



NEVADA LEGISLATURE
LEGISLATIVE COMMITTEE ON EDUCATION
(Nevada Revised Statutes 218E.605)

SUMMARY MINUTES AND ACTION REPORT

The sixth meeting of the Nevada Legislature's Legislative Committee on Education (LCE) was held on April 7, 2010, at 10 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, 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 <http://www.leg.state.nv.us/interim/75th2009/committee/>. 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 LAS VEGAS:

Senator Joyce Woodhouse, Chair
Assemblywoman April Mastroluca, Vice Chair
Senator Shirley A. Breeden
Assemblywoman Marilyn Dondero Loop
Assemblyman Harvey J. Munford
Assemblyman Lynn D. Stewart

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Bernice Mathews
Senator William J. Raggio

OTHER LEGISLATOR PRESENT:

Senator Barbara K. Cegavske

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

H. Pepper Sturm, Chief Deputy Research Director, Research Division
Melinda Martini, Senior Research Analyst, Research Division
Kristin C. Roberts, Senior Principal Deputy Legislative Counsel, Legal Division
Joi Davis, Program Analyst, Fiscal Analysis Division
Maryann Elorreaga, Senior Research Secretary, Research Division

OPENING REMARKS

- Chair Woodhouse opened the meeting and welcomed the Committee members, staff, and members of the public.

APPROVAL OF MINUTES OF THE DECEMBER 11, 2009, AND DECEMBER 17, 2009 MEETINGS

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

ASSEMBLYWOMAN MASTROLUCA MOVED TO APPROVE THE MINUTES OF THE DECEMBER 11, 2009, AND DECEMBER 17, 2009 MEETINGS HELD IN LAS VEGAS, NEVADA. ASSEMBLYWOMAN DONDERO LOOP SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

STATUS REPORT OF CURRENT AND ANTICIPATED ACTIVITIES BY NEVADA'S DEPARTMENT OF EDUCATION CONCERNING THE STATE'S PROPOSED APPLICATION FOR THE FEDERAL RACE TO THE TOP FUND (SECTION 14006, TITLE XIV, AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009, PUBLIC LAW NO. 111-5)

- Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education (DOE), gave a brief update on DOE activities since the March 16, 2010, meeting of the LCE. He said the draft Common Core Standards were released and the DOE held a two-day workshop where 70 participants reviewed the draft standards and compared them to Nevada's current English language arts and mathematics standards. Many of the participants responded favorably to the Standards. The Nevada Council to Establish Academic Standards for Public Schools reviewed the draft Common Core Standards at its April 6, 2010, meeting and will consider adoption of those Standards at a May 4, 2010, meeting.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO ARTICULATING THE STATE'S EDUCATION REFORM PLANS AGENDA AND THE PARTICIPATION OF SCHOOL DISTRICTS IN THE REFORM

Status of Policies and Programs in Nevada Relevant to Eligibility Requirements

- Dr. Keith Rheault, previously identified, noted the first part of the "State Success Factors" portion of the selection criteria in the Race to the Top (RTTT) grant application is worth 65 points, and is primarily based on two things:
 1. The extent to which the State has set forth a reform plan that clearly articulates a State's goals for implementing reforms and improving student outcomes Statewide, establishes a clear and credible path to achieving those goals, and is consistent with

the specific reform plans that the State has proposed throughout its application. Nevada will build on its State Improvement Plan (SIP) to comply with this requirement.

2. The extent to which participating local education authorities (LEAs) are strongly committed to the State's plans and to effective implementation of reform as evidenced by Memoranda of Understanding (MOU) or other binding agreements between the State and its participating LEAs. Four of Nevada's LEAs have agreed to signing MOUs and five have submitted letters of intent.

Dr. Rheault said he has been meeting with the eight school districts that have not yet committed to participation.

