



**MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMITTEE ON EDUCATION
(NRS 218.5352)
May 22, 2002
Las Vegas, Nevada**

The sixth meeting of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) for the 2001-2002 interim was held on Wednesday, May 22, 2002, at 9:30 a.m., in Room 4401 of the Grant Sawyer State Office building, 555 East Washington Avenue, Las Vegas, Nevada, and videoconferenced to the Legislative Building, Room 3138, 401 South Carson Street, Carson City, Nevada. Pages 3 and 4 contain the “Meeting Notice and Agenda.”

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator William J. Raggio, Chairman
Senator Ann O’Connell
Senator Maurice E. Washington
Assemblyman Mark A. Manendo

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Bernice Mathews
Assemblyman Marcia de Braga
Assemblywoman Dawn Gibbons

COMMITTEE MEMBER EXCUSED:

Assemblyman Wendell P. Williams

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

H. Pepper Sturm, Chief Principal Research Analyst, Research Division
Susan E. Scholley, Senior Research Analyst, Research Division
Carol M. Stonefield, Senior Research Analyst, Research Division
Kristen C. Roberts, Principal Deputy Legislative Counsel, Legal Division
Mary Alice McGreevy, Deputy Legislative Counsel, Legal 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
Ricka Benum, Senior Research Secretary, Research Division

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Wednesday, May 22, 2002
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."

A G E N D A

- I. Opening Remarks
Senator William J. Raggio, Chairman
- *II. Approval of the Minutes of the April 24, 2002, Legislative Committee on Education Meeting
- *III. Presentation on Teacher Advancement Program (TAP) Model and Related Alternatives for Nevada
Dr. Lewis C. Solmon, Senior Vice President, Milken Family Foundation, and Director, Teacher Advancement Program, Milken Family Foundation
- *IV. Presentation on Maryland State Department of Education Web Site for School Data and Accountability
Lani Seikaly, Project Director, School Improvement in Maryland Web Site, Maryland State Department of Education
Mark Moody, Assistant Superintendent, Division of Planning, Results, and Information Management, Maryland State Department of Education
- *V. Presentation on School Construction in Clark County School District and Washoe County School District

Dr. Walt Rulffes, Chief Financial Officer and Deputy Superintendent of Operations, Clark County School District

Dr. James Hager, Superintendent, Washoe County School District (WCSD)

Steve Williams, School Planner and Public Policy Representative, (WCSD)

*VI. Presentation on *Bill & Melinda Gates Foundation* Grant for Nevada School Leadership Academy

Richard Methia, State Project Director, Nevada School Leadership Academy, and President, The National Coalition for Technology in Education and Training

*VII. Presentation on Regional Professional Development Programs (RPDPs), Including Progress of Evaluation by Consultant

Mindy Braun, Education Program Analyst, Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division, Legislative Counsel Bureau (LCB)

Stanley Chow, Director, Regional Services, WestEd

*VIII. Update on Implementation of Federal Education Law – No Child Left Behind Act of 2001 – Briefing on Assessment and Reporting

Susan E. Scholley, Senior Research Analyst, Research Division, LCB

IX. Public Testimony

X. 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 Ricka Benum 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. Notice of this meeting was posted on the Internet through the Nevada Legislature's Web site at www.leg.state.nv.us.

OPENING REMARKS

Chairman Raggio called the meeting to order at 9:43 a.m., and asked the secretary to call roll. The Chairman determined a quorum was present and proceeded to the next item of business.

APPROVAL OF THE MINUTES OF THE APRIL 24, 2002, LEGISLATIVE COMMITTEE ON EDUCATION MEETING

Chairman Raggio requested a motion for approval of the minutes of the Committee's previous meeting.

SENATOR O'CONNELL MOVED FOR APPROVAL OF THE MINUTES OF THE COMMITTEE'S MEETING HELD ON APRIL 24, 2002, IN CARSON CITY, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYMAN MANENDO AND CARRIED UNANIMOUSLY.

PRESENTATION ON TEACHER ADVANCEMENT PROGRAM (TAP) MODEL AND RELATED ALTERNATIVES FOR NEVADA

Senator Raymond D. Rawson

Senator Raymond D. Rawson, Clark County Senatorial District No. 6, Las Vegas, commented on the variety of complex issues that confront the educational reform process nationwide. Noting disappointment with the lack of student improvement since implementation of class-size reduction in Nevada, Senator Rawson stated that emphasis should now focus on the quality of teachers. He is of the opinion that a teacher advancement program (TAP) is the solution to enhancing teacher quality, which can be directly measured by student achievement.

He spoke on the importance of changing the structure of Nevada's current educational system by developing incentives to encourage teachers to strive for improvement in their performance. The TAP concept offers teachers a system of rewards and advancement for their achievements. Senator Rawson said that teachers of high caliber frequently move into administrative positions and the benefits of quality classroom instruction are lost.

Further, Senator Rawson pointed out that in the next decade, Nevada will spend hundreds of millions of dollars on teacher salaries with "across the board raises." He stated this current method does nothing to improve the state's educational system and suggested the funds could be better utilized if applied towards programs to improve teacher performance. A number of states now have teacher advancement programs in place with measurable and impressive data indicating successful records of past performance.

A copy of the Nevada TAP Proposal (Exhibit A) was provided to the Committee at the request of Senator Rawson; the document was prepared by H. Pepper Sturm, Chief Principal Research Analyst, Research Division, Legislative Counsel Bureau (LCB). Senator Rawson also referred to the information on the Milken Family Foundation, compiled by staff (please refer to Exhibit B). He indicated that the documents were downloaded from the Milken Family Foundation Web site, and would be helpful in understanding the innovative theories of the program.

Senator Rawson introduced Dr. Lewis Solmon to present the concept of the Milken Family Foundation's TAP project. He noted that Dr. Solmon has been instrumental in developing TAP pilot curriculums in several states.

