

**MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMITTEE ON EDUCATION
(*Nevada Revised Statutes 218.5352*)
October 24, 2000
Las Vegas, Nevada**

The twelfth meeting of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) for the 1999-2000 interim was held on Tuesday, October 24, 2000, commencing at 9:45 a.m. The meeting was held in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada, and videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Pages 2 and 3 contain the "Meeting Notice and Agenda."

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblyman Wendell P. Williams, Chairman
Senator Raymond D. Rawson
Senator Maurice E. Washington
Assemblywoman Barbara K. Cegavske
Assemblyman Mark A. Manendo

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator William J. Raggio, Vice Chairman
Senator Bernice Mathews
Assemblyman Marcia de Braga

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

H. Pepper Sturm, Chief Principal Research Analyst, Research Division
Susan E. Scholley, Senior Research Analyst, Research Division
Kristin C. Roberts, Senior Deputy Legislative Counsel, Legal Division
Georgia I. Rohrs, Fiscal Analyst, Fiscal Analysis Division
Mindy Braun, Education Program Analyst for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division
Lu Chen, Education Research Statistician for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division
Kennedy, Senior Research Secretary, Research Division

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Tuesday, October 24, 2000
9:30 a.m.

Place of Meeting: Grant Sawyer State Office Building
Room 4401
555 East Washington Avenue
Las Vegas, 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

videoconference conducted at the following location:

Legislative Building
Room 3138
401 South Carson Street
Carson City, Nevada

If you cannot attend the meeting, you can listen to it live over the Internet. The address for the Legislative Web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."

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A G E N D A

- I. Opening Remarks
Assemblyman Wendell P. Williams, Chairman
- *II. Approval of Minutes of Meeting Held on September 26, 2000, in Carson City, Nevada
- *III. Presentation Concerning School Funding Equity and Adequacy Issues
John Augenblick, Augenblick and Myers, Inc., Denver, Colorado
Allan Odden, Consortium for Policy Research in Education, University of Wisconsin, Madison, Wisconsin
- Progress Report - IN\$ITE Financial Accountability System
- *IV. Larry Maloney, Manager of Client Satisfaction, Fox River Learning
- *V. Presentation Concerning Effective Practices for Using Federal Title I Funds
Hugh Burkett, Comprehensive School Reform, United States Department of Education
- *VI. Presentation Concerning Paraprofessional Career Ladders for Educational Personnel
Charlotte Brothwell, Nevada Classified School Employees Association
- *VII. Presentation Concerning Alternative Adult and Nontraditional Education Programs – Funding and Other Issues
Laura Hale, Nevada Department of Education
- *VIII. Education Technology Issues
 - A. Presentation Concerning the Integration of Technology Into the Classroom – Impact of Computers on Instructional Materials and Professional Development.
Mark Knudsen, Nevada Department of Education
 - B. Status Report - Commission on Educational Technology
Moises Denis, Chairman, Commission on Educational Technology
 - C. Presentation Concerning the *ClassWorks* Computer Program for School Improvement
Nykki Holton, Principal, Caliente Elementary School, Lincoln County School District
- *IX. Status Report - Council to Establish Academic Standards for Public Schools
Debbie Smith, Chairperson, Council to Establish Academic Standards for Public Schools
- X. Public Testimony

XI. Adjournment

*Denotes items on which the committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If 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 Kennedy at (775) 684-6825 as soon as possible.

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.

OPENING REMARKS

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Chairman Williams called the meeting to order at 9:45 a.m. and directed the Secretary to take roll. He announced a change in the order of agenda items to accommodate travel schedules and then asked for public comment.

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PUBLIC COMMENT

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Denise Brodsky

Denise Brodsky, parent, Las Vegas, Nevada, stated that she represents a group of parents from the Clark County School District. She said it is the goal of this group to create a presence before the Legislative Committee on Education, and voice several concerns. She introduced the following five speakers.

Brenda Kennedy

Brenda Kennedy, President, Nevada Parent Teacher Association (PTA), North Las Vegas, Nevada, thanked members of the Committee for involving parents in the decision-making process. She said the PTA supports “educational equity” for all children and recognizes the efforts of the Legislature toward this goal. However, the legislative per-pupil figure requires adjustment for the high growth areas in Nevada.

Concluding, Ms. Kennedy stated that the Nevada PTA adopted a resolution establishing a second count day for the distributive school account (DSA) and presented a copy to Committee members (Exhibit A). This resolution addresses the shortages of educational books, supplies, and teachers caused by population growth in Nevada. The Nevada PTA urges the Legislature to establish a second count day at the end of the calendar year so school districts experiencing significant growth in student enrollment after the September count are eligible for additional funding from the DSA. She encouraged members of the Committee to sponsor the Nevada PTA’s resolution as a bill draft request.

Priscilla Rocha

Priscilla Rocha, Member, Nevada Board of Education, Las Vegas, stated she represented the Halle Hewetson Elementary School. She urged Committee members to make education the “number one priority,” and suggested the immediate transfer of funds to educational systems. She said that investing in education today will result in the construction of fewer prisons later.

Assemblyman Manendo reminded members of the audience that the Legislative Committee on Education has monthly meetings and encourages public participation. He urged speakers to suggest types of taxes to support the fiscal demands of Nevada’s education system.

Neil Roth

Neil Roth, parent of four children; and independent business owner, Las Vegas, stressed the need for the Clark County School District to be fiscally accountable. He suggested that expenditure patterns in all school districts be closely examined with the goal of maximizing existing funds while minimizing additional requests for financial subsidies.

Assemblywoman Cegavske pointed out that a second day count could be financially detrimental to schools experiencing a decrease in student population. She directed fiscal staff from the Legislative Counsel Bureau (LCB), to present the results of a statewide analysis to the Education Committee.

