

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMISSION'S COMMITTEE TO STUDY THE GOVERNANCE AND OVERSIGHT OF THE SYSTEM OF K-12 PUBLIC EDUCATION

Assembly Concurrent Resolution No. 2
(File No. 89, *Statutes of Nevada 2009*)

The following is a summary of the recommendations adopted by the Legislative Commission's Committee to Study the Governance and Oversight of the System of K-12 Public Education (Committee) at the May 13, 2010, meeting.

PROPOSALS RELATING TO THE STATE BOARD OF EDUCATION

1. Amend the statutes to change the name of the State Board of Education to the "Nevada Commission on K-12 Public Education." Further, amend the statutes to change the name of the members of the State Board to "Commissioners of Public Education."
2. Amend the statutes to revise the composition of the State Board of Education, as follows:

Elected Voting Members: One per each congressional district shall be elected at the 2012 General Election and take office on January 1, 2013. The new congressional districts shall be developed in redistricting lines set by the Legislature. Beginning on January 1, 2013, provide for staggered four-year terms. (NOTE: Currently there are three congressional districts in the State of Nevada. Based upon the census data, it is anticipated that the districts will increase to four congressional districts.)

Appointed Voting Members: Three voting members, appointed for two-year terms; members may be reappointed. One appointed by the Governor, and one each appointed by the Senate Majority Leader and the Speaker of the Assembly. Each member appointed by the Governor and legislative leadership must be a resident of Nevada and of the three appointments: (a) one member must be a K-12 teacher from a Nevada public school, including, without limitation, a charter school; (b) one member must be the parent or legal guardian of a pupil currently enrolled in a public school, including, without limitation, a charter school; and (c) one member must be a business person.

Appointed Nonvoting Members: Four nonvoting members, appointed for one-year terms; members may be reappointed. Appointments shall be made as follows: (a) one student appointed by the Nevada Association of Student Councils. The student shall be selected from names submitted by the Association, the Nevada Youth Legislature, and other statewide youth organizations; (b) one member of a local board of trustees appointed by the Nevada Association of School Boards; (c) one local school district superintendent appointed by the Nevada Association of School Superintendents;

and (d) one person from the Nevada System of Higher Education (NSHE) appointed by the Board of Regents.

3. Amend the statutes to transfer the duty of the Commission on Educational Excellence to establish a statewide program of educational excellence to the State Board of Education on July 1, 2011.
4. Require by statute the State Board of Education to review the current vision and mission statements for the State Board of Education and revise, as needed, to establish a statewide program of educational excellence and reflect the need for Nevada's students to have the ability to succeed in a global economy. The revised vision and mission statements shall be submitted to the Governor, the Director of the Legislative Counsel Bureau (LCB) for distribution to the Legislature, the Legislative Committee on Education (LCE), and the Legislative Bureau of Educational Accountability and Program Evaluation on or before July 1, 2013. The revised vision and mission statements shall be placed on the website of Nevada's Department of Education (DOE).
5. Amend the statutes to clarify that the State Board of Education, in developing its State Improvement Plan, will establish clearly defined goals and benchmarks for improving the academic achievement of students in the State of Nevada. The goals and benchmarks shall include, but shall not be limited to those listed in Senate Bill 330, Section 9(2), which was introduced but not enacted during the 2009 Legislative Session. Goals and benchmarks relating to graduation shall include college or career readiness. Finally, clarify that all goals and benchmarks included in any plan developed by the DOE shall be included in the State Improvement Plan, making the plan a comprehensive plan.
6. Amend the statutes to require the State Board of Education to meet at least 9 times per year beginning January 1, 2013, not to exceed 12 meetings. One of the required meetings must include a meeting of: (a) school district superintendents, including, without limitation, principals of charter schools; (b) presidents of the local boards of trustees, including, without limitation, representatives of the governing bodies of charter schools; and (c) chairs of all boards, commissions, and councils in the education governance system. The purpose of the meeting shall be to discuss the State's goals and benchmarks for improving the academic achievement of students in Nevada and the status of the achievement of the local schools, including charter schools, in reaching the goals and benchmarks. In addition, a description of any plans for corrective action requested by the Superintendent of Public Instruction, including the status of any such plans, shall be discussed.