Dr. Lewis C. Solmon

Dr. Lewis C. Solmon, Senior Vice President, Milken Family Foundation, and Director, Teacher Advancement Program, Milken Family Foundation, Santa Monica, California, profiled the strategies developed and utilized by TAP. He categorized the program as a systemic approach to educational reform, which is designed to attract, motivate, and retain high-quality teachers.

During his testimony, Dr. Solmon incorporated a Microsoft PowerPoint presentation (referenced as Exhibit C) to illustrate the primary factors that have contributed to the success of the program.

The foundation of TAP involves five key principals; the area that evokes the most discussion is performance pay, which allows for teachers to be compensated according to their performance of student achievement.

1. Performance Pay – The TAP concept supports performance pay designed with a strong assessment structure. The innovative program of professional development prepares teachers to deal with classroom issues and to be evaluated as to how well they teach their students.
2. Multiple Career Paths – TAP offers teachers the opportunity to pursue a variety of positions and career advancement along with corresponding increases in compensation, leadership, and responsibility.
3. Market Driven Compensation – TAP pays teachers for quality classroom performance and student improvement, and recruits teachers by offering incentives to achieve. Studies indicate the top students are not choosing to go into teaching as a profession for a variety of reasons: (a) salaries are not competitive; (b) effective and ineffective teachers receive equivalent salaries; (c) the costs for advanced training are not warranted by the salaries; and (d) women entering the workforce have greater career opportunities today than in the past.
4. Ongoing, Applied Professional Growth – TAP provides time during school hours for courses in learning techniques and strategies. Teachers are encouraged to collaborate and learn from more experienced educators. It is known that 20 percent of teachers leave the profession within the first three years; 50 percent of urban schoolteachers leave in the first five years. This rate increases twofold in schools without a

mentoring system; the teachers who scored highest on college examinations are twice as likely to seek other professions. There is an indication that “out of field teaching” is becoming more prevalent, which has a direct relation to low student achievement data. Studies have correlated student achievement to subject matter knowledge on the part of the teachers.

5. Expanding the Supply of High-Quality Educators – Teacher Advancement Programs support recruiting individuals who are compelled to advance and strive to become better teachers. The TAP deems this component more of a state issue than a school-based concern. Also, it encourages stepping up the teacher certification process, allowing alternative certification and accepting multi-state credentials. Voters around the country have demonstrated that the politically viable method of spending educational funds is on high-quality educators.

Dr. Solmon named the four categories of career paths associated with the TAP structure. The categories include:

1. Inductees, or beginning teachers;
2. Career Teachers;
3. Mentor Teachers, which includes additional rules and responsibilities, higher qualifications, and a higher salary commensurate with duties; and
4. Master Teacher who primarily works with other teachers and administrators.

Dr. Solmon stated that the professional development concept developed by TAP is relatively new. He emphasized that the program is unique in that it ties both teacher performance assessments and the amount of student learning progression directly to teacher compensation. In terms of performance pay, teachers are not only judged on classroom performance and their amount of knowledge, but also on what their students are learning. Dr. Solmon pointed out that the program retests students in the program every year to monitor individual student achievement and growth from year-to-year, then teachers are compensated accordingly.

Dr. Solmon stated the National Education Association (NEA) opposes merit pay, which is defined as any pay based on the judgment of others, opposes differentiating salary by subject specialty, and use of student test scores.

During the dialogue that ensued between the Committee members and Dr. Solmon, the following points were discussed:

- The TAP performance awards are bonuses granted each year and are not cumulative;
- The awards are constrained by available funding, and usually in the amount of \$5,000;
- Bonuses supplement the traditional teacher step pay scale;
- All teachers are eligible to be evaluated and earn bonuses;
- Bonuses are criterion-referenced, meaning only teachers that meet the standards are compensated; every teacher has the opportunity to apply for a mentor or master teacher position. The availability of those positions limits the number of people who can hold the position.
- The TAP awards 50 percent of bonuses for skills and knowledge as determined by peers, master teachers, and the principal;
- Fifty percent is based on student achievement and growth; of that, 30 percent is awarded school-wide for achievement. If the school escalates academically, all teachers receive the bonus; 20 percent is based on the achievement of an individual teacher’s students; and

- Teachers who score well on skills are eligible to earn most of the bonus amount even if their students' scores do not increase.

Teacher involvement in every aspect of the project is fundamental for implementation of TAP; the program necessitates school-wide commitment. Dr. Solmon stated that 75 percent of the school's teachers must vote affirmatively to bring the program to the school.

Chairman Raggio stated the perception of performance pay has encountered heavy resistance in Nevada. He asked how the TAP experts judge performance in the states where the program is in place.

Dr. Solmon responded that a detailed training program has been developed that ensures master teachers and principals are qualified and certified as teacher evaluators.

Chairman Raggio commented that testimony has been consistent over the years that there is no effective method of measuring teacher performance. Reasons have varied from an abundance of personal elements to potential prejudice, to lack of fairness; he questioned how TAP evaluators overcome such factors.

In response, Dr. Solomon explained the evaluations are performed with detailed and specified criteria, involving less subjectivity. Additionally, the program involves six to ten evaluations per year, per teacher, conducted by multiple evaluators. Also, TAP invites teachers to perform self-evaluations; usually these assessments are relatively parallel to the outside evaluations. Dr. Solmon said that bias evaluations are certainly possible and are unlikely with the TAP structure; also, he noted there have been no complaints to date.

The Chairman mentioned Nevada's test effectiveness in determining school accountability, such as measuring factors of achievement in particular classes, specific grades, and determining schools in need of improvement. Dr. Solmon assured Senator Raggio that the structure and specific program arrangements could be designed to fit precisely to Nevada's performance test configurations.

Following a brief exchange, which pertained to the \$400 per-student cost, Chairman Raggio requested that Dr. Solmon provide the cost information that is available from the states in which TAP has been implemented.