H. Pepper Sturm, Chief Principal Research Analyst, Research Division, LCB, Carson City, Nevada, reported that the LCB’s fiscal staff completed an analysis, which demonstrated that most school districts would lose funding if the second count day was instituted (Exhibit B).

Sherill Herzfeld

Sherill Herzfeld, Member, Staton Elementary School PTA (housed on Bonner’s School Campus); and parent, Summerlin, Nevada, reported that a door-to-door effort proves that Staton Elementary School’s student count has increased, and the students are learning in temporary quarters while a new building is constructed. She urged members of the Committee to sponsor the PTA initiative to avoid the future displacement of students in high growth areas.

Senator Rawson explained that a second count day will not accurately account for high growth areas, and the plan requires modification. Additionally, the Legislature addresses the issue of funding education later during the legislative session to coincide with the timing of the Economic Summit. The Summit releases new growth figures and this strategy ensures maximum funding for education.

Senator Washington agreed that the second count day formula requires revision to accommodate impoverished school districts with diminishing enrollment patterns.

Senator Rawson said that the Nevada Plan is designed to keep funding intact for schools with decreased student populations, and this honors the contracts of teachers and staff for the duration of the school year. He suggested that the second count day be changed to “growth day” or “growth count day” to reflect the adjustment to school districts with positive counts.

Kenneth Rezendes

Kenneth Rezendes, Member, R. E. Tobler Elementary School PTA; and parent, Las Vegas, asked members to consider the future generation of leaders 10 to 20 years from now. He said the world is “one generation away from being a fallen nation of illiteracy.” It is his opinion that the youth of today do not possess the capacity to lead, but only the ability to follow. He said that the citizens of Nevada depend on the Legislature for guidance and accountability.

Concluding, Mr. Rezendes urged members not to repeal the Class-Size Reduction program but to provide funding to schools in order to allow compliance with the law. He challenged Committee members to lead more effectively.

Iris Ayers

Iris Ayers, Board Member, Herbert A. Derfelt Elementary School PTA, Las Vegas, suggested that the count day be moved to January to avoid the loss of teachers and to acknowledge the principal’s organizational abilities. Additionally, she said Derfelt Elementary School lacks current books and materials.

Chairman Williams asked that members of the public submit ideas for changes in legislation to the Education Committee.

Assemblyman Manendo reminded the audience that each request for funding is at the possible expense of other programs. He recommended that future requests for financial assistance contain solutions or other funding avenues. The Committee appreciates the effort behind independent attempts to resolve financial problems and is motivated to provide legislative assistance to programs completing initial research into possible solutions independently. Members of the Committee commented on public concerns.

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APPROVAL OF MINUTES OF MEETING

HELD ON SEPTEMBER 26, 2000, IN CARSON CITY, NEVADA

ASSEMBLYWOMAN CEGAVSKE MOVED TO ADOPT THE MINUTES OF THE MEETING HELD ON SEPTEMBER 26, 2000, IN CARSON CITY, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYMAN MANENDO AND CARRIED UNANIMOUSLY.

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**PRESENTATION CONCERNING SCHOOL FUNDING
EQUITY AND ADEQUACY ISSUES**

Paul Koehler

Paul Koehler, Policy Program Director, WestEd, Phoenix, Arizona, identified WestEd as a research, evaluation, and service agency contracted by Arizona, California, Nevada, and Utah. WestEd addresses school funding through research and comparison-based analysis of national trends. Mr. Koehler stated that lessons learned from other states, as well as current trends may provide valuable insight into the possible application of funding models for Nevada. He referred to a binder of WestEd resource materials (Exhibit C).

Allan Odden, Ph.D.

Dr. Allan Odden, Professor of Education Administration, University of Wisconsin, Madison, Wisconsin; and Co-Director Consortium for Policy Research in Education, United States Department of Education, presented a slide show on methods to increase school funding accountability, performance incentive programs, and resource reallocation. He reported that a national trend marked a shift in school finance from equity to adequacy and is due in part to the standard-based education reform movement. This shift creates a need for closer examination of the implications, issues, and options within school finance at the district, school, and state levels.

Dr. Odden said that research suggests standards-based reform and the resulting litigation involving education equity issues drive changes in school finance policies. The new reform calls for doubling or tripling of standards without an appreciable increase in funds. This reform agenda results in litigation as states attempt to find fiscal solutions under the pressure of compliance with mandated higher standards. The solution includes several options: (1) utilize existing resources more effectively; or (2) invest in new resources for the future.

Concluding, Dr. Odden said that legislative representatives and school policy makers must identify programs based on the following three criteria: (1) effectiveness in raising the standards; (2) compliance with school funding formulas; and (3) financial feasibility at the district level. For success, state legislators must first determine an accurate level of spending.

John Augenblick, Ed.D.

Dr. John Augenblick, President, Augenblick & Myers, Inc. (A&M), Denver, Colorado, said his company works primarily with state level policymakers on education issues, particularly school finance and setting the levels of funding for education. The key is calculating a "foundation number" for a program directly related to student performance. The states of New Hampshire, Ohio, and Wyoming accomplished this calculation specifically in response to litigation and subsequent court ordered requirements. Nevada has not experienced this and should follow other states that are determining fiscal requirements to support new standards in education without the challenge of litigation. The rationale for this effort involves acceptance that funding is a logical component of state accountability systems.

