



**MINUTES OF THE MEETING  
OF THE  
LEGISLATIVE COMMITTEE ON EDUCATION  
(*Nevada Revised Statutes 218.5352*)  
October 25, 1999  
Carson City, Nevada**

The second meeting of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) for the 1999-2000 interim was held on Monday, October 25, 1999, at 9:30 a.m. in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and video conferenced to the Grant Sawyer State Office Building, Room 4401, 555 East Washington Avenue, Las Vegas, Nevada. Pages 2 and 3 contain the AMeeting Notice and Agenda.@

**COMMITTEE MEMBERS PRESENT:**

Assemblyman Wendell P. Williams, Chairman  
Senator William J. Raggio, Vice Chairman  
Senator Bernice Mathews  
Senator Raymond D. Rawson  
Senator Maurice E. Washington  
Assemblywoman Barbara K. Cegavske  
Assemblyman Marcia de Braga  
Assemblyman Mark A. Manendo

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

H. Pepper Sturm, Chief Principal Research Analyst  
Elana Marton, Senior Research Analyst  
Kristin C. Roberts, Senior Deputy Legislative Counsel  
Melinda Braun, Education Program Analyst  
Lu Chen, Education Statistician  
Susan Furlong Reil, Senior Research Secretary

**MEETING NOTICE AND AGENDA**

Name of Organization: Legislative Committee on Education  
(*Nevada Revised Statutes 218.5352*)

Date and Time of Meeting: Monday, October 25, 1999  
9:30 a.m.

Place of Meeting: Legislative Building  
Room 3138  
401 South Carson Street  
Carson City, Nevada

Note: Some members of the committee may be attending the meeting, and other persons may observe the meeting

and provide testimony, through a simultaneous video conference conducted at the following location:

Grant Sawyer State Office Building  
Room 4401  
555 East Washington Avenue  
Las Vegas, Nevada

## **A G E N D A**

- I. Opening Remarks
- II. Progress Report—Regional Training Program for Teachers (Senate Bill 555, Section 16 [Chapter 559, *Statutes of Nevada 1999*])  
Bill Hanlon, Clark County  
Roy Casey, Douglas County  
Marcia R. Bandera, Elko County  
Lynn Sawyer, Washoe County
- III. Review and Discussion of Reports Required Under *Nevada Revised Statutes* (NRS) 396.329 Concerning University Police Department Actions  
Institution Presidents, University and Community College System of Nevada
- \*IV. Appointment of Advisory Subcommittee to Perform Comprehensive Review of Title 34 of NRS, Nevada's Education Code  
Chairman Wendell P. Williams
- V. Report of Work Plan for 1999-2000 of the Council to Establish Academic Standards for Public Schools  
Debbie Smith, Chairman, Council to Establish Academic Standards for Public Schools
- VI. Progress Report—Commission on Educational Technology  
Moises Denis, Chairman, Commission on Educational Technology
- VII. Progress Report Concerning State Department of Education Request to Develop or Purchase Standards-Based Achievement Examinations for Grades 3 and 5 (Senate Bill 466 [Chapter 621, *Statutes of Nevada 1999*] and Senate Bill 104 [Chapter 583, *Statutes of Nevada 1999*])  
Representative, State Department of Education
- VIII. Public Comment
- IX. Adjournment

\*Denotes items on which the committee may take action.

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Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Susan Furlong Reil, at (775) 684-6825, as soon as possible.

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Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

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## **OPENING REMARKS**

Assemblyman Wendell Williams, Chairman, called the meeting to order at 9:55 a.m. He thanked Education Committee members for their attendance and welcomed Las Vegas participants. Chairman Williams also acknowledged Senator William J. Raggio, Vice Chair, and thanked Legislative Counsel Bureau (LCB) staff for their attendance and preparation.

## **PROGRESS REPORT—REGIONAL TRAINING PROGRAM FOR TEACHERS**

**(SENATE BILL 555, SECTION 16 [CHAPTER 559, STATUTES OF NEVADA 1999])**

***Bill Hanlon***

Bill Hanlon, Director, Southern Nevada Regional Professional Development Program (S-RPDP), and Coordinator, Math/Science Institute Alternative Education Division, Clark County School District, Las Vegas, Nevada, updated the Committee on S-RPDP activities. He said professional development is needed in the following areas: (1) discipline; (2) content; and (3) pedagogy. He added that professional development needed to be on site and ongoing.

Mr. Hanlon explained the goal of S-RPDP is to provide professional development, assistance and mentoring to math teachers in grades kindergarten through twelve (K-12) in Clark, Esmeralda, Lincoln, and Nye Counties. Teachers identify curriculum content based on a syllabus developed by Nevada State Standards to ensure the same material is taught within the same time frame.

Senator Bernice Mathews remarked on the similarity between professional development and lesson plans. Mr. Hanlon explained that this form of professional development is called “backward assessment” which provides a formal process to ensure consistency. He continued saying, teachers develop a specification sheet, which describes what the teachers’ value in a particular unit of study. From this, an assessment blueprint is created to guarantee that the curriculum will not be constricted, and also to guide the teacher in testing procedure. Mr. Hanlon said that a nationwide concern for inconsistency in teaching standards is addressed by a system of balances and assessments. He showed the Committee examples of math tests to demonstrate and range and variations in aptitude (Exhibit A).

Mr. Hanlon concluded by saying the S-RPDP provides this “backward assessment model” to ensure that teachers deliver a consistent and balanced curriculum. He referred to a booklet of examples to guide teachers in areas of particular mathematical concerns (Exhibit B). He said the S-RPDP also offered classes for teachers. A goal for December 2000 would be to: (1) develop a bank of test questions which replicate local, state, and national tests; and (2) develop lesson plans on major mathematical concepts.

Assemblyman Manendo inquired as to other areas of curriculum. Mr. Hanlon responded that professional development programs for science, language, and arts, would be forthcoming.