PROPOSALS RELATING TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION

7. Amend the statutes to require the Superintendent of Public Instruction to be the educational leader for K-12 public education for the State. Further, provide that the qualifications of the Superintendent of Public Instruction include the capability to carry out the duties required by law.
8. Amend the statutes to provide that the Superintendent of Public Instruction has the power to enforce the observance of all laws relating to schools and education. Further, amend the statutes to require the Superintendent of Public Instruction to request a plan for corrective action for school districts, the board of trustees of a school district, charter schools, or the governing body of a charter school that have not observed all laws relating to schools and education.
9. Amend the statutes to require the Superintendent of Public Instruction, in consultation with the State Board of Education, to compile and present in person an annual written report concerning the state of public education in Nevada. The report shall be made public and be presented, at a minimum, to the Governor, the LCE each interim, and to the Senate and Assembly standing committees on education during each legislative session.

The report shall include, in addition to the requirements set forth in *Nevada Revised Statutes* (NRS) 385.230, the following information: (a) a description of the vision and mission of the State Board of Education and the DOE; (b) a description of the goals and benchmarks for improving the academic achievement of students in Nevada as included in the State Improvement Plan; (c) an analysis of the progress made in the previous year toward reaching the goals and benchmarks for improving the academic achievement of students in Nevada; (d) an analysis of the extent to which internationally benchmarked standards and assessments have been adopted and implemented in Nevada to prepare students for success in college or careers; (e) an analysis of the extent to which school districts have recruited and retained effective teachers and principals; (f) an analysis of the extent to which the data systems that link student achievement to teacher and principal performance have been developed and implemented; (g) an analysis of the extent to which the lowest performing schools in the State have been turned around; (h) a summary of innovative education programs implemented in the State that appear to be effective in increasing the academic achievement of certain populations of students; and (i) a listing and description of any plans for corrective actions requested by the Superintendent of Public Instruction, including the status of any such plans. The effective date for inclusion of the revised report components shall be July 1, 2011, except for the analysis of the extent to which school districts have recruited and retained effective teachers and principals; this component shall become effective on July 1, 2012.

PROPOSALS RELATING TO THE DEPARTMENT OF EDUCATION

10. Send a letter from the Committee to the State Board of Education and the Superintendent of Public Instruction asking that the current vision and mission statements for the DOE be reviewed and revised, as needed, to support a statewide program of educational excellence and reflect the need for Nevada's students to have the ability to succeed in a global economy. In making the revisions, the State Board of Education and the Superintendent shall clearly describe the extent to which the DOE will enforce, monitor, and assist all school districts, including charter schools, in pursuing its mission. The revised statements shall be submitted to the Governor, the Director of the LCB for distribution to the Legislature, the LCE, and the Legislative Bureau of Educational Accountability and Program Evaluation on or before January 1, 2011. The revised vision and mission statements shall be placed on the website of the DOE.
11. Send a letter from the Committee to the Governor, the Director of the LCB for distribution to the Legislature, the State Board of Education, the LCE, and the Superintendent of Public Instruction stressing the Committee's concern with the ability of the DOE to enforce, monitor, and assist all school districts to the extent needed. Concerns not only involve the number of staff, but also the geographic placement of staff to adequately address needs. The Committee requests the State Board of Education and the Superintendent of Public Instruction to study the structure of the DOE, as compared to other departments of education in the country, and make recommendations to modify the structure of the DOE to the 2011 Legislature.

PROPOSALS RELATING TO THE COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS

12. Amend the statutes to transfer the duties of the Council to Establish Academic Standards for Public Schools to the DOE; effective on July 1, 2011.
13. Amend the statutes to direct the DOE to develop a process for qualified parties who are knowledgeable in academic standards, both in Nevada and at a national level, to revise the State academic standards. The parties convened to revise the State academic standards shall serve without compensation, unless legislative appropriations to support compensation have been approved or funding is otherwise available for this purpose. The following parties, without limitation, may be included in the revision process: (a) Superintendent of Public Instruction; (b) K-12 teachers including, without limitation, charter school teachers; (c) members of local boards of trustees and governing bodies of charter schools; (d) representatives from the Regional Training Programs for the Regional Professional Development Programs (RPDPs); (e) business and industry professionals actively engaged in career fields dependent on the academic standards content areas; (f) parents or legal guardians of pupils who attend public schools and are not otherwise affiliated with the public school system of this State; (g) NSHE faculty from the colleges of education in the State; (h) professional educational organizations

knowledgeable in the subject area; and (i) other parties as deemed appropriate by the Superintendent of Public Instruction.