Continuing, Dr. Augenblick said it is important to note a four-tiered trend utilized by states not in litigation to procure funding to support new performance standards: (1) the state's primary role is to establish performance standards for districts, schools, students, and teachers; (2) the secondary role of the state is to measure whether the standards are being met; (3) information is publicized regarding implementation and outcome of new education

standards, for the purpose of holding schools more accountable; and (4) incentives are offered to successful school districts while interventions are scheduled for those that are found lacking. Problems with establishing accountability include: (1) ample resources must be available for the attempt to achieve higher performance standards; and (2) it should be sufficient for a state legislature to hold individuals accountable for performance while simultaneously allowing local leaders to make decisions on funding issues. Other state legislatures readily admit that it is outside the scope of their expertise to provide the best education services, and do not want to produce a description of the “one best way” to accomplish this goal because it is inconsistent with the concept of accountability. The trend that state legislatures are following is to create accountability systems to determine standards, measure outcomes, allow flexibility for districts to determine the best way to accomplish it, and then to hold them accountable to it. Finally, there must be enough funding available for the goals to be met.

Additionally, Dr. Augenblick listed several methods of calculating the “foundation number”: (1) the professional judgment approach, used in Wyoming under court requirement, is based on “costing out” an optimum list of resources needed, as determined by education experts within a state system; (2) the successful school district approach, used in Ohio, is based on a mirroring a successful school; (3) the budget residual approach, is based on a state granting its education system the remaining funds after all non-educational requests are satisfied.

Continuing, Dr. Augenblick reported that when New Hampshire realized that local funding could no longer support education, a “triage system,” designed by A&M, Inc., was utilized. This system distributed limited state funds to schools demonstrating the greatest need. A recent court ruling in New Hampshire has mandated that 90 percent of educational funding originate from the state. This prompted the need for a “foundation number,” or a significant figure to be determined by resource availability. In some states, this number is perceived as a “political number” because it has no meaning or significance when matched against the ability for the education system to meet new standards. New Hampshire identified school districts, which met and exceeded the new standards in a narrow sense, and then identified the most cost efficient districts. Finally, a logical approach was developed. Nevada will experience difficulty if it chooses to mirror a successful school because there are fewer districts. An alternate approach might be to examine spending at the school level.

Concluding, Dr. Augenblick said that active participation in the constructing of an accountability system for education would assist in the determination of the fiscal figure needed to achieve higher levels of performance.

Responding to questions by Senator Washington, Dr. Augenblick said the proposed models are based on student performance and other indicators such as attendance, dropout rates, et cetera. Additionally, some states award fiscal incentives to schools exceeding standards while providing intervention to those that failed. During an intervention, schools are given financial advice. Each state appears to have its own methodology for counting school populations.

Chairman Williams commented on the need for a parallel approach in response to the higher standards challenge. This will ensure that teachers and students have the necessary resources, specifically additional training materials.

Dr. Odden agreed with Chairman Williams and said Nevada and other states are experiencing the same challenges in education. There must be a logical and orderly approach to accountability.

Dr. Augenblick added the state is responsible for providing funding, but districts must ensure that a series of actions at the district and site level are accomplished. The goal is to acquire the maximum level of performance from current revenues, including performance management strategies within the system. It is imperative that current resources are utilized more effectively at district and site levels.

Continuing, Dr. Augenblick discussed schools challenged by litigation. A national survey of school financial systems shows no indicators of a “smoking fiscal gun” or “fat school offices.” Parents and education leaders in low wealth, low spending school districts typically initiate lawsuits against individual states, and 85 percent of the cases are adjudicated in the standards environment. When a “foundation number” is established, the court will mandate a level of aid be incorporated into the state budget, including remediation.

Concluding, Dr. Augenblick gave a slide show presentation on resource allocation strategies including: (1) the reduction of central office staff to fund ongoing provided professional development for teachers; and (2) reallocation of staffing at the site level. He gave examples of several models which demonstrate the principals of incentives and accountability including: (1) a knowledge and skills-based pay system which links teacher salary increases to

improvements in professional expertise, rather than the current systems based upon years of experience (market-based salary benchmarks); (2) a school-based performance award program; and (3) instructional strategies to teach students higher standards. The state must acknowledge the accountability issue, and the districts must restructure their methods of resource allocation.

Responding to a question by Senator Washington, Mr. Koehler explained that schools determine resource allocation, but the district and state set the performance goals. WestEd does not compile data from states with small class-size requirements because evidence suggests that states should not mandate reduction. Instead, the state should let schools make choices, until the school fails to meet the standards. A process for the allocation of funds to schools is needed with the appropriate involvement of the state. Mr. Koehler suggested that states not mandate districts to allocate specific funds to individual schools, but provide a framework with flexible parameters.

Responding to questions from Assemblywoman Cegavske, Mr. Koehler said studies cannot demonstrate feasibility in altering the length of the school day. An alternate strategy allows for a school to have: (1) standards and accountability systems in place; (2) control of personnel and budget; and (3) ongoing professional development. This design gives principals and teachers control of their school's budget and educational program; however, schools undermine the improvement process with an attitude that "it cannot be done." West Ed's role is to begin the dialogue to correct this behavior.

Responding to a question from Senator Washington, Mr. Koehler said the majority of reallocated resources tend to originate from bilingual education, learning disabilities, state and local at-risk programs, Title I, and other curricula for special needs students. There are two reasons for this: (1) the effectiveness of these programs is minimal; and (2) the presence of "internal segregation." A better approach to the special needs students involves professional teacher/tutoring programs and placement in smaller-sized classrooms. He briefly discussed the legal ramifications of accomplishing this approach. In his opinion, traditional remedial programs do not work, and there is a need to "rethink" the service strategies for this special population. He agreed to forward information to the Committee on other states that have successfully realigned individual education plan strategies.

Additionally Dr. Augenblick explained that the equity lawsuit against the State of Arizona originated from two-dozen low wealth and high growth school districts because of lack of capital construction funding. He said Arizona settled by committing state funds from the general operating fund to education.