***Roy Casey***

Roy Casey, Assistant Superintendent, Douglas County School District, Minden, Nevada, said he represented the Western Nevada Regional Professional Development Program (W-RPDP), which included the following five school districts: (1) Carson City; (2) Churchill; (3) Douglas; (4) Lyon; and (5) Mineral. Mr. Casey listed the accomplishments of the W- RPDP (Exhibit C):

- The formation of a Governance Board containing: (1) superintendents from five participating school districts; (2) teacher representatives from five participating school districts; (3) a representative from the State Department of Education; and (4) a representative from the University and Community College System of Nevada (UCCSN). The Governance Board has met three times to discuss the legislation, identify the criteria for site specific, district specific, and local board of trustees specific needs assessments. The Governance Board will meet again on November 5, 1999, in Silver Springs, Nevada.
- The completion of a “Needs Assessments” which listed site-specific needs for: (1) State’s Content and Performance Standards; (2) the implementation of a standards-based system; (3) implementation of state and local assessments; (4) the need for methods of instruction for special populations; and (5) the use of technology.
- The result of the assessment revealed a need for professional development in the areas of: (1) elementary and secondary reading; (2) secondary mathematics; (3) effective strategies for implementing a standards-based system; (4) the use of technology in a standards-based system; (5) the use of differentiated instruction for teaching methodology; and (6) specific strategies for special needs students in a standards-based system.
- The selection and training of three master trainers began in July 1999. Unfortunately, teachers were either on

summer break or had already begun their teaching assignments; therefore, the W-RPDP will continue to search for viable applicants.

- All schools within the W-RPDP have identified their site teacher trainers, who then train other teachers and administrators at their respective sites. All trainers have committed to receiving and providing training through the school year 2001.
- Teacher and additional administrator training will take place during the spring of 2000 at the building and district level. The site teacher trainer will continue to mentor teachers in their classrooms after initial training.
- A consultant from WestEd has assisted the WRPDP in developing the evaluation tools to meet the compliance requirements according to S.B. 555. WestEd is a research, development, and service agency and functions as one of the nation's designated regional educational laboratories. The purpose of the evaluation is to measure the level of effectiveness of the W-RPDP.

Assemblyman Manendo commended the W-RPDP on the valuable work they performed, and asked for a budget. Mr. Casey said he would supply that in the future. Assemblyman Manendo asked the Chairman for all regions to present their budgets at the next meeting and to update information about their respective board meetings to the Committee.

Assemblyman Manendo asked how teachers from the S-RPDP and W-RPDP were compensated for their training. Responding to Assemblyman Manendo, Mr. Hanlon said that compensation for teachers from S-RPDP and W-RPDP would be in stipends and a \$20 per hour reimbursement rate. He said S-RPDP has identified one site trainer at each high school and middle school, and two site trainers at each elementary school. In Clark County, "rolling prep" training will accommodate the shortage of 16 math teachers and one substitute teacher.

Senator Raggio said he was impressed with the willingness of the teachers and the 68 site teacher trainer volunteers, the evaluation process, and the program in general. Mr. Casey responded to Senator Raggio's question regarding the master trainer interview schedule by stating interviews were starting on Friday. Responding to Senator Raggio's evaluation compliance inquiry, Mr. Hanlon said the four regional centers and WestEd would develop an evaluative instrument by November 4, 1999.

Chairman Williams asked Mr. Hanlon about the type of feedback he was receiving from Clark County. Mr. Hanlon responded that S-RPDP has 240 site trainers in Clark County, and the reception is positive.

### *Lynn Sawyer*

Lynn Sawyer, Regional Director, Northwest Region Advisory Group, and Personnel Services Coordinator, Washoe County School District, Reno, Nevada said she represented the Northwestern Nevada Regional Professional Development Program (NW-RPDP) which includes Washoe, Pershing, and Storey Counties. She directed the Committee's attention to a handout titled "Regional Professional Development Program – Northwest Region Update" (Exhibit D) and made the following points:

- The Statewide Regional Directors Group includes participants from RPDP's four regions and has had five meetings since August 1999. WestEd Representatives are assisting in the design of an evaluation tool to be used for statewide consistency.
- The Northwest Regional Advisory Group (NRAG) has met once with a second meeting scheduled for this week. This group includes representatives from the higher education institutions who seek continued involvement in the preparation of K-12 teachers.
- Teachers on Special Assignment, or Regional Trainers, are going to be hired pending the approval of job descriptions by the NRAG.

- A collaborative coalition is being created with higher education representatives through a series of meetings. This group will identify existing content/pedagogy institutes, develop plans to increase participation, and create institutes for areas not covered.
- A Standards Implementation Readiness Survey was completed in Washoe County and is in progress in Pershing and Storey Counties.
- Administrator training was provided for all site principals involved in readiness workshops to assist in choosing site-specific activities.
- A data analysis workshop is being provided region-wide to encourage teachers to design instruction to match needs of individual students and classes.

Ms. Sawyer concluded by saying that teachers appreciate the opportunity to focus on the variety of professional development efforts. She said Washoe County has over 100 trained staff development cadre members who will be the primary candidates for the teachers of special assignment positions, and as site leaders.

### ***Marcia R. Bandera***

Marcia R. Bandera, Superintendent, Elko County School District, Elko, Nevada, said the school district acts as the fiscal agent for the Northeastern Regional Professional Development Program (NE-RPDP) and referred to the revised budget (Exhibit E). She introduced Dr. Ron Remington, President, Great Basin College, Elko, as the designated certified representative from UCCSN to the Governance Board for the NE-RPDP and noted that he is also Chairman of the 1999 RPDP Governance Board which has met twice and has a third meeting scheduled for Thursday, October 28, 1999, with superintendents.

Mr. Remington continued by reporting the Governance Board has also established an Implementation Committee. A Great Basin College faculty member has been appointed to the Governance Board as a facilitator to: (1) develop a needs assessment instrument; (2) canvas teachers, faculty, and administration within the five districts of NE-RPDP; and (3) develop a job description and selection criteria for master teachers.

Ms. Bandera explained that NE-RPDP has included a group of individuals to examine the policy decisions of the Governance Board. The training schedule will begin in the spring semester of 2000. She said NE-RPDP's budget has been revised to reflect legislative changes and include the hiring of a clerical support position.