Progress Report Concerning Agreements and Commitments by School Districts, District Employee Organizations and Others in Support of the Reform Plans

- Heath E. Morrison, Ph.D., Superintendent of Schools, Washoe County School District (WCSD) said the WCSD had voted to sign a MOU and fully supports Nevada's application for the RTTT grant. He noted the application is viewed as a natural extension of aggressive reform efforts to improve education and schools in the WCSD.
- Alison J. Turner, President, Nevada Parent Teacher Association (PTA), stated the Nevada PTA strongly supports the concept of the RTTT application and education reform across the State. She said she has been involved with reviewing the SIP, which indicates many children and families in Nevada are not being served for a variety of reasons. The strongest correlation in the data is socioeconomic status. She noted that education is an issue of poverty. The RTTT application process will help to evaluate how Nevada delivers public education to students who have challenges that can be affected through public education.

Progress Report of the Clark County School District's Planned Participation in the State Application for Race to the Top Funds and Support of the Reform Plans

- Walt Rulffes, Ph.D., Superintendent, Clark County School District (CCSD), said the CCSD's MOU will likely be approved by the Board of Trustees at its April 8, 2010, meeting, establishing the Board's formal support of the project. The CCSD has put forth substantial effort through 18 of its staff members who have been working with the DOE on the RTTT application. Dr. Rulffes noted there were a number of important items in the selection criteria that the CCSD has already implemented; for example, using data to improve instruction, improving teacher and principal effectiveness based on performance, and turning around the lowest-achieving schools.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO ENSURING SUCCESSFUL CONDITIONS FOR HIGH-PERFORMING CHARTER SCHOOLS AND OTHER INNOVATIVE SCHOOLS

(As directed by Chair Woodhouse, this agenda item was taken out of order.)

Status of Policies and Programs in Nevada Relevant to Eligibility Requirements

- Dr. Keith Rheault, previously identified, noted the second part of the General portion of the selection criteria in the RTTT grant application is worth 40 points, based on whether a State has successful conditions for high-performing charter schools and other innovative schools. Nevada will do well in this section because it:
 1. Does not have a cap on the number of charter schools allowed;
 2. Has laws, statutes and regulations in place regarding how charter schools are authorized, monitored, and held accountable;
 3. Has authority to close or not renew ineffective charters; and
 4. Charter schools receive equitable funding.

Nevada will not be eligible for all 40 points because it does not provide charter schools with funding for facilities.

Overview of Charter Schools in Nevada

- Michele Robinson, Ed.D., President, Board of Trustees, Charter School Association of Nevada (CSAN), said she serves on the Governor's Education Reform Blue Ribbon Task Force (Task Force), which has been charged with creating a conceptual plan regarding educational reform as identified in the RTTT application. The grant requires a State to focus on ensuring successful conditions for high-performing charter schools. Nevada law does not impose caps on the number of charters that may be granted and provides for a number of authorizers. Currently, the only entity authorizing charters is Nevada's State Board of Education and, due to limitations of staff and resources, it has become difficult for the DOE to oversee, which weakens Nevada's ability to create favorable conditions for high-performing charter schools. Both the Task Force and CSAN strongly support of the establishment of a charter school institute similar to what was proposed in bills submitted during the 2009 Legislative Session. It is believed that the establishment of a charter school institute will not only support the proliferation of high-performing charter schools, but provide for the accountability and quality oversight of existing schools. In conclusion, Dr. Robinson said the CSAN also recommends that it be included in all of the actual planning and writing of the grant. The process would benefit from the charter school's experiences and from that of some of the national companies which are engaged in charters in Nevada and other states.
- Kathleen A. Conaboy, K-12 Inc., submitted written testimony and supporting documentation regarding the K-12 Inc. curriculum and education management services

company ([Exhibit B](#)). She explained that the Council of Chief State School Officers has created a clearinghouse containing information on education companies and organizations willing to assist states with their RTTT applications. She said K-12 Inc. has submitted two models to the clearinghouse which help mitigate under-performance:

- 1.K 12 Classroom Solutions for Low-Performing Schools; and
- 2.K 12 Pathways: High School Completion Model.