PROGRESS REPORT – IN\$ITE FINANCIAL ACCOUNTABILITY SYSTEM

Larry Maloney

Larry Maloney, Manager of Client Satisfaction, Fox River Learning, presented the first year results of the statewide implementation of IN\$ITE, which is a finance analysis model for education (Exhibit D). There are 17 school districts in Nevada and each one has a unique perspective on its general ledger. Representatives from IN\$ITE applied fiscal analysis software to each county's general ledger database to produce results containing common elements. As a result, IN\$ITE offers comparable general ledger data that is available and easily accessible.

Mr. Maloney listed the benefits of IN\$ITE analysis: (1) the reports will improve communication with school district staff and the public; (2) the data provides a base for policy decision making at the state and district level; and (3) the information may lead to better utilization of district resources. It is his opinion that resource reallocation should occur after school districts are clear on funding distribution.

Continuing, Mr. Maloney explained IN\$ITE's data collection and analysis process. Essentially, each general ledger, or list of accounts, has four filters (function, program, cost type, and education level) applied to track "object codes" for specific costs. For example, the cost of transportation can include salaries, fuel, oil, maintenance, and other detailed expenditures. Additionally, the "location codes" for each school are available for analysis at the site level. Data can be skewed by "other commitments" such as capital project costs, debt service, retiring benefits, pass-through funds, legal claims/settlements against the school district, and other services that do not provide direct support to students and teachers. IN\$ITE isolates this type of data in the analysis to provide the most accurate report on per-pupil spending in the classroom. Reports are further delineated by type of school: (1) alternative; (2) elementary, middle, or high; and (3) other programs including health education, summer school, or homebound

instruction. He said charter schools are not included in IN\$ITE's contract.

Mr. Maloney then reviewed data for school year 1999 – 2000 expenditures by specific school and detailed functions to demonstrate variations in how costs fluctuate between schools as compared to the district level. Some school districts raised a concern that including “other commitments” in the analysis has artificially decreased “instruction” percentages, due to the increased amount of construction currently in progress in Nevada. In response, IN\$ITE provides results which excludes “other commitment” costs. The debt service and capital projects combined total is 32 percent, which is indicative of increased construction costs in a state experiencing growth. Comparatively, the national rate is 10.25 percent.

Commenting further, Mr. Maloney said additional education level analysis demonstrates that Nevada's elementary schools are more efficient with funds than middle and high schools. This may be related to the class-size reduction program. Analysis at the program level shows that 88.7 percent of total funds in Nevada support general education programs, while 8.1 percent support special education. This indicates that Nevada is efficient at managing other programs outside of general education because this figure is traditionally much higher. Comparisons between the 17 Nevada school districts show that Esmeralda and Eureka Counties rank as the most costly in the state.

Concluding, Mr. Maloney said a detailed analysis at the school level provides: (1) explanations for budget expenditures; (2) assistance in the development of future modifications; and (3) clear data for daily decision-making.

Responding to questions by Senator Raggio, Mr. Maloney said this information could be made available to the public via the Internet, if the State of Nevada will approve this inclusion on its Web site. On another topic, charter schools generally tend to combine all funds under a single fund code, which prohibits attempts at detailed analysis. This creates significant gaps in expenditure reporting for charter schools. In the future, IN\$ITE will propose an analysis to include charter schools, but currently adheres to a rule that detailed general ledger line items remain uniform in the study unless noted. Efforts to gather more specific information are handled on a case-by-case basis.

Responding to questions by Senators Raggio and Washington, Mr. Maloney explained that accounting procedures differ with charter schools, which often have staff serving in dual roles. An additional anomaly occurs with facility issues because most school districts do not pay rent, whereas charter schools do. Several charter schools do not report rent, which may be an accounting oversight in their reporting technique. Comparative data between traditional and charter schools will require intensive analysis by IN\$ITE and depends what type of data is sought. He added that IN\$ITE's second year analysis will include longitudinal comparisons and other reports that require more data.

Chairman Williams added that charter schools are considered within the public education system and are allowed flexibility in program and operation, but not in bookkeeping. He asked Doug Thunder to testify on allegations concerning IN\$ITE and Fox River Learning.

Doug Thunder, Deputy Superintendent, Administration and Fiscal Services, Nevada Department of Education, Carson City, voiced concerns regarding data gathered by IN\$ITE, and pointed out flaws in its system.

Mr. Thunder said that the Nevada Department of Education processes certain types of data required by legislation which IN\$ITE does not support. There are also format/code discrepancies and missing information, such as sources of revenue and position control.

Continuing, Mr. Thunder said IN\$ITE appears to “tailor” data to support a specific audience. This leads to double reporting with capital projects and debt encumbrance payments. He said that IN\$ITE reported over \$2 billion expenditures, however, the actual amount was less and based on the audited reports submitted by the school districts. This implies that IN\$ITE asked only for the general ledgers prior to district audits so reports lack required audited information. Accountability reports submitted by the school districts need to reflect revenue as well as expenditures for each pupil. He said IN\$ITE's reports on the cost per student differs from the Nevada Department of Education, and cited 37 cases of variances.

Concluding, Mr. Thunder said the Nevada Department of Education is a repository for data and it is vital to have access to any databases in the future that collect this information. The Nevada Department of Education should be allowed to examine and seek resolution to problems, yet access to the data is consistently denied by IN\$ITE.