She concluded by stating Washoe County School District needs a software program to compile and track participant training for the in-service and teacher-training program. She acknowledged her appreciation to Washoe County School District for volunteering the use of their most current software version to the other districts in order to collect, count, track, and compile training data.

Assemblyman Manendo asked if NE-RPDP provided stipends to the teachers. Ms. Bandera answered that the budget included on-site training in each location, stipends, substitutes teachers during training, funding for coaching, and use of distance learning media to deliver training to the wide region encompassed by NE-RPDP. She said several models to accomplish the budget goals included: (1) after class; (2) during class time; (3) on site; (4) distance learning; and (5) follow-up and coaching. She clarified "after class" as being anytime after work including Friday nights and Saturdays.

Senator Raggio said he appreciated the different approaches each region was taking, and noted their common willingness to "stretch dollars." He asked if other funding sources were available. Ms. Bandera said Eisenhower Funds were utilized in her region for the math and science training programs as well as The Curriculum Mapping Project.

Senator Raggio asked if the NW-RPDP was ahead of its timetable. Ms. Sawyer responded that many optional time frames would be offered during second semester, similar to what Ms. Bandera described. Ms. Sawyer said it was important to give teachers options including weekend training, in-service classes, stipends, and various time frames.

Mr. Hanlon responded to Senator Raggio's time line inquiry by stating S-RPDP hired regional trainers in August 1999, and have started training high school principals, assistant principals, teachers, and site trainers.

Assemblywoman Barbara K. Cegavske asked if computer-training centers were utilized and what difficulties were expressed by teachers. Ms. Bandera responded that the NE-RPDP used the Northeastern Nevada Technology Training Consortium to: (1) improve the level of computer literacy of teachers; and (2) focus on integration of technology as an instructional method for delivering content. Ms. Bandera identified an ongoing concern of having issues properly responded to and adequately reviewed.

Assemblywoman Cegavske asked if she could visit classrooms. Ms. Bandera invited all Committee members to come to any classes unannounced.

Melinda Braun, Education Program Analyst, LCB, Carson City, Nevada, explained that Senate Bill 555, Section 17, authorized the four RPDPs to form a consortium and receive up to \$50,000 in each year of the biennium from the State Distributive School account to hire a qualified independent consultant to conduct an evaluation of the effectiveness of the programs. In response to this, a proposal for the evaluation was submitted by WestEd. The proposed budget for the evaluation totals \$100,000 in costs to Nevada and \$52,030 in kind support from WestEd. The coordinators for the RPDPs as well as the Legislative Bureau of Educational Accountability and Program Evaluation, accepted WestEd's proposal. Stan Chow is the WestEd Representative responsible for completing the evaluation.

Ms. Braun explained that data collection forms have been developed in order to answer the following questions regarding the evaluation plan summary (Exhibit F):

How are the RPDPs organized? The summary includes information on the governance board, how teacher professional development needs were determined, and how the programs share information.

- What is the nature and extent of RPDP training? The summary includes information on: (1) the master trainers and the site trainers, including how are they selected and trained; (2) information on the teachers and administrators that received the training; and (3) how the training was delivered to the parties.
- What is the quality of training? The summary includes information on: (1) how well the training content linked to the new state student academic standards; and (2) how well the training provided teachers with appropriate techniques and skills to reach new standards.
- Are teachers learning new skills and content and using them to improve instruction? The summary includes obtaining evidence of teacher gains in content knowledge, instructional skills, and methods.
- Are students making achievement gains? Data from the Terra Nova, the High School Proficiency Examination, the Writing Exam, and other testing programs will be analyzed to determine achievement gains of students. In addition, qualitative data received from teachers regarding student achievement in their classrooms will also be collected and analyzed.

Ms. Braun continued noting Washoe County School District has created a database to track professional development in their district and has offered to share it with the other RPDP regions. The implementation of this database will ensure consistent data collection. In addition, a work group comprised of coordinators from the four RPDPs, the State Department of Education, the Legislative Bureau of Educational Accountability, and Program Evaluation, and the Nevada State Education Association, has been formed to assist with the evaluation. Ms. Braun estimated completion of a report summarizing each of the programs, as well as the evaluation plan, to be submitted to the Legislative Committee on Education in December 1999 with a follow-up report of the results of the evaluation to be presented in December 2000.

Senator Raggio said he wanted to see a follow-up plan with an objective analysis of the results of the four RPDPs. Ms. Braun responded that the evaluation is in the development stage, but it was anticipated that data collection forms, classroom observation, and interviews, would answer Senator Raggio's question. Senator Raggio said there was no point in wasting the time and money unless the results could be measured.

Assemblyman Marcia de Braga asked how the information would be disseminated at the university level. Ms. Braun responded that universities have representation on the governance board and are invited to participate in the evaluation workgroup as well as updated on the development of these programs. She added that universities are interested in this information.

Senator Mathews commented that the presence of Dr. Remington spoke to the university level of involvement in the RPDP.

**REVIEW AND DISCUSSION OF REPORTS REQUIRED UNDER  
NEVADA REVISED STATUTES (NRS) 396.329 CONCERNING  
UNIVERSITY POLICE DEPARTMENT ACTIONS, INSTITUTION PRESIDENTS, UNIVERSITY AND  
COMMUNITY COLLEGE SYSTEM OF NEVADA**

This agenda item refers to Exhibit G compiled by LCB staff members. Chairman Williams commented that Assembly Bill 191(Chapter 198, *Statutes of Nevada 1993*) was passed in 1993 after the movement for its creation began in 1991. Chairman Williams reviewed the history of A.B. 191 and said that it was written as an accountability tool with the intent of improving the relationships between university police, students, and visiting citizens.

Chairman Williams explained that testimony would address why many complaints were not reported in 1995, 1997, and 1999, and why no reports have been received from the Community College System. He said this is inconsistent with the minutes of the original hearing where the University Chancellor and University Police Representatives went on record stating they would “ . . .do everything in their power to comply with the provisions of the bill.” Chairman Williams then called upon University Administrators to testify.