Senator Rawson stressed the concept that the TAP program would be developed to be "Nevada-specific." The advancement criteria could be designed on any level. Such criteria as national board certifications, known skills, and amount of experience, would collectively serve to initiate the process geared to selecting higher caliber educators.

Continuing, Senator Rawson noted that the TAP process is not an easy one and initially half the teachers fail the difficult qualifications. He noted that if conditions are set up correctly, a bell-shaped curve would be established; the time invested to develop a Nevada-specific TAP would guarantee the reform of the state's education system. If the acknowledged per-student cost (\$400) is not reasonable to the Committee, Senator Rawson emphasized that a "Nevada-specific" TAP could be designed at a lower cost per student. He reminded the Committee that the comprehensive TAP structure would require a full decade to completely implement the composition of the program, since an applicant must teach at least five years in the mentor teacher capacity to qualify to be evaluated as a master teacher.

Senator O'Connell inquired if TAP curricula harmonize with the guidelines set forth under H.R. 1, the Elementary and Secondary Education Act (ESEA), also referred to as the No Child Left Behind Act of 2001. Senator O'Connell also questioned whether or not criteria have been established to define appropriate uses of the federal funds for the teacher quality provisions under the Act, and how determinations will be made for continuation of the funds.

H. Pepper Sturm

H. Pepper Sturm, identified previously, stated a key component of H.R. 1 directly addresses teacher quality provisions. Responding further, Mr. Sturm advised that the federal funds may be tied to Title I schools; also the majority of H.R. 1 is state and district specific and the remediation model in Nevada is school-specific. Therefore, school districts would be required to apply for the federal funds, rather than individual schools applying.

Dr. Solmon pointed out that Title II specifically mentions programs such as TAP as eligible for these federal funds.

The state agencies are awarded 5 percent of the ESEA funds, and 95 percent of the amount is made available at the local district levels. Dr. Solmon said he would provide the Committee with a detailed breakdown of the funds Nevada could apply towards a TAP project.

Deborah K. Cahill

Deborah K. Cahill, Nevada State Education Association (NSEA), Las Vegas, spoke to clarify comments that focused on the position and philosophies of the organization. Ms. Cahill said the NSEA is sensitive to the discussion of mentor and master teachers as they relate to the duties and roles expected of teachers. The NSEA has opposed TAPs in the past; objections have stemmed from the belief that the philosophy of the program is one of “quasi-administrator” rather than one of teacher advancement.

Continuing, Ms. Cahill said the school system employs professionals to provide teacher evaluations. Further, NSEA objects to mentor and master teachers who are removed from the classroom as the only way for advancement under the TAP course syllabus. Some teachers may not want to “take on a different job and, therefore, are not eligible for the full increase in salary under TAP.” She said if teachers want to leave the classroom and work solely with teachers, they should be encouraged to apply for those types of positions. There is concern by the NSEA, with the concept that the funds are not available to raise all teacher salaries, so methods are being devised to constrain people’s ability to achieve the top salary levels. Ms. Cahill said she viewed the program as a disincentive to young people who want to be classroom teachers. Finally, she mentioned that each county has contracts in place for professional staff that would require negotiations to implement any form of TAP.

Senator O’Connell inquired if the NSEA has any proposals in progress to help the Committee and the Legislature effectively move Nevada into compliance with the No Child Left Behind Act. She commented that the federal Act has now placed responsibility at the state level to ensure the success of the No Child Left Behind Act. She observed that enforcement of the Act and resolution of the budget constraints would require teamwork from the teachers union.

Ms. Cahill indicated that the NSEA is analyzing the legislation for its full impact on the state. Also, she said the NSEA is evaluating other professional development programs and remains open to consideration for other types of programs.

Reminding Ms. Cahill of the timeline the Committee must adhere to for upcoming bill draft requests (BDRs), Senator O’Connell requested the NSEA formulate a proposal that would be in line with the negotiating process necessary for the collective bargaining agreements mentioned by Ms. Cahill.

Ms. Cahill stated the position of the NSEA is that a “significant infusion of new funds” will be required to fully address the proposals the organization supports. She added the NSEA would be taking an active role in discussions focused on devising new avenues of revenue to address the salary concerns of school employees.

PUBLIC COMMENT

Elissa Pope

Elissa Pope, student, Truckee Meadows Community College (TMCC) High School, Washoe County School District, Reno, spoke to the Committee of a newly formed student group. The Students Allied for a Voice in Education (SAVE) was formed when the Washoe County School Board announced budget cuts that will require closure of the high school program located within the college campus.

Ms. Pope speaking on behalf of the students, suggested consideration is given to tax increases with the additional revenue designated specifically to the budget concerns the school districts are facing. She also asked that additional accountability requirements be placed on school district administrators. The Committee was requested to explore alternative education programs as a method for improving the state’s educational system. She expounded on how the alternative curriculum of the TMCC High School has benefited numerous students.

PRESENTATION ON MARYLAND STATE DEPARTMENT

**OF EDUCATION WEB SITE FOR SCHOOL
DATA AND ACCOUNTABILITY**

Dr. Mark Moody and Lani Seikaly

Dr. Mark Moody, Assistant Superintendent, Division of Planning, Results, and Information Management, Maryland State Department of Education (MSDE), Baltimore, Maryland, demonstrated access to areas of the MSDE K12 Web site and the information offered. The Committee was provided documents downloaded from the MSDE Web site and Dr. Moody employed the use of a Microsoft PowerPoint presentation (Exhibit D) to demonstrate information available on-line.

Dr. Moody explained that in 1989 Maryland began its school reform program at the direction of the Governor's Commission on School Performance. The Department was assigned the task of developing an accountability system, based on the state's performance standards.

The primary incentives for the Department's data collection system were accountability and school improvement. The data compilation has provided:

- Accurate accounting of school performance;
- The ability to identify schools in need of intervention; and
- The ability to provide recognition of successful schools.