Responding to Senator Raggio's request for an explanation, Mr. Maloney addressed Mr. Thunder's concerns by explaining:

- IN\$ITE has not denied the Nevada Department of Education, the LCB, or any of the school districts access to data. All analyzed data is supplied in the form of reports.
- As a cost saving measure, the contract between IN\$ITE and the State of Nevada did not include a license for the use of the software which would allow the Nevada Department of Education full access. This can be changed and licensure can be granted to Nevada. The additional cost will be reported at a later date.
- IN\$ITE examines expenditure data and not revenue. This can be changed as IN\$ITE develops a mechanism to collect this data.
- The ability to capture detailed staffing information and position control can be accomplished if school districts are more forthcoming with allocation information concerning full-time and part-time employees.
- IN\$ITE's product is compatible with the *Revised National Consensus Standards Handbook II* (NCS). Unfortunately, the Nevada Department of Education is not permitted access to a guidebook provided to only licensed software users which explains the correlation between IN\$ITE and NCS.
- IN\$ITE does not "tailor reports" but decided that a certain number of standard reports would be made available for district and state. Data interpretation training was provided to all of Nevada's school districts earlier in 2000.
- The issue of double reporting has been examined by IN\$ITE and steps are being taken to avoid that activity in reporting debt service and capital projects. Working from audited reports will not provide the detailed reporting requirements of IN\$ITE's software, however, final figures are compared with audits.

Senator Raggio explained to both IN\$ITE and the Nevada Department of Education that the goal is to obtain the best and most accurate information in a timely manner.

Mr. Thunder said that additional staffing at the Nevada Department of Education could eliminate the contract with IN\$ITE which is \$300,000 for the first and second years, and \$194,000 for the third and fourth years. Committee members calculated the cost of this and determined they were identical.

PRESENTATION CONCERNING EFFECTIVE PRACTICES FOR USING FEDERAL TITLE I FUNDS

Hugh Burkett

Hugh Burkett, Comprehensive School Reform Program, U.S. Department of Education, Washington D.C., said he was the former Superintendent of Schools at Clover Park School District in Lakewood, Washington, and would base the majority of his testimony on his experience with the latter. He said his knowledge of reallocating resources occurred as a result of the education reform effort in Washington.

Mr. Burkett discussed the infrastructure established by the 1994 Reauthorization of the Elementary Secondary Education Act and the resulting changes for Clover Park School District. Following the state's movement toward performance standards and assessments, Mr. Burkett used the opportunity to incorporate changes. The Clover Park School District is 50 percent minority and approximately half of the student population qualified for the Free Reduced Lunch Program. This translated into a significant figure from Title I funds, however, the district operated with an attitude of "business as usual" and kept the majority of funds committed to teacher and teacher aide salaries. The 1994 Act allowed qualifying schools to adopt Title I models which permitted all resources to be combined. In 1995, Clover Park School District used 14 schools eligible for the Title I model to begin reform and determined the schools in greatest need and with the lowest performance record. Each school was given control over funding and resources,

including Title I funds liberated by staff reassignment.

Continuing, Mr. Burkett said the results were “swift and the impact was tremendous.” Students were no longer taken out of class and put into remediation; the school day and year were extended, and teaching coaches/high level tutors were employed. He said it is beneficial to remove barriers and grant responsibility to schools to make choices.

Concluding, Mr. Burkett said it is necessary for a state to establish a framework before districts and schools can benefit from the effective use of funds. This model holds schools accountable for results. The formula for this model includes: (1) release of funds to schools; (2) flexibility for schools to teach mandated curricula in any manner they choose; and (3) holding the school accountable for results. Schools that fail to meet performance targets are subject to intervention. He said the success of education reform begins with the belief that it can be achieved.

PRESENTATION CONCERNING PARAPROFESSIONAL CAREER LADDERS

Charlotte Brothwell

Charlotte Brothwell, Representative, Nevada Classified School Employees Association (NCSEA), Carson City, updated testimony given on June 20, 2000, regarding career-ladders-to teaching in other states, including: (1) the higher attrition rate for new teachers without prior classroom experience; and (2) the cost of developing and recruiting teachers. She distributed a packet of information (Exhibit E).

Deanne Fox

Deanne Fox, Labor Relations Representative, NCSEA, California Chapter, presented the Capistrano Unified School District Career Ladder Program as a model for California. She listed individuals who contributed to the inception of the model, and defined it as “an incentive style program to enable instructional assistants the opportunity to provide increasingly responsible instruction to the district students while advancing through the career ladder and increasing their skills and knowledge through formal course work.”

Concluding, Ms. Fox listed the benefits of a career-ladder program: (1) the creation of a list of qualified teachers and substitutes; (2) increasing community involvement; (3) establishing a logical system of advancement from peer educator to teacher; (4) sharing the benefit of experienced educators; (5) forming a stable and accountable instructional routine; (6) developing partnerships between local and state educational institutions; and (7) forming a collaborative employer-employee relationship. Instructional assistants or aides, and paraeducators were all considered the same classification, however, the NCSEA is attempting to further refine the distinctions.

Responding to a question by members, Ms. Fox said that each “rung” on the career ladder has an educational requirement before advancement to the next level is possible. California unions determine the educational requirements, job description, and compensation, through negotiations and the collective bargaining process. It is not possible for an individual to join with no intention of advancing. The parameters for an instructional aide’s daily duties are set by the school districts and vary widely throughout California.

Wilma Harvey

Wilma Harvey, Associate Superintendent, Human Resources Division, Capistrano Unified School District, San Juan Capistrano, California, presented her perspective on paraeducator career ladder programs. In her opinion, teacher shortages are a result of class-size reduction programs in special education and elementary education. Ms. Harvey reviewed the rationale of career ladders and shared California demographics with Committee members.

Susan Steaffens and Cathy Conger

Susan Steaffens, Principal, Herbert A. Derfelt Elementary, Las Vegas, and Cathy Conger, Principal, Bertha Ronzone Elementary School, Las Vegas, testified to the successes of a similar program in Nevada for instructional aides. Ms.

Steaffens said that special education is receiving the support staff, and Ms. Conger added that instructional aides work efficiently and have a comprehensive understanding of teaching.

Norma McFarland

Norma McFarland, Instructional Assistant, Churchill County School District, Fallon, Nevada, told Committee members that funding challenges have caused one full-time instructional assistant position to be replaced with four part-time aide positions. Ms. McFarland said this creates a lack of continuity and familiarity in the classroom, and requires the teacher to retrain four assistants instead of one. She identified the negative aspect of retaining instructional assistants as a lack of motivation. She suggested that incentives be offered, not mandated, to assistants.

