPROVE THE LANGUAGE IN BDR 297. THE MOTION WAS SECONDED BY SENATOR RAGGIO AND CARRIED. SENATOR CEGAVSKE ABSTAINED FROM THE VOTE.

BDR 34–300, Revising Provisions Governing Educational Personnel, and Other Related Committee Actions

- Ms. Stonefield said at its work session on August 21, 2008, the Committee reserved a BDR which may include the following: licensing of teachers and others performing educational functions in another state, training programs for substitute teachers, signing bonuses for newly hired teachers, teacher performance pay, activities of school counselors, ratio of pupils to counselors, and training of teachers to teach Advanced Placement courses. She then reviewed Item 1 regarding teacher licensing.

<u>Teacher Licensing</u>

1. Amend the *Nevada Revised Statutes* (NRS) (primarily at NRS 391.032) by eliminating the requirement that an applicant for licensure from another state pursuant to a reciprocal agreement must have previous experience in teaching or in performing other educational functions in another state, if the examinations required by that state are substantially equivalent to all of the examinations required by the Commission on Professional Standards in Education. The determination of equivalency shall be made by the Commission on Professional Standards.
(Proposed by the Superintendent of Public Instruction, in communication with Committee staff.)

- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR RAGGIO MADE A MOTION TO ACCEPT THE LANGUAGE IN ITEM 1 OF BDR 300. SENATOR MATHEWS SECONDED THE MOTION WHICH PASSED UNANIMOUSLY.

- Ms. Stonefield reviewed Item 2 A, B, and C regarding substitute teachers.

Substitute Teachers

2 A. Amend the NRS (primarily at NRS 391) to provide that the Commission on Professional Standards shall promulgate regulations on training programs for substitute teachers. At minimum, the training should include classroom management, curriculum, and academic standards. Further provide that the Commission shall report to the Legislative Committee on Education on the provisions of the training program by March 1, 2010, and the plan shall be in place by July 1, 2010. Further amend the NRS to provide that the Commission on Professional Standards shall provide for a waiver of the training requirement to any individualwho holds a current or expired Nevada teaching license or presents evidence of licensure in a state with a reciprocal agreement with Nevada.
(Discussed at the June 19, 2008, meeting.)

AND

B. Further amend the NRS to provide that a regional training program shall provide this training for the member school districts of that region. A school district may opt out of the training provided by a regional training program but must offer a training program in accordance with the program approved by the Commission. Provide that the Department of Education shall record the completion of a substitute training program by a substitute teacher licensee.
(Discussed at the June 19, 2008, meeting.)

AND

C. Amend the NRS to provide that an individual seeking to be licensed as a substitute teacher must complete the training program. Further provide that after July 1, 2011, a school district shall not employ as a long-term substitute teacher or a short-term substitute teacher, as defined in NRS 385.3469, any individual who has not received the training.
(Discussed at the June 19, 2008, meeting.)

- The Committee **APPROVED THE FOLLOWING ACTION**:

  SENATOR CEGAVSKE MOVED TO ACCEPT THE LANGUAGE IN ITEM 2 A, B, AND C OF BDR 300. THE MOTION WAS SECONDED BY ASSEMBLYMAN STEWART AND PASSED UNANIMOUSLY.

- Melinda M. Martini, Senior Research Analyst, Research Division, LCB, reviewed Item 3 A, B, and C regarding recruitment of teachers.

Funding of Recruitment and Compensation

3 A. Provide an appropriation from the State General Fund to the Department of Education for transfer to the school districts for continued support of signing bonuses for newly-hired teachers. Pursuant to the provisions of Section 25 of Assembly Bill 627, the Legislature appropriated $7.2 million in Fiscal Year 2007-2008 and $7.6 million in FY 2008-2009. For the 2009-2011 biennium, the total appropriation would be $12.2 million* ($6 million in FY 2009-2010 and $6.2 million in FY 2010-2011). A portion of the funding for the 2007-2009 biennium was reverted because the increase in enrollment was not as large as estimated.
(Discussed at the January 10, 2008, meeting and proposed for the Committee's consideration as a continuing expenditure.)