The accountability system necessitated the creation of a data system that is now accessible on the Web site. The MSDE circulates an on-line report card available to the public, containing data indicating the performance level of success for each school, each district, and at the state level. Dr. Moody presented the framework of obtainable areas of information contained in the on-line report card, how administrators and teachers access the data, and gain knowledge from the instructional tools offered to attain higher student achievement.

Lani Seikaly, Project Director, School Improvement Maryland Web site, Maryland State Department of Education, Baltimore, Maryland, testified that the initial purpose of the Web site was primarily to document accountability. The philosophy behind developing the Web site was to encourage teachers to understand and make use of the data to compel educators to move forward in the decision-making process, which improves student achievement. During her testimony, Ms. Seikaly continued with the Microsoft PowerPoint presentation (Exhibit D) submitted by Dr. Moody.

She pointed out that the MSDE Web site guides teachers through the process of data analysis; rather than just being provided the data, they are also instructed how to apply it effectively in a classroom setting. With each supplementary resource or tool included on the Web site, staff personnel from MSDE visits on-site with principals and teachers to provide additional staff development if needed.

Each school in Maryland has a school improvement team (SIT) comprised of:

- Community Members;
- Parents;
- Principal; and
- Teachers.

The team's responsibility is to lead the staff in the process of analysis and effective use of the data provided by the MSDE. Ms. Seikaly emphasized that success of this type of program depends on the involvement of the school's entire staff.

Ms. Seikaly demonstrated available functions of the on-line course developed as the continuing education factor. She demonstrated how administrators differentiate the types of data: (1) state data is used to document school improvement and planning; (2) school data is used to address and clarify problems; and (3) classroom data is an effective monitor of individual student progress. The data obtainable on-line contains audio instructional ideas and classroom and lesson suggestions from instructors that both principals and teachers may tap into.

The Chairman questioned if the MSDE system of data collection compares to a traditional central-type database system.

Dr. Moody confirmed that each of the 25 school districts collects student information from the school level. The data is subsequently provided to the state and entered into a "central data warehouse"; the information is incorporated into the charts and graphs and reported on the Web site. This segment of the data process is updated annually. It was noted that the remaining areas of the Web site are updated continually from information obtained from meetings with school personnel.

Responding to an inquiry regarding alterations of the Web site's structure to accommodate requirements of H.R. 1, Dr. Moody stated that in recent years the MSDE has moved toward making school data available at lower and lower levels. The anticipated concern of the MSDE is the need to redesign the school assessment program to yield individual student test scores, which is not currently possible.

The Chairman asked if educational administrators and teachers have been generally agreeable and accepted using the Web site.

Ms. Seikaly replied that the average number of users per day was 4,017 during the month of February 2002; the average number of "hits" during that time period was over 36.5 million. She said general comments from users are that the on-line instruction is becoming an increasingly functional tool. Administrators have recognized that having data in an accessible format is critical to involving staff in the process of evaluating useful information; many teachers have struggled with incorporating the data effectively in instructional changes.

The Chairman commented that oftentimes data is collected and never put to use. He said it appears that the MSDE is assured the data is being used constructively as an effective tool by the documentation of student improvement.

It was explained that Maryland's 25 school districts utilize approximately 25 different types of computer software; Web-based tools are employed to compile and assimilate the data, which is then made accessible via the Web site.

Senator O'Connell questioned whether a per-student cost has been determined.

Dr. Moody estimated the cost of collecting student data along with expenditures for the Web site is roughly \$2 per student. He explained that the majority of the cost could be attributed to assessment of the information.

Senator O'Connell asked Dr. Moody to elaborate on the amounts and types of information available on an individual child and how academic growth patterns are determined.

Dr. Moody stated that currently the Maryland testing program for school accountability and performance assessment does not measure individual student test scores or academic growth. Therefore, that exact data is not available, but that type of program may be considered in the future.

Ray Bacon

Ray Bacon, Director, Nevada Manufacturers Association, Carson City, relayed information from recent meetings with June Streckfus, Executive Director of the Maryland Business Round Table for Education, Baltimore, Maryland, and Carmen V. Russo, Chief Executive Officer, Baltimore City Schools, Baltimore, Maryland; he was briefed on the benefits the informational database provides in identifying schools with substantial problems. Mr. Bacon compared the Clark County School District (CCSD), the state's largest urban school district, with that of the Baltimore School District. He mentioned the documented turn-around that has taken place within problem areas of the Baltimore district, is partly attributed to the decision to decrease the number of students attending each high school.

Ms. Seikaly (previously identified) agreed and said the Baltimore School District has placed emphasis on training school principals. She reiterated that it is imperative for principals to make the shift from analyzing the state assessment data and move toward collecting classroom level statistics utilizing the Web site, and then become knowledgeable on effectively applying the information as an instructional tool.

Dr. Moody commented that schools in the Baltimore School District have become the “poster child” for the Web site, documenting its success with student achievement. The district has demonstrated the successfulness of focusing on critical data, and planning classroom instruction effectively. Further, the district has become the ideal model and success story for “data-driven reform” with a historically challenged population, which is now the number one school district in the state.

Ms. Seikaly acknowledged the collaboration of the Maryland Business Round Table for Education and credited the partnership efforts for the success of the MSDE K12 Web site.

PRESENTATION ON
BILL & MELINDA GATES FOUNDATION GRANT
FOR NEVADA SCHOOL LEADERSHIP ACADEMY

Richard Methia and Dr. James Cox

Richard Methia, State Project Director, Nevada School Leadership Academy (NSLA), and President, the National Coalition for Technology in Education and Training, Fairfax County, Virginia, briefed the Committee on the training programs offered to school administrators in the state. Dr. James Cox, Curriculum Developer and Primary Trainer, NSLA, Anaheim, California, accompanied Mr. Methia.