Senator Raggio directed staff to research the methodology of recruiting and retaining instructional assistants.

**PRESENTATION CONCERNING ALTERNATIVE
AND NONTRADITIONAL EDUCATION PROGRAMS**

Phyllis Dryden and Sydney Franklin

Sydney Franklin, Assistant Superintendent of the Division of Alternative Education, Clark County School District, Las Vegas; and member, Adult and Alternative Education Task Force, Las Vegas, reported that Nevada's growth has a profound impact upon the adult and alternative education setting. He said action is needed to ensure that the program can continue to deliver services and meet the demands of the changing atmosphere. Mr. Franklin spoke briefly on the membership of the Task Force and stressed the importance of initiating changes in law to respond to the types of clientele enrolling in the program and other environmental factors.

Phyllis Dryden, member, Adult and Alternative Education Task Force, Las Vegas; and Team Leader, Nevada Department of Education, referred to a letter of intent (Exhibit F) and requested that existing funds be shifted to accommodate the Task Force. She listed the following changes to law:

- Proposed changes to the *Nevada Administrative Code* (NAC)
 1. An inclusion of general equivalency diploma (GED) preparation for 16-year olds;
 2. A revised definition of adult education that eliminates the term "part-time";
 3. An explanation of the language "or the equivalent" with regard to competency versus seat time; and
 4. The implementation of a revised funding formula for adult high school programs.

Ms. Dryden stated that the State Board of Education has this information and is addressing it.

- Proposed changes to the *Nevada Revised Statutes* (NRS):
 1. Remove "part-time" references to adult high school diploma programs (AHSD); and
 2. Remove the requirement for reporting average daily attendance to the Nevada Department of Education.
- Other Task Force recommendations for Committee action include:
 1. Support the provision of adequate funding for alternative education programs by requiring the districts to average enrollments and/or allow funds to follow students;
 2. Provide adequate services for English as Second Language (ESL) students in order to accommodate the dramatic growth of ESL learners; and

3. Allow up to 1.5 percent of these funds to be used for state-level administration of AHSD programs, alternative education, and GED testing.

Continuing, Ms. Dryden said there is not a consensus among the Task Force members on procuring additional funding. Staff at the Nevada Department of Education developed a formula to transfer funds to establish equity between the corrections and regular programs. She asked that questions regarding the funding formula be directed to Ms. Laura Hale at her office.

Mr. Joe Elliott, former Assemblyman, Carson City, stated that he is in opposition to the plan to cut AHSD-Corrections program funding. This program was created in 1983 by the Legislature in cooperation with the Nevada Department of Education. In Mr. Elliott's opinion, it is a "wildly successful" program for developing education for inmates and it sets the standard for national comparisons. He cautioned that while cutting funds from the inmate program may seem viable, participants have already been through the system once and this may be a "last chance." The recidivism rate of inmates in Carson City varies between 6 and 8 percent per year.

Concluding, Mr. Elliott reviewed training programs within Carson City's AHSD-Corrections department and urged Committee members to reconsider the proposed cut. He said that the Task Force will utilize a funding formula with a history of failure. The formula will reduce funding for education programs in Nevada's correctional institutions, specifically: (1) Carson City will lose \$70,000; (2) Clark County will lose \$437,000; (3) Lovelock will lose \$131,000; and (4) Ely will lose \$71,000. These are approximate figures for phase one cuts, and more is anticipated to be lost during subsequent years of implementing the proposed funding formula.

Mary Peterson, Superintendent of Public Instruction, Nevada Department of Education, Carson City, said that Mr. Elliott's testimony identifies the area of conflict in Alternative Adult and nontraditional education programs. She stated that funding distribution is the core of the issue and supplied a document with details on the proposed reduction (Exhibit G). She explained the process utilized by the Nevada Department of Education in determining the proposed funding formula and discussed statistical-based rationale. She said the emphasis is on narrowing the disparity in costs for per-pupil spending in corrections versus public education. The funding formula does not have consensus but it is considered a first step in addressing equity in education programs.

Concluding the presentation, Mr. Franklin said that the process of examining equity causes great concern and the Task Force does not recognize the proposed funding formula. He said that the Task Force does not intend to debate the budget issue but is concerned with repositioning funds for the students who are "disconnected, misconnected, and do not fit the mold" of the traditional education setting.

Assemblywoman Cegavske requested detailed statistics. Mr. Franklin said he will provide a year-end report to Committee members, which includes projected growth rates for 2000 through 2005.

EDUCATION TECHNOLOGY ISSUES

A. PRESENTATION CONCERNING THE ROLE OF TECHNOLOGY IN TRAINING AND INSTRUCTIONAL MATERIALS

Mark Knudsen

Mark Knudsen, Educational Technology Specialist, Nevada Department of Education, Carson City, referred Committee members to a packet of information (Exhibit H), and briefly discussed technology-based educational material in professional development. He said that the Nevada School Network is the "key component" to instructional materials funded by the Legislature.

Continuing, Mr. Knudsen reviewed the levels within the State Technology Plan. He said that all Level I hardware goals have been met and there is at least one computer in every classroom in Nevada. However, there are unmet goals in evaluation, hardware, networking/infrastructure, and staff/student assignments, which stall the advancement to Level II.

Mr. Knudsen updated Committee members on the success of the statewide library database project and mentioned six other projects. Additionally, the Professional Development Program, funded by a federal grant, hosted the Nevada

Technology Leadership Conference. Attendance has increased dramatically at this conference.