***Tom Anderes***

Tom Anderes, Interim Chancellor, UCCSN, addressed the reasons why reports had not been submitted. He said that the Chancellor’s Office never requested the report in 1995, 1997, and 1999. Mr. Anderes said he could not offer any specific reason, or logical explanation as to why the reports were never submitted, but noted that the reports have since been submitted.

Chairman Williams asked him if he had to submit similar types of reports to the Federal Bureau of Investigation (FBI). Mr. Anderes responded that annual reports were due to the Federal Government, but was unsure of the requirement that Chairman Williams referred to. Chairman Williams asked if the annual reports were submitted. Mr. Anderes said he believed so.

Chairman Williams referred the question to the Las Vegas audience. David Hollinbeck, Director of Public Safety, University of Las Vegas (UNLV), Las Vegas, Nevada, responded that while several reports are mandatory, the FBI report is a voluntary report. Mr. Hollinbeck said UNLV participates in the FBI monthly voluntary report and publishes an additional quarterly report under the Campus Right To Know Act. Chairman Williams pointed out that UNLV submitted voluntary reports, but overlooked the submission of the reports that were mandated by law. Mr. Hollinbeck agreed that was the case.

Chairman Williams confirmed that campus police reports from 1995, 1997, and 1999, had recently been received and pointed out that the reports were either inaccurate or incomplete. He pointed out that UNLV submitted a zero figure for alleged cases of excessive force in the 1995 and 1997 reports, and left a section blank in the 1999 report that asked for the number of cases of excessive force. Chairman Williams asked Mr. Hollinbeck if UNLV received any complaints in the form of public remarks or lawsuits filed against UNLV regarding the use of excessive force. Mr. Hollinbeck responded that individuals could make a complaint with the UNLV Police Department. He said the law is unclear as to which entity is appropriate to receive an excessive force complaint and pointed out that UNLV Police are responsible for reporting the complaints they have taken. He said if the UNLV Police Department does not take a complaint, then there is nothing to report. Mr. Hollinbeck explained that a formal complaint process is initiated to follow up on complaints of alleged use of excessive force.

Chairman Williams said that individuals who have complained either at the UNLV Police Department or through a court order against UNLV Police Department were not listed on UNLV's report. He said the Committee would be hearing from these individuals later. Mr. Hollinbeck explained that legal complaints are investigated by the General Counsel's Office within the Chancellor's Office and are not handled as an internal affairs complaint. Mr. Hollinbeck stressed that these individuals would need to go back to the UNLV Police Department to file a complaint. He added that there is another avenue for complaints called the Nevada Division of Investigation (NDI), which handles internal affair investigations. Mr. Hollinbeck said he will go to the NDI to seek an interlocal agreement so the complaints are addressed by the NDI. Regarding the issue of listing zero use of excessive force complaints on the reports, Mr. Hollinbeck explained that particular portion of the report ". . . was not thought through well enough and those complaints should have been reported in retrospect." He said there is some confusion as to what the complaint process is. Mr. Hollinbeck added that he thinks there is a better understanding at this point in time, and his department will be working with the Chancellor's office to make sure those types of complaints are included on the report.

Assemblyman Manendo asked Mr. Anderes why the UNLV Police Department never filed the reports. Mr. Anderes explained that the law states the reports come from the Board of Regents. The Board of Regents never asked the UCCSN institutions for these reports. The UCCSN felt it would be an inappropriate use of the chain of command to submit the reports directly. Assemblyman Manendo expressed concern that UNLV's failure to comply with the law of submitting this report may be indicative of additional compliance problems. Assemblyman Manendo then suggested to Chairman Williams that the Committee examine UNLV's compliance with all laws.

Mr. Anderes suggested that the creation of a database, containing all the mandated report due dates, could be used as a checklist to prevent future omissions. He said this suggestion was not an attempt to make an excuse for UNLV's failure to submit reports, but was a way to provide a system of checks and balances to the current process.

Chairman Williams pointed out that universities set standards of accountability for their students and grade them on their performance. He said that there is cause for concern when the universities themselves are unable to comply with mandated statutes to conform to a set of standards. He continued by saying he was aware that all the reports were always kept on file for legal reasons, and were eventually submitted, but the current issue concerns the content of the reports and specifically, what is missing from them in terms of complaints of alleged excessive force use.

Carol Harter, Ph.D., UNLV President, Las Vegas, said that any incident reported in a public forum is now collected by Dr. Bob Ackerman, Vice President, Student Services, UNLV, Las Vegas, Nevada. Incidents are then referred to Chief Hollinbeck for follow-up investigation.

Senator Raggio questioned the role of the Committee in reviewing specific citizen complaints. He noted that the Board of Regents had been made aware of its responsibility for submitting the required reports and cautioned that other forums existed to resolve individual complaints. Chairman Williams said the Committee was looking for resolution to alleged use of excessive force issues that have existed since the late 1980s, and to reach a point of clear understanding with regard to the mandates of the reporting law. He went on to say that the agenda was appropriately posted with regard to this topic, but he agreed that individuals would be asked to limit their remarks to the posted subject.

### ***Ronan Mathew***

Ronan Mathew, Principal, Cheyenne High School, Las Vegas, stated that he was a victim of excessive force on the UNLV campus in August 1995. The incident was reported to Chief Hollinbeck both in writing and verbally, but Mr. Mathew never received any restitution or follow-up. He said he attempted to assist a couple after a UNLV Police Officer stopped them. Mr. Mathew said he knew the couple because they had just attended a concert and when he showed concern, a UNLV Police Officer responded to him by using profanity. Mr. Mathew objected to the use of profanity and the UNLV Police Officer handcuffed him, searched his pockets and person, and threw him against a patrol car. Mr. Mathew said this part-time UNLV officer was employed at the Cheyenne Campus and was aware of Mr. Mathew's identity at the time of the alleged incident.