Mr. Methia provided a copy of his comments and information on portions of his presentation (Exhibit D). During his testimony, he explained that:

- The NSLA is the name specified by the *Bill & Melinda Gates Foundation* school leadership grant for Nevada.
- Since June 2001, the Gates Foundation has pledged \$600,000 in matching funds over a two-year period to improve schools through the continued education and advanced training of the state’s school administrators.
- The major focus of the NSLA’s training program centers on data-driven decision-making, and was named as the top priority of Nevada’s school administrators.
- The NSLA’s training emphasizes the importance for each administrator to understand a wide variety and diverse category of students.

Dr. James Cox is a recognized practitioner of the philosophies represented by the NSLA and is the Curriculum Specialist. He is responsible for much of the development of the training concepts utilized by the Academy. During his presentation, Dr. Cox outlined the elements he applies throughout the three-day training modules for school principals; he indicated the theory of NSLA is designed to significantly shape education reform. In developing the proficiencies desired in training educators, Dr. Cox incorporates knowledge, skills, and values in varying degrees.

Dr. Cox referred to Page 1 of the document he provided to the Committee (Exhibit E), which identifies the skills or module outcomes, which should be achieved by school administrators during the NSLA’s training sessions. Dr. Cox provided particulars regarding the following concepts:

- The major premise of educational planning involves two types of data: process data and outcome data.
 - a. The term “data” is most often associated with outcome data. Outcome data is the level of knowledge involving attitudes and student skills.

- b. Process data is identified as the information or records that pertain to the ways educators teach including the instructional materials used, the types of classroom activities, and the attitudes, knowledge, and skills of the teachers.
- Principals can successfully lead their staff to become “data-driven” by enhancing the quality of the relationship between the instructional process and the outcome results.
- As the quality of teaching programs increases, the quality of student learning will increase.

Referring to page 3 of Exhibit D, Dr. Cox demonstrated an exercise he utilizes as an instructional tool during a training module. He illustrated that the training module introduces the notion that half of a successful data-driven organization should rely on process data.

Mr. Methia (identified previously) responding to a question posed by Chairman Raggio, stated that the NSLA is nearing its first academic year and has trained approximately 240 school principals. The *Gates Foundation* has requested the NSLA to complete its work by the end of the second academic year. Mr. Methia proposed adding a component to the NSLA that would train school principals to work with teams of parent leaders to provide easily understood strategies and techniques in comprehending the data provided to parents from teachers and school administrators. He explained that the *Gates Foundation* provides matching grants and requested the Committee’s support for the third year funding of the NSLA’s training projects.

A brief discussion ensued during which Dr. Cox explained that educators and parents would benefit from understanding how test scores are derived, especially when compared to national “percentile ranks.”

Responding to Chairman Raggio’s questions, Mr. Methia clarified that the *Gates Foundation* provided \$600,000 in funds to the NSLA, and that the University of Nevada, Reno, UCCSN, serves as the fiscal agent overseeing the Academy. Every state has received a State Leadership Grant from the *Gates Foundation* to train school leaders.

The Chairman asked what components are missing, if any, from the state’s Regional Professional Development Programs (RPDPs). Mr. Methia responded that school superintendents indicated an interest and requested NSLA provide an “intensive experience in data-driven decision-making” to its school principals.

Senator O’Connell asked for information that would indicate improvement from those schools whose principals have attended the NSLA’s training.

Mr. Methia stated two forms of documented improvement could be provided to the Committee: (1) the formal assessment evaluation; and (2) several narratives written by school principals stating how the NSLA’s training has affected their schools. He stated the NSLA requires obtaining permission from the participating principals before making the narratives available. He indicated there has not been a documented specific instance that indicates change in an “at-risk school.”

Senator O’Connell requested that Mr. Methia contact principals who have attended the training to obtain their narratives and request further information from them that would document school improvement.

Dr. James Hagar

Dr. James Hagar, Superintendent, Washoe County School District (WCSD), Reno, Nevada, sought to clarify for the Committee that his endorsement of the NSLA’s program stated in the information submitted by Mr. Methia, was supporting the original *Gates Foundation* Grant only. He testified that along with the other Nevada School District Superintendents, he received the Academy’s proposal only days earlier. The NSLA proposal has not been endorsed, because there has not been sufficient time to review it. There was concern from several superintendents with NSLA requesting \$250,000 in additional funds from the state. Dr. Hagar explained that there has been a lack of communication since the original founders are no longer associated with the Academy; the consensus of the superintendents is that the proposal came from out-of-state consulting groups, which have down-sized significantly since the events of September 11, 2001.

Richard Methia, (previously identified) confirmed that he is an independent consultant from Fairfax County, Virginia, and Dr. Cox is an independent consultant from California.

Concluding, Dr. Hagar noted that the training and work provided thus far by the NSLA has been exemplary.

**PRESENTATION ON SCHOOL CONSTRUCTION
IN CLARK COUNTY SCHOOL DISTRICT AND
WASHOE COUNTY SCHOOL DISTRICT**

Steve Williams

Steve Williams, School Planner and Public Policy Representative, WCSD, Reno, Nevada, utilized a Microsoft PowerPoint presentation (Exhibit F) during his presentation to illustrate the tremendous growth of the school district. Mr. Williams testified that:

- Washoe County has had an increase of 15,531 students during the previous ten-year period; this figure represents a growth rate of 37 percent.
- The U.S. Census figures place Nevada as the fastest growing state in the nation.
- Washoe County's average annual growth rate by school level is:
 - a. Elementary schools — 3.16 percent;
 - b. Middle schools — 4.64 percent;
 - c. High schools — 4.20 percent; and
 - d. All schools district wide — 3.66 percent.
- Substantiating data reveals that the growth rate of WCSD was twice as much as the State of Nevada, and one-third as much as the total growth of Washoe County during the previous decade.
- The breakdown of student growth by grade-level groupings is as follows: (1) elementary grades — 56 percent; (2) middle schools — 16 percent; and high schools — 28 percent.
- By the year 2011-12, the WCSD could be required to accommodate from 11,400 to 14,300 additional elementary students; 3,400 to 4,012 additional middle school students; and 6,100 to 7,000 additional high school students.
- Should the WCSD growth rate continue as projected, and with existing schools filled to capacity, the district will require an additional 10 elementary schools, 3 middle schools, and 2.5 high schools.