Mr. Knudsen said that virtual reality Web sites allow students to view museum exhibits such as the Treasures of Russia exhibition (Exhibit I). He reviewed funding sources for technology projects and said there is a disparity in state funding for the procurement of hardware versus professional development. To assist with funding, federal grants and other revenue sources are leveraged against state funding, and school districts actively seek vendor support/sponsorship.

Concluding, Mr. Knudsen spoke of a proposed project to place an Educational Computing Strategist (ECS) in each Nevada classroom for two years. He reviewed the State Technology Plan Legislative Funding Proposal for 2002 through 2003 and drew members' attention to the savings by utilizing a "one-shot" funding plan.

Jhone Ebert

Jhone Ebert, Chairperson, Nevada Educational Technology Consortium; and Technology Coordinator for Secondary Schools, Clark County School District, Las Vegas, explained the ECS job description and said there are 140 ECS positions currently serving in Clark County School District. The ECS is responsible for helping teachers integrate technology into the curriculum, maintain the school's local area network, and troubleshoot problems.

Concluding, Ms. Ebert said that Nevada's 17 school districts have worked cooperatively to facilitate professional development for the teachers. Projected attendance at the 2000 Nevada Technology Leadership Conference is 1,200. Teachers from all Nevada schools, including rural districts, will learn the latest technology techniques at low-, middle-, and high-end skill levels.

B. STATUS REPORT – COMMISSION ON EDUCATIONAL TECHNOLOGY

Moises Denis

Moises Denis, Chairman, Commission on Educational Technology, Las Vegas, referred to a handout titled "Commission on Educational Technology, Status Report to the Legislative Committee on Education" (Exhibit J). This document contains meeting synopses, a timeline, and work plan. Additionally, the summary of Internet connectivity activity is current, and 99 percent of schools in Nevada are "online." The reasons for several rural school districts not achieving 100 percent connectivity include: (1) lack of funding; (2) lack of available service in at school location; (3) decreased bandwidth in rural areas; and (4) absence of wiring.

Concluding, Mr. Denis said the \$108 million budget includes items needed to achieve Level I of the State Technology Plan. He said that Nevada's momentum must continue in this area.

Assemblywoman Cegavske expressed interest in the State of Iowa's policy on technology. She directed LCB staff to research Iowa's State Department of Education to determine the number of schools in Iowa and the procedure and cost to implement technology. She recently interviewed 400 Nevada senior high school students to determine the number one concern, and the answer is "lack of access to technology." These seniors were not allowed to utilize the Internet without taking a class and completing a requirement first, and they considered this unfair. She said that seniors are unprepared for the high requirements of technology, although these same students refuse to participate in an Internet class. She directed Mr. Knudsen to design a plan that demonstrates where Nevada should be in comparison with technology in other states.

Mr. Denis remarked that it is vital for teachers to relay the subject matter before addressing Internet access for all students. He acknowledged familiarity with Iowa's technology plan and said he will provide the requested information.

Assemblywoman Cegavske then commented that Germany provides computer laptops for each student and suggested that Nevada's computer hardware recycling procedure include providing lower grade levels with the outdated machines.

C. PRESENTATION CONCERNING THE CLASSWORKS COMPUTER PROGRAM FOR SCHOOL

IMPROVEMENT

Nykki Holton

Nykki Holton, Principal, Caliente Elementary School, Lincoln County School District, Caliente, Nevada, referred Committee members to a packet of information (Exhibit K) and said that computer technology should not begin in secondary schools but needs to start as early as possible. She said that grants allowed the rural Caliente Elementary School to spend \$280,000 for computer education. She introduced four students to demonstrate *ClassWorks* software for members: 6th graders Joe Bradshaw, Michelle Cottrell, and Salem Culverwell; and 5th grader Kevin Hannig.

Ms. Holton said that *ClassWorks* software is designed to allow participants to excel at individual rates, resulting in students who are higher achieving, more aware, and more proficient at using technology. She urged Committee members to fund technology in elementary schools and rural communities. Caliente Elementary School is prepared to become a model for all schools in Nevada.

Concluding, Ms. Holton said that the creation of pilot program will cost \$130,000. She asked Mr. Knudsen for \$520,000 to infuse other elementary schools in the Lincoln County School District.

Assemblywoman Cegavske congratulated Ms. Holton and her staff. She pointed out that the majority of schools in Nevada do not possess the hardware inventory that Ms. Holton's school does. The Assemblywoman said these students are graduating into middle and high schools that are not equipped with the technology or level of understanding at Caliente Elementary School.

Assemblyman Manendo said that technology will require a financial commitment from members of each community, from parents to taxpayers to Legislators. He said it is irresponsible to rationalize the sacrifice of other programs in this funding endeavor.

STATUS REPORT – COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS

Debbie Smith

Debbie Smith, Chairperson, Council to Establish Academic Standards for Public Schools (Council), updated Committee members on public engagement, which is necessary for implementation of academic standards. The Council established teams to form grade-by-grade standards in English language arts and math. The agenda at the January 2001 meeting of the Council will include a public input process for the grade-by-grade standards.

Continuing, Ms. Smith reported that the Council is actively engaged in the assessment development process and receives updates from the Nevada Department of Education. Council members follow the work of the test writing subcommittees and will participate in the bias reviews in November 2000.

PUBLIC TESTIMONY

Patricia Cunningham

Patricia Cunningham, parent, Las Vegas, stated that the Legislative Committee on Education meeting scheduled to be held on November 13, 2000, in Carson City is a disappointment for southern Nevada students who need to be addressed. She also expressed disappointment for the departure of Committee members at the meeting today. She said that she accompanied a student and the student's young child to the hearing today and have waited three hours to speak, but the majority of members are gone.