*NOTE: In the work session document, the amount was estimated to be $15 million. Since the work session, the Department of Education has updated its projections.

AND

B. Send a letter to the Superintendent of Public Instruction expressing the intent of the Legislative Committee on Education that he monitor the impact of teacher signing bonuses. Ask him to report to the Committee by January 1, 2009, on the cohort of teachers who received signing bonuses in the 2007-2008 school year, the number of those in the cohort who completed the school year, and the number of those in the cohort who signed a contract to teach in the 2008-2009 school year. If these data are unavailable, express the intent of the Committee that the Superintendent begin to collect these data so that he can report the requested information by July 1, 2010.
(Discussed at the January 10, 2008, meeting)

AND/OR

C. Provide for a transitory section directing the Superintendent of Public Instruction to conduct a study of the effectiveness of the signing bonus. Establish for the study a cohort of newly hired teachers each school year who receive the signing bonus. Determine the number who complete the first year of employment in a Nevada school district, the number who are retained by the original school district for a second year of employment and for subsequent years as data are available. Report on those who exit the initial district for employment in another Nevada school district or who leave the State. Submit the report to the Legislative Committee on Education and the Legislature in July 2010.
(Discussed at the January 10, 2008, meeting)

- The Committee **APPROVED THE FOLLOWING ACTION**:

  ASSEMBLYMAN STEWART MOVED TO ACCEPT THE LANGUAGE IN ITEM 3A, B, AND C OF BDR 300. THE MOTION WAS SECONDED BY ASSEMBLYMAN DENIS AND PASSED UNANIMOUSLY.

- Ms. Martini reviewed Item 4 A and B regarding the restoration of funding for the pilot program of performance pay and enhanced compensation.

<u>Performance pay and enhanced compensation</u>

4 A. Send a letter to the Governor with copies to the chairs of the Senate Committee on Finance and the Assembly Committee on Ways and Means, expressing support for restoration and continued funding of the pilot program of performance pay and enhanced compensation program for the recruitment and retention of licensed teachers funded pursuant to the provisions of Assembly Bill 3 (Chapter 10, *Statutes of Nevada 2007, 23rd Special Session*). State that the Committee recognizes the State's extraordinary fiscal situation and that it strongly supports restoration of these funds as State General Fund revenues allow.
(Discussed at the January 10, 2008, meeting.)

AND

B. Provide for a transitory section which, if funding is provided for the establishment of a pilot program of performance pay and enhanced compensation based on the provisions of Assembly Bill 3, clarifies that the component of career leadership advancement options to maximize the retention of teachers in the classroom includes the support of a teacher mentoring program.
(Discussed at the January 10, 2008, meeting)

- The Committee **APPROVED THE FOLLOWING ACTION**:

  ASSEMBLYMAN DENIS MOVED TO ACCEPT THE LANGUAGE IN ITEM 4 A AND B OF BDR 300. THE MOTION WAS SECONDED BY ASSEMBLYMAN MUNFORD AND PASSED UNANIMOUSLY.

- Ms. Stonefield reviewed Items 5 and 6 A, B, and C regarding school counselors. She said the Committee had received a report on the compliance of school districts with the requirement provided in Assembly Bill 212 (Chapter 439, *Statutes of Nevada, 2007*) to establish policies to limit the amount of time that counselors spent on test administration and other non counseling functions.

  Item 5 proposed to require that school counselors spend at least 75 percent of their time each week on direct counseling services to students. The Nevada School Program Counseling Standards defined the following components:

  - System support;
  - Guidance curriculum;

- Individual planning; and
- Responsive counseling and consulting services.