Ms. Conaboy then discussed implementing appropriate statutes and regulations that show support for reform.

Overview of Empowerment Schools in Clark County

- Jeremy Hauser, Academic Manager, Superintendent's Schools, CCSD, gave a brief overview of the empowerment program in the CCSD, which began in 2006 when the Superintendent and Board of Trustees recognized the need for reform in the education system. The concept of empowerment is anchored in the belief that critical decisions affecting instruction should be made at the school level by those most closely involved with the students. The model established in the CCSD is based on the premise that decision making and the funds that go with those decisions should be allocated to the people directly involved with the achievement of targeted goals and outcomes.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO BUILDING STRONG STATEWIDE CAPACITY TO IMPLEMENT, SCALE UP, AND SUSTAIN PROPOSED REFORM PLANS

Status of Policies and Programs in Nevada Relevant to Eligibility Requirements

- Dr. Keith Rheault, previously identified, said there is a maximum of 30 points available in the second part of the "State Success Factors" portion of the RTTT application. Up to 20 points can be awarded based on the extent to which the State has a high quality overall plan to ensure that it has the capacity required to implement its proposed plans. Dr. Rheault pointed out that the Phase 1 winning states had built on the methods they already had in place to identify promising practices. Application reviewers stated they could not support plans based on future contingencies. He noted an additional 10 points are available based on the State's use of support from a broad-based group of stakeholders to better implement its plans. In conclusion, Dr. Rheault noted Nevada will be eligible for a majority of the points available in this category.

Existing Mechanisms for Identifying Promising Practices in Nevada Schools

- Gloria Dopf, Deputy Superintendent of Instructional, Research, and Evaluative Services, DOE, said although the Account for Programs for Innovation and the Prevention of Remediation has not been funded for the current biennium, with the structure created for identifying best practice under those grants, Nevada has a tool for continuing evaluation if funds are again made available through the RTTT grant. There

are successful programs that can be built on such as induction, mentoring, and coaching. Part of the DOE's ongoing work of building on best practices is its annual Mega Conference. Through an application process, schools that have made a difference in their growth and performance are identified and then featured in a Share Fair, a networking process, and in presenting workshops. Ms. Dopf said this year, ten schools will be making presentation on their interventions that positively impacted Adequate Yearly Progress and reduced achievement gaps in sub populations. Ms. Dopf noted another area to build on is the DOE's relationship with the Successful Practices Network of the International Center for Leadership in Education. Additionally, through a National Governor's Association grant, the DOE has been able to expand Advanced Placement Programs which, in turn, has resulted in increased performances in the ACT and SAT examinations. In conclusion, Ms. Dopf said Nevada presently has several methods in place to identify promising practices and, therefore will not be submitting a plan based on future contingencies.

Use of the InSite Financial Accountability Program to Assist in Evaluating Reform Efforts

- Rick Wells, Vice President, Finance and Consulting Services, EdMin.com, conducted a Microsoft PowerPoint presentation ([Exhibit C](#)) and explained how InSite performed financial analyses of per pupil expenditures in Nevada schools .
- Ray Bacon, Executive Director, Nevada Manufacturers Association, said there are opportunities in the RTTT grant application process for Nevada to build on its current data systems and produce more actionable information. Once the system is built, maintaining it will be relatively inexpensive.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO DEMONSTRATING SIGNIFICANT PROGRESS IN RAISING ACHIEVEMENT AND CLOSING GAPS

Status of Policies and Programs in Nevada Relevant to Eligibility Requirements

- Dr. Keith Rheault, previously identified, said the third section of the "State Success Factors" portion of the RTTT grant application is different from the others in that it asks for historical information regarding a State's demonstrated ability to improve student outcomes overall and by student subgroup since 2003. If the selection criteria remain the same, Nevada should be eligible for a majority of the possible points based on the improvement in student achievement over the last few years. He stated it is required that a State at least compare student achievement to the National Assessment of Educational Progress (NAEP). States may also use their own Criterion Referenced Tests (CRTs) for comparison. Dr. Rheault noted Nevada has shown progress through a number of its subgroups in both the CRT and NAEP scores.