## ***Gene Collins***

Gene Collins, President, National Association for the Advancement of Colored People (NAACP), and former State Assemblyman, North Las Vegas, commended the Committee for reviewing this issue. He stated his concern for activities on UNLV property by referring to an incident in 1998 where a female was dragged between two UNLV Police Officers on horseback at a concert. This female was handcuffed, taken into custody, and detained for several hours. Mr. Collins said he has heard that UNLV Police Officers have a propensity toward abusive behavior because of their low wages. He said he disagrees with this explanation, saying it is irresponsible and lacks

accountability for poor attitudes. He explained that the staff at the NAACP is not paid and still maintains a professional attitude while delivering service.

## ***Joey Cohn***

Joey Cohn, student, UNLV, and member of Students Against Police Misconduct, Las Vegas, said he represented the point of view of the UNLV student body and visitors. He said a safe atmosphere at UNLV is important and demanded an investigation of these alleged incidents by an independent review board. Mr. Cohn said UNLV students will not accept an inadequate response to this problem. He also asked that the identity, race, and gender of all individuals who come into contact with the UNLV Police Department be disclosed in reports and tracked for trend analysis. He introduced two individuals, Denise Hatamiro and LeRoy Hudson, as alleged victims of the UNLV Police Department. Mr. Cohn concluded his remarks by asking the Committee for a commitment from UNLV representatives that they will actively lobby for changes to the current system of law enforcement.

## ***Denise Hatamiro***

Denise Hatamiro, student, Community College of Southern Nevada (CCSN), Las Vegas, said she is a campus reporter for the *Coyote Press* and the press secretary for the Fine Arts Department. Ms. Hatamiro said she was assigned to cover a concert at the UNLV Thomas and Mack Special Events Center on September 23, 1999, and suffered abuse by UNLV police. She said she was dragged between two UNLV officers, handcuffed, thrown to the ground from behind, and repeatedly threatened with incarceration. She never received her Miranda Rights, nor was she asked for any form of identification. She said she was never given an opportunity to explain that she was an invited guest to the event. Ms. Hatamiro said it took a verbal acknowledgement from the lead singer of the band at the event, before the UNLV Police Department released her. She said she was taking pictures at the time of the alleged abuse, and was asked to cease by a band promoter. Ms. Hatamiro said that she continued to take pictures, because she was never told exactly when to stop and everyone else was taking photographs as well. She said that she wants to file a complaint of this abuse, but she is concerned that entities who will receive her complaint are the abusers. She concluded by saying this process is problematic.

## ***LeRoy Hudson***

LeRoy Hudson, former UNLV student, Las Vegas, spoke of two alleged incidences of brutality. The first incident occurred on the UNLV campus in October 1996. Mr. Hudson left his resident hall for a jog and was followed by a UNLV Police Sergeant in a patrol car. He said that another patrol car and an officer on a bicycle converged on him and questioned him because he fit the description of an individual they were looking for at the time. Mr. Hudson said he was detained and verbally abused while the officers kept his student identification card. He filed a formal complaint and grievance as a result. On May 21, 1999, Mr. Hudson was again detained by UNLV Police while jogging, was called racial slurs, derogatory names, thrown on and into a patrol car, and had his jogging cap pulled over his face while the UNLV Police “. . . jerked my arms roughly

in many directions.” Mr. Hudson said he was never read his rights, or was told why he had been stopped. He was arrested by the UNLV Police Officer telling him “. . . we’ve got a cage for you, you’re going to meet Buster.” He was charged with battery of a police officer, resisting arrest, and for being a pedestrian on a highway. Mr. Hudson said an officer who recently returned to duty from knee surgery initiated the charge of battery against a police officer by claiming Mr. Hudson kicked him. The report stated that this officer went to the hospital, which Mr. Hudson said never happened. Mr. Hudson said he wanted UNLV to remove this charge from his record because it was interfering with his career options.

Chairman Williams told the Committee and members of the public that he had reviewed these matters with the UNLV Chief of Police and that all proposals from the community and students are being considered.

### ***Sir Frank Cooper***

Sir Frank Cooper, President and founder, All American Humor Award Society (AAHAS), North Las Vegas, recalled two incidences involving the UNLV Police Department. Mr. Cooper stated he promotes concerts, which feature comedy acts. On November 1 or 2, (year unspecified), he promoted a concert in the Artemus W. Ham Concert Hall on the UNLV campus with the goal of uniting races through laughter. He reported that when he arrived, he parked his car beside two UNLV patrol cars, and a "paddy wagon" in front of the Artemus W. Ham Concert Hall, where mostly ethnic guests were being "harassed, searched, and bodily frisked" by UNLV Police Officers. Guests attending the concert were dressed in formal attire and considered "up scale." Mr. Cooper said he was shocked and disappointed because UNLV police officers frisked the guest of honor, Mr. Dick Gregory. This was in contrast to a simultaneously occurring mostly Caucasian costume party at the Judy Bailey Theater located 15 feet away and there was no police presence. Mr. Cooper said he met with UNLV Administrators to discuss new UNLV Police Department policies and to implement diversity-training events in order to ease tensions on campus. Several days later, Mr. Cooper said that he found out that UNLV did not keep its word, and nothing had been addressed. Mr. Cooper said he was interviewed on a local radio station to bring attention to this issue. After a second meeting with UNLV Administrators, three weeks passed with no action being taken. A third meeting was arranged between Dr. Sullivan and Mr. Cooper to discuss diversity policies. Dr. Sullivan cancelled due to illness but Mr. Cooper held the meeting with 15 to 20 students on the UNLV campus. Dr. Sullivan burst into the meeting using profanities and accusing Mr. Cooper of starting racial problems. When the meeting disbanded, Dr. Sullivan continued to make physical threats of violence against Mr. and Mrs. Cooper. Subsequent complaints about these incidents were never addressed.

Senator Mathews pointed out that the problems of filing reports were system wide, but the testimony before the Committee seemed specific to UNLV. Mr. Anderes explained that in his opinion the law exempted community colleges from having to file reports, because of their lack of formal police departments. He said a contracted security service is not held to the same mandate as university police departments. Community colleges are only required to complete an annual

report to the Federal Government. Mr. Anderes said that Western, Great Basin, and CCSN do not have formal police departments.