She said Item 6 proposed to establish a pupil to counselor ratio of one 1 to 250 either by providing for a transitory section which required each school district to develop a plan to achieve and maintain that ratio or by stating in the Committee's final report that school districts should set that goal. Alternately, the NRS could be amended to require the school districts and the State Board of Education to include the ratio of counselors to students in their annual accountability reports

Limitation on Administrative Activities of Counselors

5. Amend the NRS (primarily at NRS 391.274) to provide that a licensed school counselor shall spend at least 75 percent of work time each week providing direct counseling related to students and shall devote no more than 25 percent of work time to administrative activities.
(Discussed at the June 19, 2008, meeting.)

Ratio of Counselors to Pupils

6 A. Provide for a transitory section that requires each school district to develop a plan for the school district to achieve and maintain by the 2012-2013 school year a ratio of 1 school counselor for every 250 pupils enrolled in the school district and submit that plan to the Department of Education. Require the Department to summarize the plans and submit a report to the Legislative Committee on Education in January 2010. The district's plan must identify priorities for providing counseling services and a distribution among grade levels. The plan must also include estimates for the cost of achieving the goal.

OR

B. State in the Committee's final report that school districts should set a goal of achieving a counselor to pupil ratio of 1 to 250 pupils as recommended by the American School Counselors Association.

AND/OR

C. Amend the NRS (primarily at NRS 385.347 and 385.3469) to require school districts and the State Board of Education to include in their accountability reports the ratio of counselors to pupils by elementary, middle, and high school level.
(Discussed at the June 19, 2008, meeting)

Senator Cegavske said there would have to be a determination made of how many school counselors there are in Nevada before ratios and limits on time spent on counseling and administrative activities could be imposed. She said she would like to see more flexibility in the BDR language.

Assemblyman Stewart said he also thought there should be more flexibility in the requirements. It would be difficult for the districts to track time spent by counselors on different tasks.

Chairwoman Parnell suggested Item 5 be amended, utilizing language similar to that in A. B. 212, to direct the school boards of trustees to adopt a policies that set forth the duties and responsibilities of all counselors K-12.

- The Committee **APPROVED THE FOLLOWING ACTION**:

  ASSEMBLYMAN STEWART MOVED TO ACCEPT THE LANGUAGE IN ITEM 5 AS AMENDED AND TO ACCEPT THE LANGUAGE IN ITEM 6 C. THE MOTION WAS SECONDED BY SENATOR CEGAVSKE AND CARRIED. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE.

- Ms. Stonefield reviewed Item 7 A and B regarding teaching Advanced Placement courses.

<u>Training to Teach Advanced Placement Courses</u>

7 A. Send a letter to each of the regional training programs, established pursuant to NRS 391.500 et seq., urging its governing body to determine the need in the region for teachers to be trained[**] to teach Advanced Placement (AP) courses offered by the College Board and to determine the cost of assisting these teachers to become trained[*]. The governing body is encouraged, as needed, to set aside funds for the purpose of providing support (travel, per diem, registration, and so forth) for teachers in the region to obtain training to qualify to teach AP courses.
(Proposed by the Director, Southern Nevada Regional Professional Development Program, in communication with Committee staff, July 2008.)

AND

B. Amend the NRS (primarily at NRS 391.552) to include in the annual report of the regional training program the estimated need and the actual number of teachers who participated in the AP training program that year. In addition, describe where the training was received by teachers. *(Based on the discussion at the May 22, 2008, meeting.)*

[*]NOTE: In the work session Document, the word "certified" was used.

· The Committee **APPROVED THE FOLLOWING ACTION**:

ASSEMBLYMAN DENIS MOVED TO ACCEPT THE LANGUAGE IN ITEM 7 A AND B. THE MOTION WAS SECONDED BY ASSEMBLYMAN STEWART AND CARRIED. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE.

BDR R–301, Revising Provisions Governing the System of Public Education in this State

Ms. Stonefield said at its work session on August 21, 2008, the Committee reserved a bill draft request, relating to the governance of the system of public education in Nevada. The bill draft request may include concepts revising the role of the State Board of Education, the powers and duties of the Superintendent of Public Instruction, and the powers and duties of various councils and commissions created by statute, as proposed in Senate Bill 540 of the 2007 Legislative Session.