Overview of State Data Concerning Achievement Information and Demonstrating Closure of the Achievement Gap Among Subgroups of Students

- Steven Canavero, Accountability Report Card, Office of Assessment, Program Accountability and Curriculum (APAC), DOE, conducted a Microsoft PowerPoint presentation ([Exhibit D](#)) and reviewed information regarding achievement and gap in NAEP scores in Grade 4 and Grade 8 reading and mathematics.

Role of Professional Development and the Regional Professional Development Programs (RPDPs) in Improving Student Outcomes and Closing Achievement Gaps

- Bill Hanlon, Director, Southern Nevada RPDP, stated the foundation of teacher training in southern Nevada is focused on the content teachers teach, how they teach it, student performance, and changes in instructional and assessment strategies that will result in increased student achievement. He noted there are increases in student achievement when teachers are enrolled in professional development offered through the RPDPs.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO MAKING EDUCATION FUNDING A PRIORITY

- Dr. Keith Rheault, previously identified, said there was total of ten points possible in the first section under the State Reform Conditions Criteria. The section is divided into two categories:
 1. The extent to which the percentage of the total revenues available to the State that were used to support elementary, secondary, and public higher education for Fiscal Year (FY) 2009 was greater than or equal to the percentage available for FY 2008; and
 2. The extent to which the State's policies lead to equitable funding between high-need LEAs and other LEAs and, within LEAs, between high-poverty schools and other schools.

Dr. Rheault noted Nevada would not be eligible for points under the first category because the total K-12 and higher education funding dropped from 56 percent in 2008 to 55 percent in 2009. Nevada has been historically cited as one of the few states that equitably funds low- and high-poverty school districts and will be eligible for points under the second category.

CONSIDERATION OF THE RACE TO THE TOP FUND RELATING TO DEMONSTRATING OTHER SIGNIFICANT REFORM OR INNOVATION THAT HAVE INCREASED STUDENT ACHIEVEMENT RATES OR GRADUATION RATES, NARROWED ACHIEVEMENT GAPS, OR RESULTED IN OTHER IMPROVEMENTS

- Gloria Dopf, previously identified, said up to five points can be awarded in section three of the “State Reform Conditions Criteria” portion of the RTTT application for “demonstrating significant reform conditions . . . by the creation through law, regulation, or policy, other conditions favorable to education reform or innovation that have increased student achievement or graduation rates, narrowed achievement gaps, or resulted in other important outcomes.” She noted there are several *Nevada Revised Statutes* that address reform conditions, such as: the Account for Programs for Innovation and the Prevention of Remediation; the reduction of ratio in certain grades; a request for variance required under certain circumstances; reports by the State Board and DOE; exception to requirements for charter schools and distance education; the establishment and maintenance of programs by school districts; endorsement on diploma indicating successful completion of program; and establishment of the Commission on Educational Technology, the Advisory Council on Parental Involvement; and the State Program for Empowerment Schools.
- Chair Woodhouse noted Nevada has a number of commissions, councils, and programs that reflect well in this area of the RTTT fund application criteria. She asked Ms. Dopf what she recommended that Nevada cite as its demonstration of significant reform conditions that have increased student achievement.
- In reply, Ms. Dopf said an emphasis should be placed on Nevada’s building on demonstrated areas of success as well as the existing data that show a significant improvement for students when they participate in at least one career and technical education program. Those are the things that will show that, in spite of economic hardships, Nevada has a history of reform and has focused on improving student achievement through demonstrated successful programs. In addition, it important for Nevada to note that it has had the engagement of the Legislature, the Executive Office, the school districts, and the DOE focusing on improved achievement at a time when populations were changing and now at a time of economic downturn.
- Chair Woodhouse asked if a Committee letter of support would be helpful in writing the RTTT application.
- Ms. Dopf said the DOE has crafted a sample letter of support to be issued under Dr. Rheault’s signature. She noted the Chair of the LCE is one of the recipients of the DOE’s request for a letter of support. She noted the work accomplished by the LCE in utilizing its year of testimony focusing on the RTTT, the intervention with the statutory barrier, and its willingness to provide support for a new statute to help move Nevada along in this pursuit, would be important to capture in a letter of support.