Chairman Williams pointed out that representatives from the community colleges testified in 1993 that they would comply, but have not turned in any reports. He said the Legislature and the individual campuses have an obligation to address this issue because the overall education process is being affected.

Senator Mathews suggested that the Committee make recommendations and give direction to UNLV that a resolution must be found. She said that isolated incidences are pointing to a specific department within a specific university, and she asked if the Committee had the authority to make a request to the UNLV Chancellor's Office. Chairman Williams responded that the Committee could ask that all the reports be resubmitted with appropriate documentation attached and that UNLV should go on record as being in concert with students in addressing these issues.

### ***Elayna Shell***

Elayna Shell, student, UNLV, and a member of the Coalition of Students against Campus Police Misconduct, Las Vegas, objected to the policies of the UNLV Police Department and said there is a lack of accountability from the top of management down to the police officers. She reported that a protest held on Wednesday, October 20, 1999, intended to bring the police issue to the attention of the UNLV Administration and to the community at large. She concluded by referencing a letter that was presented at the protest with a list of demands including the formation of an independent oversight body.

### ***Brian Alvarez***

Brian Alvarez, student, UNLV, and a member of the Coalition of Students against Campus Police Misconduct, Las Vegas, said there is a spirit of cooperation between the UNLV students and Administration on reaching a solution. He said that Dr. Harter's responses have been positive and show her depth of concern. Mr. Alvarez stated for the record that Dr. Harter has ". . . taken the reins on this issue, and is willing to work." Mr. Alvarez concluded that dedication to leadership could bring this issue to a close within several months.

***Catherine Clein***

Catherine Clein, student, UNLV, and a member of the Coalition of Students against Campus Police Misconduct, Las Vegas, assured the Committee that UNLV students would continue to pursue this issue until campus police misconduct was no longer a problem.

***Gary Peck***

Gary Peck, Executive Director, American Civil Liberties Union (ACLU), Las Vegas, stated he was also a member of the Western Community Policing Standards Board created by the United

States Justice Department. He pointed out that the problem appeared to be more serious and extensive at UNLV, but other universities experience problems also. He said there needs to be a system of recordkeeping and monitoring to permit an accurate examination of the relationships between officers and members of the community. Mr. Peck said the complaints against UNLV are serious enough to warrant investigation, and there have been accusations made pointing to idleness on behalf of the UNLV Administration. He noted there are many pressures on UNLV Administrators and while it may appear that they are doing nothing, they are operating in a litigious atmosphere that renders them incapable of addressing the issues in an effective manner. He said UNLV's integrity should not be questioned. Mr. Peck said the students have created a list of policies that they would like the UCCS to implement. In his opinion the list contained reasonable demands including the creation of independent oversight. Racial profiling and police abuse are a national problem, Mr. Peck pointed out, and there has been much progress made in Nevada in addressing these issues with the creation of Citizen Police Review Boards. He said universities and community colleges should be models for the rest of society. Mr. Peck concluded that he was troubled at the way this issue has been handled up to this point, and urged the Committee, community colleges, and universities to ". . . step to the plate and do the right thing."

***Dr. James Tate***

Dr. James Tate, Executive Director, The National Alliance Against Racist and Political Repression, Las Vegas, addressed the following issues: (1) campus police officers have to be different from regular police officers; (2) racial profiling must be recognized and stopped. He said racial profiling refers to a police officer's mentality on the job and departments enable racism by not having any documentation. He said the race of each individual involved with each police encounter needs to be documented; and (3) how will the resolution be sought? Dr. Tate suggested the creation of an independent body to oversee police officer activities as the only solution. He concluded by pointing out the need for a method of redress for individuals who have been wronged by the various campus police departments.

***Rick Bennett***

Rick Bennett, Director of Government Relations, UNLV, Las Vegas, explained that Dr. Harter had to leave and he would be speaking in her place. He introduced Steve Sisilak, Member, Board of Regents, UNLV, Las Vegas.

Chairman Williams requested that Dr. Harter, the Chancellor's Office, and the students work together to resolve these concerns and provide a progress report and recommendations for any necessary statutory changes to the Committee prior to the June 2000 meeting. He also requested revisions of the 1995, 1997, and 1999 reports to include the proper information to be submitted to the Committee as soon as possible. Mr. Bennett said he would pass this information on to Dr. Harter, and thanked the Committee for holding the meeting and allowing public testimony.

Mr. Bennett said he has met with Dr. Harter, Dr. Moore, and several students regarding these issues, and reported that all parties were working diligently to resolve the current situation and to

address the concerns of the students. He said an advisory group was established to make sure

recommendations are implemented. Mr. Bennett said he is a member of the advisory group, and guaranteed the Committee that resolution would be reached. He said Dr. Harter has also indicated her willingness and interest to meet with the students on this issue.

Mr. Bennett continued by saying issues related to state statute would be examined with regard to the student recommendations, specifically, the formation of an independent review board may raise questions related to state statute. He explained that the current state statute says that city and county police departments may institute an independent review board, but state governments are not indicated in statute as having that ability. University police officers are classified state employees, which may raise legal concerns. Mr. Bennett said the results of this research will be reported back to the Committee and he wanted to reiterate that there was no excuse for the reports not being turned in saying it would not happen again.

Mr. Cohen said he would report the results of recommendations from meetings between Dr. Harter, the Chancellor's office, and the students, by June 2000 to the Committee. He said he was optimistic about the process and the opportunity to resolve the issue internally.

Assemblywoman Cegavske commended the students for joining together in a proactive group while maintaining a level of professionalism. She said, that as a Las Vegas resident, she was very proud of this effort. She also thanked the UNLV staff.