Senator Cegavske said governance was an important measure for debate by the Legislature.

Chairwoman Parnell said she would be voting in opposition to the motion. She said there was a need for a thorough study of the issue of school governance before a bill could be brought forward.

Assemblyman Denis said he would not feel comfortable voting for the BDR without further study.

SENATOR CEGAVSKE MOVED TO INCLUDE THE SAME LANGUAGE IN BDR 301 AS WAS IN THE 1ST REPRINT OF SENATE BILL 540 OF THE 2007 LEGISLATIVE SESSION. ASSEMBLYMAN STEWART SECONDED THE MOTION. CHAIRWOMAN PARNELL VOTED NAY AS DID ASSEMBLYMAN DENIS. SENATOR MATHEWS VOTED NAY. ASSEMBLYMAN MUNFORD ABSTAINED FROM THE VOTE. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE. THE MOTION FAILED.

· The Committee **APPROVED THE FOLLOWING ACTION**:

ASSEMBLYMAN STEWART MOVED TO USE BDR 301 TO SUBMIT A RESOLUTION TO STUDY PUBLIC EDUCATION GOVERNANCE. THE MOTION WAS SECONDED BY SENATOR CEGAVSKE AND CARRIED. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE.

BDR 302, Revising Provisions Governing Promotion to High School

Ms. Martini said the 2007 Legislature, through the passage of Senate Bill 184 (Chapter 420, *Statutes of Nevada*), amended the *Nevada Revised Statutes* (NRS) to require school districts to adopt a policy that would allow a student who has not completed the courses of study or credits required for promotion to high school to be placed on academic probation and to enroll in high school. While in high school, the student would be required to complete appropriate remediation in the subject areas he failed to pass in the eighth grade. At the May 22, 2008, meeting of the Committee, representatives of school districts indicated that in some cases, students have difficulty completing eighth grade coursework in which they are deficient while keeping up with ninth grade work.

At its work session on August 21, 2008, the Committee reserved a bill draft request, relating to the promotion of a pupil from middle school to high school, which may include requiring certain pupils to attend summer school, requiring school districts to offer summer school to certain pupils, and requiring the Commission on Educational Excellence to give priority to grant applications to fund certain summer school programs.

Require Summer School

1 A. Amend the NRS (primarily at NRS 392.033) to require a board of trustees to provide a summer school course of study for an eighth grade pupil who has not successfully completed all courses required for promotion to ninth grade. Require the local board, or its designee, to consult with the parent or guardian about the pupil's deficiencies, which prevent him from being promoted to ninth grade. Further amend the NRS to provide that in order to be promoted to ninth grade, the pupil must successfully complete the summer school remedial course of study in the area(s) in which he is deficient. In cases of hardship, the parent or guardian of the pupil may sign a waiver from the summer school attendance requirement. If he attends summer school and does not successfully complete the summer school course of study, provide that the board of trustees, or designee, must meet with the parent or guardian to determine whether the pupil should be promoted to the ninth grade on academic probation with continued remediation or retained in eighth grade. If the pupil is promoted to ninth grade on probation, the parent or guardian shall be informed of the potential impact to the pupil of completing the required ninth grade curriculum while also completing the remedial eighth grade curriculum.

AND/OR

Provide Funding through the Account for Programs for Innovation and the Prevention of Remediation

2 B. Amend the NRS (primarily at NRS 385.3785) to provide that, to the extent money is available for grants to programs for grades seven to twelve from the Account for Programs for Innovation and the Prevention of Remediation, the Commission on Educational Excellence shall allocate funds first to proposals from schools to establish summer school programs to assist eighth grade students who have not completed the courses required for promotion to ninth grade. Provide that eligible grants may include the cost of providing instruction as well as the cost of

transportation. Further provide in the transitory section that if applications exceed the allocated amounts, the Commission may award grants on a pro rata basis.
(Discussed at the May 22, 2008, meeting)

Assemblyman Stewart said he was opposed to funding summer school programs as suggested in Item 2 B.