- Chair Woodhouse called for a motion to send a letter of support from the LCE to the DOE.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN STEWART MOVED TO SEND A LETTER OF SUPPORT FROM THE LCE TO THE DOE. THE MOTION WAS SECONDED BY SENATOR BREEDEN AND PASSED UNANIMOUSLY.

CONSIDERATION OF RACE TO THE TOP FUND RELATING TO THE COMPETITIVE PREFERENCE PRIORITY CONCERNING AN EMPHASIS ON SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS (STEM) AND THE INVITATIONAL PRIORITIES SPECIFIED IN THE RACE TO THE TOP PROGRAM

Status of Policies and Programs in Nevada Relevant to Eligibility Requirements

- Dr. Keith Rheault, previously identified, said although States are not required to address the “Competitive Preference Priority” in the RTTT application, it is worth 15 points and 10 or 15 points could make a difference in being awarded the funding in Phase 2 of the RTTT competition. The application must have a plan to address the need to:
 1. Offer a rigorous course of study in mathematics, the sciences, technology, and engineering;
 2. Cooperate with industry experts, museums, universities, research centers, and other community partners to prepare and assist teachers in integrating STEM content across all grades; and
 3. Prepare more students for advanced study.

Dr. Rheault said Nevada has had dual-credit programs in place for many years where high school students can earn credits in higher level mathematics, science, and engineering courses at the community college level. He noted by building on that

program, expanding the availability of distance education, and providing higher level mathematics courses, Nevada would be in a strong position to qualify for the 15 points available.

Overview of STEM Activities in Nevada

- David Brancamp, Assistant Director; Mathematics Consultant, APAC, DOE, gave a brief overview of Nevada STEM activities which include:
 1. Several school districts have increased graduation requirements in mathematics and science;
 2. Testing for proficiency in science is now included in the High School Proficiency Examination; and
 3. Promotion from middle school now requires a minimum of one credit in science and social studies in addition to the credit and one half required in mathematics and English language arts.

Additionally, utilizing Title II funds, the DOE has worked with higher education in the math-science partnership, worked with districts and schools in their partnerships to increase teacher content knowledge to promote an increase in student achievement levels as well as helping to develop a new professional development program titled Pathways to Nevada's Future.

PUBLIC COMMENT

No one came forward for this agenda item.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:20 p.m.

Respectfully submitted,

Maryann Elorreaga
Senior Research Secretary

H. Pepper Sturm
Chief Deputy Research Director

APPROVED BY:

Senator Joyce Woodhouse, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by H. Pepper Sturm, Chief Deputy Research Director, Research Division, Legislative Counsel Bureau.

[Exhibit B](#) is the written testimony of Kathleen A. Conaboy, K-12, Inc., dated April 7, 2010.

[Exhibit C](#) is a Microsoft PowerPoint presentation titled “SchoolNomics—The Dollar\$ and Sense of Education Spending,” submitted by Rick Wells, Vice President, Finance and Consulting Services, EdMin.com.

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “Consideration of the Race to the Top Fund—Raising Achievement and Closing Gaps,” submitted by Steven Canavero, Accountability Report Card, Office of Assessment, Program Accountability and Curriculum, Department of Education.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.