Continuing, Mr. Williams suggested the following possibilities to meet the district's needs:

- New school construction;
- Modular classroom units;
- Remodeling existing schools for additional capacity; and
- Rezoning for optimum existing capacity utilization.

Mr. Williams pointed out the WCSD facility crisis primarily affects the middle schools. Six of the district's middle

schools are operating above 100 percent capacity.

Chairman Raggio questioned whether Washoe County has remaining available bond capacity.

Dr. Hagar (identified previously herein) replied in the affirmative. He stated that at the upcoming May 28, 2002, meeting of the Washoe County School Board it is anticipated there will be passage of a resolution to have a bond proposition placed on the November 2002 ballot. The county is optimistic it can utilize the “bond rollover provision,” which would enable it to provide the necessary construction requirements of three new high schools, three additional elementary schools, and the construction of the Incline Village, Nevada, Elementary School.

Dr. Walt Rulffes

Dr. Walt Rulffes, Chief Financial Officer and Deputy Superintendent of Operations, CCSD, Las Vegas, provided the subcommittee with the items contained in Exhibit G. Dr. Rulffes briefed the Committee on the progress of the ten-year \$3.5 billion funding package enabled by Assembly Bill (A.B.) 353 (Chapter 516, *Statutes of Nevada 1997*) and passed by the voters in 1998.

Dr. Rulffes summarized the key factors of the district’s building program. The information provided explained that the voters of Clark County approved three consecutive bond issues:

- A \$605 million building program in 1994;
- A \$642.7 million building program in 1996; and
- The ten-year, \$3.5 billion funding package in 1998, the figure has been revised to just under \$3.7 billion.

Dr. Rulffes explained that under the current 1998 Capital Improvement Program, 21 new schools have been completed; the District also has completed \$186 million in construction upgrades and building additions to existing schools. The ten-year duration of the building program (1999-2008) requires the remaining projects be started by 2008, with completion expected in 2009. The funding formula in place is meeting the current needs of the CCSD. The 1998 Capital Improvement Program includes construction of 88 new schools: 50 elementary schools, 22 middle schools, 14 high schools, and 2 alternative high schools.

Dr. Rulffes stated that the enrollment figure is growing faster than originally projected, which increases the need for additional expenditures. While there may be additional revenue from the growth, there will be further expenditures for more schools. He said there might be a false perception that there is more revenue funded, than will be needed. The oversight committee established by the Legislature has cautioned the needs may equal or exceed the projected additional revenue.

Additionally, Dr. Rulffes information indicates that should additional revenues go beyond the original projection, the Clark County School District Board of Trustees shall consult with the District’s Bond Oversight Committee, and then approach the A.B. 353 (1997) Oversight Panel for School Facilities and the Debt Management Commission for authorization of the issuance of bonds to fund any or all of the District’s critical needs.

Further, information identifies the critical needs as recognized by various interested parties, the Clark County School Board, and the Legislature. (Please refer to Item 1 of Exhibit G.) Dr. Rulffes provided the following information regarding two items deemed as critical need areas:

- **Additional Renovation.** The 1998 Capital Improvement Program contains \$930 million for rehabilitation and renovation of existing schools. This does not include funds for additional “equal program needs” at existing schools. The Board of School Trustees is committed to providing equitable educational facilities for all students. There are a great many schools in need within the CCSD that could be addressed with additional funding.
- **Replacement Schools.** It is not possible to replace the older schools; however, there is growing community sentiment to replace many of the more mature schools in place of renovation. During the last session, A.B. 499 (Chapter 367, *Statues of Nevada 2001*) was passed, which requires the District to construct at least five

replacement schools at a cost not to exceed \$90 million by 2005. In addition to the 88 new schools promised to the voters, the CCSD has allocated \$90 million for replacement schools.

Dr. Rulffes reminded the Committee that the Legislature built stringent safeguards into the ten-year building model, along with the requisite of the Oversight Panel. The most significant safeguard is the high debt reserve limit, which has been met with the sale of bonds. Additional oversight includes: (1) monthly review of all expenditures by the Bond Oversight Panel; and (2) annual evaluation of the revenue status. The biennial report is currently being prepared and will be submitted to each Committee member.

Dr. Patrick Herron and Dusty Dickens

Dr. Patrick Herron, Assistant Superintendent, Facilities and Transportation Division, CCSD, Las Vegas, and Dusty Dickens, Director, Demographics, Planning, and Realty Department, Facilities and Transportation Services Division, CCSD, Las Vegas, provided the Committee with information specific to the 1998 Capital Improvement Program utilizing a Microsoft PowerPoint presentation (referenced as Item 3 of Exhibit G). The gentlemen offered the following statistical information regarding the growth in the Las Vegas Valley:

- In 1950, the population of Las Vegas was 47,000; there was no record keeping of school data.
- In 1970, the population of the Las Vegas Valley had grown to 262,000; there were 73,846 students attending 81 schools.
- The population of the Las Vegas Valley grew to a population of 706,000 in 1999, with 122,058 students attending 147 schools.
- By 2000, the population had grown to 1,300,000, with 231,028 students attending 250 schools.

Dr. Herron indicated that during the last ten-year period, the CCSD has averaged 10,000 new students per year. The projection for the next ten years is an increase of 16,700 students per year. He attributed this not only to people moving to the area, but noted there were 13,000 births in Clark County during 1990; and 22,000 births recorded in 2001.