Further, amend the statutes to require the DOE to forward the recommended revisions of the academic standards to the State Board of Education for review and adoption.

PROPOSALS RELATING TO THE COMMISSION ON EDUCATIONAL TECHNOLOGY

14. Amend the statutes to transfer the duties of the Commission on Educational Technology to the DOE; effective on July 1, 2011.
15. Amend the statutes to require the DOE to submit the plan for the use of educational technology in public schools to the State Board of Education for review and approval.
16. Amend the statutes to authorize the DOE to convene an advisory group of members who possess knowledge and experience in the application of educational technology and have an understanding of how technology may be used in the classroom to enhance and improve student academic achievement. The primary duties of the advisory group would be to: (a) review and revise the plan for the use of educational technology in public schools, including, without limitation, charter schools; and (b) review the applications for funds from the Trust Fund for Educational Technology and make recommendations for the allocation of funds to school districts and charter schools. The members of the advisory group shall serve without compensation, unless legislative appropriations to support compensation have been approved or funding is otherwise available for this purpose.

The following parties, without limitation, may be represented by membership on the advisory group: (a) school district administrators; (b) public school principals, including those in charter schools; (c) K-12 teachers, including, without limitation, charter school teachers; (d) members of local boards of trustees and governing bodies of charter schools; (e) public libraries; (f) the NSHE; (g) business and industry professionals; (h) private sector representatives; (i) parents or legal guardians of pupils who attend public schools, including, without limitation, charter schools, and are not otherwise affiliated with the public school system of this State; and (j) other parties as deemed appropriate by the Superintendent of Public Instruction.

17. Amend the statutes to require the State Board of Education to review the recommendations of the DOE, and the advisory group (if convened), concerning the allocation of funds from the Trust Fund for Educational Technology and approve the allocations, as appropriate. The allocation of funds from the Trust Fund for Educational Technology shall be based upon the priorities included in the plan for the use of educational technology in public schools and upon the needs of each school district, including, without limitation, each charter school; not on a per-pupil basis or formula

approach. The DOE would be responsible for the actual disbursements based upon the allocations approved by the State Board.

18. Amend the statutes to require an annual report that describes the allocation of money to school districts and an analysis of the progress of school districts including, without limitation, charter schools in carrying out the plan for the use of educational technology in public schools. The report shall be posted on the DOE's website and be distributed to all levels of government, including the State Board of Education; Superintendent of Public Instruction; Governor; Committee; Legislative Bureau of Educational Accountability and Program Evaluation; Interim Finance Committee (IFC); and Board of Trustees of each school district.
19. Include a statement in the final report encouraging all entities involved in the development of the plan for the use of educational technology in public schools and the allocation of funds from the Trust Fund for Educational Technology to stay current on the progress of educational technology from a national perspective.

PROPOSALS RELATING TO THE COMMISSION ON EDUCATIONAL EXCELLENCE

20. Amend the statutes to transfer the duties of the Commission on Educational Excellence, except those relating to establishing a program of educational excellence, to the DOE; effective on July 1, 2011. Duties relating to establishing a program of educational excellence are proposed to be transferred to the State Board of Education (see Proposal No. 3).
21. Amend the statutes to authorize the DOE to convene an advisory group of members who possess knowledge and experience in school improvement efforts. The members of the advisory group shall serve without compensation, unless legislative appropriations to support compensation have been approved or funding is otherwise available for this purpose. The primary duty of the advisory group would be to assist in the review of the applications for funds from the Account for Programs for Innovation and the Prevention of Remediation (Account) and make recommendations for the allocation of funds to public schools, including, without limitation, charter schools.