Assemblyman Manendo assured Ms. Cunningham that videoconferencing is available at each meeting of the Legislative Committee on Education, which allows a speaker to participate from a satellite location. Ms. Cunningham asked for assurance that all Committee members will attend and stay for the entire duration of the November 13, 2000, meeting. Assemblyman Manendo said he could not speak to the schedules of the Committee members.

Continuing, Ms. Cunningham told members that she asked Chairman Williams to guarantee assurance from the LCB for students who testify on cheating will not “lose their [high school] diplomas.” She alleged that the LCB responded by suggesting that the students retain attorneys and be prepared for the worst.”

Ms. Cunningham expressed concerns on test security and allegations of cheating at Rancho High School, North Las Vegas. She spoke of general allegations of cheating and wrongdoing by students, teachers, and test proctors. She said students are hesitant to come forward due to a perception that administrators, counselors, and teachers “do not care.”

Assemblyman Manendo advised Ms. Cunningham to bring data and information to the November 13, 2000, meeting.

Felicia Taylor

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Felicia Taylor, student, Horizon North High School, North Las Vegas, reported to Committee members “that answer sheets were floating around.” She said that she did not participate in this activity and failed the math portion of the HSPE, but passed the reading and writing proficiency segments of the test. She said that teachers were aware of the presence of the answer sheet.

Responding to questions from Assemblywoman Cegavske, Ms. Taylor said that the answer sheet was specific to the math and reading sections. She stated that she did not have a copy of the answer sheet in her possession, nor was she motivated to cheat because she thought the answers were correct. She said that one teacher at Horizon North assisted in administering the test, and one teacher “did help with the answers.”

Assemblywoman Cegavske noted that Ms. Taylor’s testimony is considered hearsay and accusations without proof cannot be adequately addressed. She directed LCB legal staff to investigate the rules of evidence as they apply to hearsay.

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ADJOURNMENT

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There being no further business, the meeting was adjourned by Assemblyman Manendo at 3 p.m. Exhibit L is the “Attendance Record” for this meeting.

Respectfully submitted,

Kennedy
Senior Research Secretary

H. Pepper Sturm
Chief Principal Research Analyst

APPROVED BY:

Assemblyman Wendell P. Williams, Chairman

Date: _____

LIST OF EXHIBITS

Exhibit A is a document titled “Resolution – Establishment of Second Count Day for DSA,” distributed by Brenda Kennedy, President, Nevada Parent Teacher Association (PTA), North Las Vegas, Nevada.

Exhibit B is a memorandum dated August 8, 1996, from Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, Legislative Counsel Bureau, Carson City, Nevada, regarding the comparison of “count day” enrollment with average attendance.

Exhibit C is a binder of information titled “Nevada Legislative Committee on Education, Wendell Williams, Chair, October 24, 2000,” provided by WestEd representatives John Augenblick, Augenblick and Myers, Inc., and Allan Odden, Consortium for Policy Research in Education, University of Wisconsin, Madison, Wisconsin.

Exhibit D is a packet of information presented by Larry Maloney, Manager of Client Satisfaction, Fox River Learning, containing:

- A document titled “IN\$ITE – The Finance Analysis Model for Educationä”;
- A document titled “Carson City School District”;
- A document titled “Clark County School District”;
- A document titled “Mark Twain Elementary”;
- A document titled “Nevada Statewide”; and
- A document titled “Washoe County School District.”

Exhibit E is a packet of information from Charlotte Brothwell, Executive Director/Lobbyist, Nevada Classified School Employees Association, containing:

- A memorandum dated October 13, 2000, from Charlotte Brothwell, Nevada Classified School Employees Association, to the Legislative Committee on Education, regarding paraprofessional career ladder to full teacher licensure – survey responses;
- A memorandum with attachments, dated October 24, 2000, from Charlotte Brothwell, Executive Director/Lobbyist, Nevada Classified School Employees Association, to the Legislative Committee on Education;
- A document titled “Paraprofessional Career Ladders for Educational Personnel – A Portfolio of Responses”;
- A document titled “Provision of the California Education Code related to Paraeducators Career Ladders and Paraprofessional-To-Teacher Training Programs”; and
- A bound document titled “Sourcebook, Paraeducator Career Development.”

Exhibit F is document titled “Adult and Alternative Education Task Force Report to the Legislative Committee on Education,” submitted by Phyllis Dryden, member, Adult and Alternative Education Task Force, Las Vegas; and Team Leader, Nevada Department of Education.

Exhibit G is a document titled “Backup materials for proposed reductions to AHSD-Corrections programs,” submitted by Mary Peterson, Superintendent of Public Instruction, Nevada Department of Education, Carson City, Nevada.

Exhibit H is a document titled “Educational Technology Report to the Legislative Committee on Education,” presented by Mark S. Knudson, Educational Technology Specialist, Nevada Department of Education, Carson City, Nevada.

Exhibit I is a packet of catalogs distributed by Mark S. Knudson, Educational Technology Specialist, Nevada Department of Education, Carson City, Nevada, containing:

- A bound catalog of exhibits published on the occasion of the exhibition, “Treasures of Russia” from Peterhof,

Palaces of the Tsars, November 7, 1998 – April 15, 1999; and

- A publication from Instructional Technology Services titled “Programs and Services.”

Exhibit J is a document dated October 24, 2000, and titled “Commission on Educational Technology, Status Report to Legislative Committee on Education,” submitted by Moises Denis, Chairman, Commission on Educational Technology, Las Vegas, Nevada.

Exhibit K is a packet of information presented by Nykki Holton, Principal, Caliente Elementary School, Lincoln County School District, Caliente, Nevada, containing:

- A document titled “Man’s mind once stretched by a new idea, never regains its original dimensions! – O.W. Holmes”;
- A brochure produced by Curriculum Advantage titled “*ClassWorks* Gold Edition 2”; and
- A CD-ROM produced by Knowledge Adventure titled “*ClassWorks* Gold.”

Exhibit L 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.