He expressed concern of “staying ahead of the growth” in order to avoid deficit seating in 2008. Thus far, the accuracy of the projections and the accelerated construction schedule has kept the CCSD ahead of student growth. The district is currently opening new schools two to four years ahead of the construction schedule. The projections indicate that new schools will still be required after 2008, at which time the Capital Building Program concludes.

The program also includes maintenance of the 10 to 40-year-old existing schools. A tremendous amount of revenue must be allocated for replacement of air conditioning systems, upgrading of alarm systems, boilers, repainting, and replacing roofs.

Responding to an inquiry posed by Assemblyman Manendo, Dr. Herron stated that Rancho High School, rather than Chaparral High School, is currently being considered for replacement according to the formula used by the CCSD. He stated there are four other district schools scheduled for replacement. The remaining schools will be then be analyzed and scheduled for renovation or placed on the next replacement list. The CCSD is developing a master plan to schedule utilization of the remaining funds in the Capital Building Program.

Assemblyman Manendo commented he would like to see the CCSD give priority to replacement of Chaparral High School due to the enormous utility costs associated with an older building.

Dr. Rulffes provided the Committee with a progress report of the construction to date. He submitted a copy for the record and indicated the full audit is available upon request. (Please refer to Exhibit H for the Summary Report.)

E. Louis Overstreet

E. Louis Overstreet, Executive Director, Urban Chamber of Commerce, Las Vegas, outlined instances that he

maintains demonstrates noncompliance of state law on the part of the CCSD. He spoke specifically to the audit requirements of capital expenditures primarily associated with the Capital Improvement Program. (Please refer to Exhibit I for a copy of Mr. Overstreet's complete testimony and attachments.)

Mr. Overstreet contends there are "gross misrepresentations and incompetence" from the District's personnel, and Mr. Overstreet further alleged that:

- Audits and reports submitted by the CCSD to the Nevada Department of Taxation contained several basic accounting mistakes.
- The first capital audit submitted by the District was not in accordance with Chapter 354 of *Nevada Revised Statutes* (NRS) "Local Financial Administration"; in fact, the audit document contained a disclaimer. (Please refer to Exhibit I.)
- The Clark County voters have approved approximately \$5 billion dollars in revenue propositions (excluding interest), and the District is no closer to solving the problems of overcrowding and year-round schooling as it was before the passage of the three revenue propositions.
- The Facilities and Transportation Services Division, of the CCSD submitted inaccurate budget documentation pertaining to employee benefits and salaries for Fiscal Year 2002-03.
- By the District's own estimates and actual expenditures, it is \$1 billion dollars behind schedule in the development of the capital projects.

Mr. Overstreet cited additional areas he regards as misuse of public funds by the District. He stated that:

1. The CCSD spent \$13 million to purchase a parcel of real property to build an elementary school; he cited the cost of construction as \$10 million.
2. Currently, the District spends a large portion of its budget to purchase vehicles, which are not used frequently enough to warrant the cost. He proposed that the county could save money by renting or leasing vehicles and paying just the cost for mileage used, rather than maintaining a fleet of idle vehicles.
3. The CCSD sold "mint condition" furniture from numerous elementary schools; the items were auctioned to school district employees prior to being available for a public auction.

Chairman Raggio asked for a response from Mr. Rulffes or other representatives from the school district.

Susan E. Scholley, Senior Research Analyst, Research Division, LCB, Carson City, stated the Committee was provided with a copy of the document from Mr. Overstreet prior to the meeting.

Dr. Rulffes (previously identified herein) addressed the issues raised by Mr. Overstreet. He responded first to the matter of the audit submitted by the CCSD, not meeting "generally accepted" audit practices. He reiterated that the District's budget and actual expenditures are audited annually and filed with Nevada's Department of Taxation. Additionally, the CCSD employs the firm of Kafoury, Armstrong & Co., whose services are used and accepted by the state. At the request of the Bond Oversight Committee, a supplemental performance audit was completed to determine how well the operational aspects of the 1998 Capital Improvement Program were being carried out. The company of PricewaterhouseCoopers, a worldwide financial services organization, performed the second audit. The disclaimer indicates that it is a performance audit and not a financial audit. Dr. Rulffes indicated there appeared to be confusion between the required financial audit and the performance audit. The CCSD answers to the Department of Taxation should any audit issues or concerns arise.

Secondly, Dr. Rulffes spoke to the issue of overcrowding. He stated the district has what it determines to be "hot spots" or, areas which have grown at an extremely fast pace, and those schools are somewhat overcrowded. He maintains that the CCSD's records indicate that enrollment has increased 37 percent, in line with the new school construction rate of 37 percent. He disagreed with Mr. Overstreet's allegations and contends the district is "staying

even” with the pace.

Continuing, Dr. Rulffes reported that the District’s remodel project schedule is progressing slowly; he acknowledges the remodeling schedule for existing schools is behind the projected timetable.

Dr. Rulffes next explained the issue of the \$13 million purchase price for construction of the Sunrise Acres Elementary School in the inner City of Las Vegas. He alluded to the fact that there were no available parcels obtainable in “open space” areas for suitable for construction. Following extensive research on enrollment and growth trends, and at the approval of the Bond Oversight Committee, the school district purchased a ten-acre parcel owned by the City of Las Vegas. The plan prescribes that the property’s frontage will be sold and the district will recover approximately \$8 million of the purchase price at that time.

He stated that as a matter of record, the purchase of the \$5 million Pecos Road property, was not financed with revenue from the Bond Fund, and was not acquired for the purpose of additional office space for CCSD personnel.

Dr. Rulffes concluded by saying he would provide the Committee with a written statement to formally address each of Mr. Overstreet’s concerns.

Senator O’Connell requested Dr. Rulffes clarify the circumstances surrounding the sale of school district furniture brought forth by Mr. Overstreet in his written statement.