The following parties, without limitation, may be represented by membership on the advisory group: (a) school district administrators; (b) public school principals, including those in charter schools; (c) K-12 teachers including, without limitation, charter school teachers; (d) members of local boards of trustees and governing bodies of charter schools; (e) the NSHE; (f) parents or legal guardians of pupils who attend public schools including, without limitation, charter schools and are not otherwise affiliated with the public school system of this State; and (g) other parties as deemed appropriate by the Superintendent of Public Instruction.

22. Amend the statutes to require the State Board of Education to review the recommendations of the DOE, and the advisory group (if convened), concerning the allocation of funds from the Account and approve the allocations, as appropriate. The allocation of funds from the Account shall be based upon the needs of each public school, including, without limitation, each charter school; not on a per-pupil basis or formula approach. This would be in addition to the priorities for the allocation of funds from the Account already specified in NRS 385.3785 concerning adequate yearly progress and federal Title I eligibility. The DOE would be responsible for the actual disbursements based upon the allocations approved by the State Board.
23. Amend the statutes to require the annual report that describes the allocation of money to public schools, including, without limitation, charter schools, and consortiums of public schools to be posted on the DOE's website and submitted to the State Board of Education; Superintendent of Public Instruction; Governor; LCE; Legislative Bureau of Educational Accountability and Program Evaluation; IFC; board of trustees of each school district; and the governing body of each charter school.
24. Include a statement in the final report encouraging all entities involved in the allocation of funds from the Account to stay current on the progress of school improvement from a national perspective.

**PROPOSALS RELATING TO THE REGIONAL TRAINING PROGRAMS
FOR THE PROFESSIONAL DEVELOPMENT OF
TEACHERS AND ADMINISTRATORS**

25. Amend the statutes to transfer the duties of the Statewide Council for the Coordination of the Regional Training Programs to the Superintendent of Public Instruction; effective on July 1, 2011.

Further, amend the statutes to require the Superintendent of Public Instruction, in carrying out the duties of the Council, to coordinate at least four meetings involving the following entities: (a) each coordinator hired by the governing body of each RPDP; (b) one member of the governing body of each RPDP; (c) one representative of the Nevada State Education Association, appointed by the president of that Association; (d) one representative from the Colleges of Education of the NSHE; and (e) other representatives, as determined by the Superintendent of Public Instruction.
26. Amend the statutes to require the Superintendent of Public Instruction to forward the uniform standards for statewide professional development; uniform procedures for the evaluation of the training programs; and a report of the long-range planning for statewide professional development to the State Board of Education for review and approval, as appropriate.

27. Amend the statutes to require the State Board of Education to include a representative from each of the three RPDPs in preparing the State Improvement Plan.
28. Amend the statutes to require the governing body of each RPDP to submit its proposed budget to the Superintendent of Public Instruction. Further, amend the statutes to require the Superintendent of Public Instruction to submit the proposed budgets to the State Board of Education for review and possible inclusion in the budget of the DOE.

The State Board may reject any portion of the submitted proposed budgets, but must submit a written report to the applicable RPDP governing body detailing reasons for the rejection. If the State Board submits a rejection report to the governing body of an RPDP, the governing body may revise and resubmit the proposed budget to the State Board. A copy of the rejection report shall be forwarded to the Governor, Director of the LCB for submission to the Legislature, the LCE, and the Legislative Bureau of Educational Accountability and Program Evaluation.

29. Amend the statutes to reflect that once the budgets for the RPDPs are approved through the legislative process, any revisions to the budgets shall follow the same process other State agencies adhere to pursuant to Chapter 353 of NRS.
30. Send a letter from the Committee to the governing bodies of the RPDPs requesting that the findings from the evaluations of the training provided by the RPDPs be summarized and forwarded, at a minimum, to the school and school district that sent the teachers and administrators for training.

PROPOSALS RELATING TO THE COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

31. Amend the statutes to revise the process for appointment of members to the Commission. Beginning January 1, 2012, the Governor shall appoint five members, as follows:
 - Four teachers: (a) one who teaches in a secondary school; (b) one who teaches in a middle school or junior high school; (c) one who teaches in an elementary school; and (d) one who teaches special education. One of the four teachers must be employed by a private school licensed pursuant to Chapter 394 of NRS; and
 - One member who is a parent or legal guardian of a pupil who attends a public school and is not otherwise affiliated with the public school system of this State.