### ***Glynda White***

Glynda White, faculty member, CCSN, Las Vegas, said her concerns at the community college level are related to this issue. She said Cheyenne Campus has had the presence of the North Las Vegas Police Department on site for the past six months. She raised the question of accountability of these individuals, and also why other community campuses do not have any police presence on them. Ms. White said complaints have been received against the security forces at the community colleges and suggested proper training or retraining as a solution. She wanted her objection to the exclusionary presence of the North Las Valley Police Department on the Cheyenne campus noted.

### ***Dr. Richard Moore***

Dr. Richard Moore, President, Community College of Southern Nevada, said that police departments do not exist in the community college system. He explained that community colleges contract various security and police departments. He said the crime rates for the community college campus system are posted in local newspapers and forwarded to the Chancellor's Office. Dr. Moore stated that community colleges have been in compliance "above and beyond" the request for accurate reporting. He addressed Ms. White's concerns for the Cheyenne Campus by saying that each community college campus has a "reporting site," and Cheyenne was no exception. He pointed out that the Henderson campus has a citizen complaint point, the Charleston campus has a metropolitan police reporting office, and the Cheyenne campus has a

reporting officer for the North Las Vegas Police. Dr. Moore stated this is a helpful service that allows students to make a police report without leaving campus. He explained that security services do not have an arresting authority and events calling for an arrest are referred to the appropriate municipality.

Ms. White asked Dr. Moore who are the police on community campuses are accountable to? Dr. Moore answered that an annual report is submitted and compliance exists at the community college level. Chairman Williams said that reporting requirements must still be adhered to; regardless of which security entity is on campus, and community colleges need to formalize their annual reports into a report due to the Legislature, according to A.B. 191. Dr. Moore said community colleges do not fall under that requirement, and they are in currently in compliance.

## **APPOINTMENT OF ADVISORY SUBCOMMITTEE TO PERFORM COMPREHENSIVE REVIEW OF TITLE 34 OF NRS, NEVADA'S EDUCATION CODE**

Chairman Williams referred to a handout titled "Process for Selecting an Advisory Committee to Review Title 34 of

the Nevada Revised Statutes,” (Exhibit H). He indicated that at a future date, the Committee might explore how to move forward on or suggest alternatives to Assembly Concurrent Resolution No. 25 (File No. 113, *Statutes of Nevada* 1999). He advised Committee members to review the handout.

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### **REPORT OF WORK PLAN FOR 1999-2000 OF THE COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS**

#### ***Debbie Smith***

Debbie Smith, Chairperson, Council to Establish Academic Standards for Public Schools, Sparks, Nevada, introduced Keith Rheault and Scott Craigie. She referred to a document titled “Criteria for Nevada Assessments,” (Exhibit I), and made the following points:

- The Academic Standards Council (ASC) members were all reappointed. Additional appointees included two new teacher members, and one new parent member. She said new members were orientated on September 14, 1999.
- The ASC met again on October 19, 1999, for a full day session in Carson City. Thirteen school districts reported to the ASC during the October 1999, regarding their efforts to implement the phase one standards and future plans for staff development based on current program evaluations.
- In late October 1999, the ASC will participate in a telephone conference to review the proposed work plan for the coming year.
- The ASC is preparing for public input sessions during November 1999. Ms. Smith reported enthusiasm toward the implementation of standards, to inform staff, and to provide teacher training and preparation. There was a lot of discussion regarding the special education component, and the “. . .English language learner’s needs.”
- The January 2000 deadline may not be met because the ASC suffered three months of delay during the reorganization process and budget concerns.

Assemblywoman Cegavske asked Ms. Smith if the State of Nevada is encouraging teaching careers. Ms. Smith said it is not within the responsibilities of the ASC.

#### ***Scott Craigie***

Scott Craigie, registered lobbyist, CCSN, Las Vegas, said the community college has instituted a teacher recruitment program in Clark County. Additionally, the community college system has counselors in schools to encourage individuals to enroll in the teaching program. Finally, there is a discussion among the Board of Regents regarding the possibility of allowing the CCSN to have a four-year degree in teaching. He concluded by pointing out there are recruitment activities at the college level. Assemblywoman Cegavske said she was more concerned with recruitment at the high school level.

With no objection Chairman Williams moved the discussion to Agenda Item VII.

### **PROGRESS REPORT CONCERNING STATE DEPARTMENT OF EDUCATION REQUEST TO DEVELOP OR PURCHASE STANDARDS-BASED ACHIEVEMENT EXAMINATIONS FOR GRADES 3 AND 5 (SENATE BILL 466 [CHAPTER 621, STATUTES OF NEVADA 1999] AND SENATE BILL 104 [CHAPTER 583, STATUTES OF NEVADA 1999])**

Senator Raggio asked for the ASC recommendation regarding the development of the standard base achievement examinations for grades 3 and 5.

Debbie Smith, Chairperson, Council to Establish Academic Standards for Public Schools, Sparks, responded that the criterion was established by ASC, and she was hesitant to make a recommendation regarding which area would be omitted. She said that students need a variety of ways to read and respond to the test questions rather than the standard multiple choice. She referred the question to Mr. Craigie.

Scott Craigie reported that the ASC recommended an appropriately defined set of performance standards with a reasonable amount of performance activities that would allow for a fair assessment of those performance abilities. He said efficiency requires that the majority of the test be multiple choice. Mr. Craigie explained the difference between test formats, open ended versus multiple choice open. He said open-ended test questions allow students to exercise judgment. He explained that a multiple choice test answer will be either “C” or “not C” whereas an open-ended question would provide better insight into how a student arrived at an answer by providing a space for the calculations or written essay on the exam. He concluded that a balance between the two formats would be the best solution.