Senator Mathews said students needed all the help that the government could give them. She said educating students was the responsibility of the government.

Chairwoman Parnell said there were current provisions in statute concerning students who have not successfully completed seventh or eighth grade requirements. She said the BDR was an attempt to decide if current summer school programs should be funded by the State or be able to apply for funds from the Account for Programs for Innovation and the Prevention of Remediation.

Senator Cegavske said providing the cost of transportation should be removed from the BDR as it would be burdensome to the school districts.

SENATOR CEGAVSKE MOVED TO WITHDRAW BDR 302. THE MOTION WAS SECONDED BY ASSEMBLYMAN STEWART. SENATOR MATHEWS, CHAIRWOMAN PARNELL AND ASSEMBLYMEN DENIS AND MUNFORD VOTED NAY. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE. THE MOTION FAILED

- The Committee **APPROVED THE FOLLOWING ACTION**:

  ASSEMBLYMAN STEWART MOVED TO ACCEPT THE LANGUAGE IN ITEM 2 OF BDR 302. ASSEMBLYMAN DENIS SECONDED THE MOTION. SENATOR CEGAVSKE VOTED NAY. SENATORS RAGGIO AND WASHINGTON WERE ABSENT FOR THE VOTE. MOTION CARRIED.

PUBLIC COMMENT

Ricci Rodriguez-Elkins, Executive Director, Center for Charter School Development and Project Director for the Nevada State Charter School Leadership Team, thanked the Committee for its thoughtful consideration of proposals that would benefit Nevada's charter schools. She asked that the Committee reconsider its proposal, in BDR 297, to repeal the authority of the State Board of Education to sponsor charter schools. She said she agreed with Dr. Keith Rheault's recommendation of quarterly payments of sponsorship. Ms. Rodriguez-Elkins also commented on Item 2 B and C of BDR 300.

Jan Biggerstaff, previously identified, thanked the Committee for considering a study of the governance of education in Nevada.

Chairwoman Parnell noted the Committee had received correspondence from Barbara Myers, Member, State Board of Education, (Exhibit G) and directed staff to make it part of the permanent record of the meeting.

Chairwoman Parnell thanked Vice Chairman Raggio and all the members of the Committee for their hard work during the Interim. She also thanked the LCB Committee staff.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:15 p.m.

Respectfully submitted,

Maryann Elorreaga
Senior Research Secretary

Carol M. Stonefield
Supervising Principal Research Analyst

APPROVED BY:

Assemblywoman Bonnie Parnell, Chairwoman

Date: _____

LIST OF EXHIBITS

Exhibit A is the Meeting Notice and Agenda provided by Carol M. Stonefield, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

Exhibit B is the Executive Summary of the "Report on the Study of the Alignment of Student Assignments to the Academic Standards in the State of Nevada," provided by Ben Jones, Director of Research, The Standards Company.

Exhibit C is a document titled "SB 185 Funding and Grant Distribution," provided by Caroline McIntosh, Chairwoman, Commission on Educational Excellence.

Exhibit D is a document titled "Washoe County School District's Jump Start Program," provided by Juanita Jeanney, Senior Director, Options Programs, Washoe County School District.

Exhibit E is the draft language for Bill Draft Request 34–295, provided by Joi Davis, Program Analyst, Fiscal Analysis Division, LCB.

Exhibit F is a document titled "Proposed Fiscal Note Nevada Charter School Institute," submitted by Keith W. Rheault, PhD., Superintendent of Public Instruction, Department of Education.

Exhibit G is a hardcopy of the October 4, 2008, e-mail correspondence sent by Barbara Meyers, Member, State Board of Education to the members of the Legislative Committee on Education.