Beginning January 1, 2012, the Majority Leader of the Senate and the Speaker of the Assembly shall each appoint two members, ensuring that the following positions are represented:

- One counselor or psychologist employed by a school district;

- Two administrators of schools, one of which is a principal of a school; and
- The Dean of the College of Education at one of the universities in the NSHE, or a representative of one of the Colleges of Education nominated by a dean for appointment.

The Superintendent of Public Instruction or a designee shall serve as an ex officio nonvoting member on the Commission.

32. Amend NRS 391.027 to remove cause for disapproval of any regulation adopted by the Commission.
33. Amend the statutes to require the Commission to provide a written report and present its activities to the State Board of Education and the LCE annually, on or before December 1. The written report and presentation shall include, at a minimum: (a) a status report on regulations currently being considered by the Commission, including a summary of the regulations adopted by the Commission; (b) a work plan designating the activities of the Commission during the next biennium; and (c) a description of the progress of any regulations required through legislation pertaining to professional licensing in public education from the previous two legislative sessions, including a detailed explanation if certain regulations were not adopted if required by the legislation.
34. Send a letter from the Committee to the Superintendent of Public Instruction, the State Board of Education, and the Commission stressing the importance of streamlining the decision-making process for professional standards in a timely manner consistent with legislative intent. During the decision-making process, it is imperative to seek input from teachers and administrators representing all subject areas and all regions of the State, including, without limitation, charter schools, as well as seek the advice of national experts on the current state of professional licensing in education. The areas of reciprocity with other states, the effect of rigorous standards for teachers and administrators on student academic achievement, and certification needs of teachers who teach diverse populations have all been cited as areas in need of research and review by the Commission.

PROPOSALS RELATING TO THE LEGISLATIVE COMMITTEE ON EDUCATION

35. Send a letter from the Committee to the Chair of the LCE (2011-2012 Interim) urging the solicitation of recommendations for issues to be reviewed by the LCE during the interim from the State Board of Education, the Nevada State Education Association, the Nevada Association of School Administrators, local boards of trustees, governing bodies of charter schools, a statewide organization for parents of pupils, and other organizations and entities related to education in this State. In addition, urge the Chair to consider any

legislation approved through a previous legislative session and other educational topics considered by that session for potential issues to be reviewed by the LCE.

**PROPOSALS RELATING TO THE LEGISLATIVE BUREAU OF
EDUCATIONAL ACCOUNTABILITY AND
PROGRAM EVALUATION**

36. Amend the statutes to require the Legislative Bureau of Educational Accountability and Program Evaluation to assist the LCE in monitoring the progress of changes and reformatations of the State Board of Education, DOE, RPDPs, Commission on Professional Standards in Education, and the system of public education in this State generally, including an analysis of the effectiveness of the changes and reformatations.
37. Amend the statutes to require the written report describing the duties and findings of the Legislative Bureau of Educational Accountability and Program Evaluation to be submitted to the Director of the LCB on or before October 1 instead of December 31 and to the LCE prior to its first meeting each interim.
38. Include a statement in the final report encouraging staff of the Legislative Bureau of Educational Accountability and Program Evaluation to meet with the Chair of the LCE prior to the first meeting of the LCE to discuss the duties and findings of the Bureau, which may be helpful to the LCE during the interim.
39. Amend NRS 385.359, which currently requires the Legislative Bureau of Educational Accountability and Program Evaluation to contract with a person or entity to review and analyze the reports of accountability and plans for improvement developed by school districts and the State Board of Education and instead authorize the Bureau, at the direction of the LCE, to convene a group of key stakeholders in education to conduct the review and analysis.
40. Send a letter from the Committee to the Legislative Bureau of Educational Accountability and Program Evaluation requesting a report on the progress of the DOE in accessing and utilizing federal funds. In providing the report, indicate the amount of federal funds that have been returned to the federal government by budget account. The report should be sent to the IFC and the LCE.