### ***Dr. Keith Rheault***

Keith Rheault, Ed.D., Deputy Superintendent of Instruction, State Department of Education, Carson City, Nevada, reported to the Committee that one bid was made regarding the contracts for the high school proficiency and the grades 3 and 5 Criterion Reference Test (CRT). He said there were ongoing negotiations on the high school proficiency exams. He said the bid turned in for the CRT was unacceptable because it was an “. . .off the shelf test” with a few additional questions added to match the requirement. He said they were looking for a pool of questions, which specifically matched the standards of the grade 3 and 5. Dr. Rheault explained several options to cut costs: (1) the number of open-ended test questions allowed for flexibility in test design; (2) high stakes tests, such as the High School Proficiency Exam, require at least two readers for scoring accuracy, but one reader would save money; (3) the first test for grade 3 and grade 5 is a field test to be used only for data collection and the number of test versions can be reduced by half; and (4) the intent of the law can be met by altering the number of tests and the grade at which they are offered; a reading test for grade 3, and reading and math tests for grade 5. Dr. Rheault said the goal is to offer high quality tests that meet the intent of the law within budget constraints. Senator Raggio said he appreciated the negotiations with the bidders and asked for the Committee’s final decision deadline. Dr. Rheault answered that the State Department of Education would make the final decision. Senator Raggio said that every effort to accommodate the directive of the ASC should be made, and he appreciated the suggestions made by Dr. Rheault.

Chairman Williams asked when the final decision would be made available to the Committee. Mary Peterson, Superintendent of Public Instruction, State Department of Education, Carson City, asked for clarification on what the Committee was recommending in terms of how many and what types tests could be offered for grades 3 and 5. Senator Raggio said he wanted both reading and math tests for grades 3 and 5, with a combination of open-ended and multiple choice test formats if funding allowed it. Ms. Peterson agreed with these recommendations and said the ASC would continue negotiations from that position.

Chairman Williams reiterated the Committee’s request for a future progress report about this topic from the State Department of Education.

## **PROGRESS REPORT—COMMISSION ON EDUCATIONAL TECHNOLOGY**

### ***Moises Denis***

Moises Denis, Chairman, Commission on Educational Technology (CET), Las Vegas, reported the CET has seven new members and will meet on November 3, 1999, for orientation. He said there were no new reports since the last meeting of June 1999. Mr. Denis concluded by saying installation of the technological equipment in classrooms and training has begun.

## **PUBLIC COMMENT**

Assemblywoman Cegavske said she requested information regarding testing time from Pepper Sturm, Chief Principal Research Analyst, LCB, Carson City. Mr. Sturm said a report was completed by the Legislative Bureau of Education and Accountability and Program Evaluation on the amount of time each district spent conducting assessments and a total of how many tests are administered in grades K-12, on local, state, and federal levels. Assemblywoman Cegavske said she also wanted each district to submit a report on the number of days it takes to complete testing for the sections, and an update on the new 1999 items.

### **ADJOURNMENT**

The third meeting of the Legislative Committee on Education is scheduled for November 18, 1999, in Las Vegas. A future meeting in Fallon, Nevada, is being considered. There being no further business to conduct, Chairman Williams adjourned the meeting at 1:55 p.m. Exhibit J is the "Attendance Record" for this meeting.

Respectfully submitted,

Sally A. Kennedy  
Senior Research Secretary

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H. Pepper Sturm  
Chief Principal Research Analyst

APPROVED BY:

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Assemblyman Wendell P. Williams, Chairman

Date: \_\_\_\_\_

### **LIST OF EXHIBITS**

**Exhibit A** is a sleeve folder with three undated enclosures submitted by Bill Hanlon, Director, Southern Nevada Regional Professional Development Program (S-RPDP), and Coordinator, Math/Science Institute Alternative Education Division, Clark County School District, Las Vegas, containing:

1. A 3-page document titled "Backward Assessment Model," from the Regional Professional Development Program of Southern Nevada.
2. A 25-page dual sided document titled "Backward Assessment Model, Unit: Algebraic Rules," from the Regional Professional Development Program of Southern Nevada.
3. A 5-page test specification sheet for fractions, a test blueprint, and an example of a math test .

**Exhibit B** is a 3-hole bound folder with an undated 51-page document titled "Improving Student Achievement in High School Mathematics," submitted by Bill Hanlon, Director, Southern Nevada Regional Professional Development Program (S-RPDP), and Coordinator, Math/Science Institute Alternative Education Division, Clark County School District, Las Vegas, Nevada.

**Exhibit C** is a packet of two pieces of information submitted by Roy J. Casey, Assistant Superintendent for Education Services, Douglas County School District, Minden, Nevada, containing:

1. A dual sided 4-page undated color flyer titled "Regional PDP."

2. A 5-page undated document titled "Update."

**Exhibit D** is a 2-page document dated October 25, 1999, titled "Regional Professional Development Program, Northwest Region Update, Washoe, Pershing, and Storey Counties," submitted by Lynn Sawyer, Personnel Services Coordinator, Washoe County School District, Reno, Nevada.

**Exhibit E** is a 1-page memorandum dated October 7, 1999, to Marcia R. Bandera, from William McLeod, regarding the revised budget with a 2-page attachment titled on Elko County School District letterhead titled "S.B. 555 Budget Adjustment Proposal – Year 1 (FY-00), dated October 1, 1999, submitted by Marcia R. Bandera, Superintendent, Elko County School District, Elko, Nevada

**Exhibit F** is an undated 7-page document titled "Progress Report, Regional Training Program For Teachers, Senate Bill 55, Section 16, (Chapter 559, *Statutes of Nevada 1999*), submitted by Melinda Braun, Education Program Analyst, Legislative Counsel Bureau, Carson City, Nevada.

**Exhibit G** is an undated 127-page dual sided bound document titled "Reports Required Under Nevada Revised Statutes 396.329 Concerning University Police Department Actions," submitted by the Legislative Counsel Bureau to the members of the Legislative Committee on Education (NRS 218.5352).

**Exhibit H** is an undated 2-page document titled "Process for Selecting an Advisory Committee to Review Title 34 of the *Nevada Revised Statutes*," submitted by Chairman Williams to members of the Legislative Committee on Education (NRS 218.5352).

**Exhibit I** is a 3-page document dated October 8, 1998, titled "Criteria for Nevada Assessments," submitted by Debbie Smith, Chairperson, Council to Establish Academic Standards for Public Schools, Sparks, Nevada,

**Exhibit J** is the "Attendance Record" for this meeting.

Copies of the materials distributed in the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at (775) 684-6827.