**PRESENTATION ON REGIONAL PROFESSIONAL DEVELOPMENT
PROGRAMS (RPDPs) INCLUDING PROGRESS
OF EVALUATION BY CONSULTANT**

Lynn Sawyer and Stanley Chow

Lynn Sawyer, Director, Northwest Regional Professional Development Programs (RPDPs), presented the Committee with a status report on the four regional programs. She introduced Stanley Chow, Director, Regional Services, WestEd Regional Laboratory, San Francisco, California, and the consultant responsible for evaluation of the RPDPs.

Ms. Sawyer noted that the program is completing its third year and is continuing to provide the four regional programs for teachers and administrators, and discussed the recent accomplishments of the four regional programs, which includes:

- The formalization of the Statewide Coordinating Council, which consists of four regional directors and one representative from each region. The Council meets monthly and makes decisions on a variety of statewide issues pertaining to staff development;
- Serving as the “backbone” for statewide professional development practices to ensure equitable access for rural and urban teachers, and oversees coordination of local, state, and federal RPDP initiatives to avoid duplication;
- Establishing the statewide standards for professional development, which will require the approval of the Legislative Committee on Education, and will serve as guidelines for schools and districts in the decision-making process of resources for staff development; and
- The establishment of a five-year strategic professional development plans, which creates the groundwork for a long-range commitment to quality profession development.

Concluding her remarks, Ms. Sawyer said the RPDPs are involved in the ongoing process of evaluation with the leadership of the WestEd Regional Laboratory, and turned the presentation over to Mr. Chow.

Mr. Chow provided details of his evaluation of the RPDPs; his testimony paralleled the document provided to the members (please refer to Exhibit I). He focused his comments on the specifics of the classroom observation portion of the RPDPs evaluation.

Classroom Observation Study

Since the program was originally funded in 1999, the evaluation process has been the joint effort of the regional development programs and the third party evaluator. Past evaluations have not incorporated classroom observations into the evaluation process.

The primary principles of the classroom observations are to gauge the quality of instruction and to establish a baseline of data for the purpose of future monitoring of classrooms and to determine instructional changes.

The study was accomplished by randomly selecting 19 schools in five school districts; both elementary and middle schools were included in the study group. The study included a total of 54 teachers in 4th, 5th, 6th, and 7th grades, with three teachers being chosen from each school. The trained observers were selected from their own regions, paired as teams, and assigned to evaluate schools from districts other than their own. This process was implemented to establish a system of “cross district observation.”

The classroom observations focused on ten elements of standards-based instruction and prior to actually working in classroom settings, the teams practiced the factors included in their observation training. The teams became skilled in identifying techniques from the content of the lessons, and the characteristics that span grade and subject matter differences. The goal of the training was to ensure that the observations were reliable and interpretations were each recorded and rated in an equivalent manner.

Mr. Chow briefly outlined five of the key elements the observers were trained to identify in the classroom and when interacting with students.

1. The teacher’s ability to communicate to the class the intended standard(s) of the lesson.
2. A concrete and specific plan provided by the teacher to assess student learning in relation to the standard.
3. Lesson plans that provide students abundant and quality opportunities to learn and then apply what they have learned.
4. A teacher’s ability to communicate to their students clear and specific performance expectations.
5. Recognizing if students have a clear understanding of performance expectations and the criteria essential for high quality of work.

Continuing, Mr. Chow summarized the preliminary findings of the study. He explained that on each of the ten elements a teacher is rated on a scale of one-to-four, with four being the highest. The preliminary results of the 54 teachers observed indicated that:

- The teachers are implementing elements of standards-based instruction;
- Sixty-eight percent of the teachers rated between 1.73 and 3.21; few teachers rated very high and few rated very low, most teachers scored in the middle range of 2.47;
- The teachers rated high in three areas: (a) concrete lesson planning used to assess student learning, rated at 2.72; (b) lessons that provide an abundance of high quality opportunity to learn the materials and practice what is learned, rated 2.78; and (c) teachers communicate clearly and with specific performance expectations for student work; and
- The teachers rated lower on: (a) anticipation of which areas students may find difficult and advanced development of methods to work with those who need help (1.96); (b) developing and revising lessons based on performance (2.07); and (c) lesson planning consistent with elements of standards-based instructions (2.2).

Concluding, Mr. Chow noted that the issue of teacher differences is an element that must be considered in all

standards-based instructions; it is evident that the RPDPs benefit each teacher differently. He explained that longitudinal studies of the classroom observations performed would provide insight as to the quality of instruction now that the baseline has been established. Next year the group of 54 teachers will be observed along with an additional 50 teachers. The following year the 50 new teachers will be observed another time. It is expected that, over time, a complete sampling and solid representation of the state's teachers will be evaluated. The concept will differentiate professional development and target different groups of teachers to provide a comprehensive view of teachers implementing the standards required by law.

**UPDATE ON IMPLEMENTATION OF
FEDERAL EDUCATION LAW - NO CHILD LEFT BEHIND ACT OF 2001 -
BRIEFING ON ASSESSMENT AND REPORTING**

Susan E. Scholley

Susan E. Scholley, previously identified on page 22, outlined the assessment and reporting provisions contained in H.R. 1, also referred to as the No Child Left Behind Act (NCLBA) of 2001. Ms. Scholley referred to the brief she prepared for the Committee, outlining the specific provisions of the Act. (Please refer to Exhibit J for Ms. Scholley's briefing paper in its entirety.)

Ms. Scholley stated that the broad federal mandates require annual testing and reporting of student achievement information but primarily focus on three major components. Addressing the first issue, Ms. Scholley explained that annual testing is required in grades 3 through 8 in reading and mathematics, with periodic testing in science. Secondly, the Act calls for state and district report cards with the inclusion of specific reporting requirements of student achievement. Lastly, the Act makes state participation mandatory in the National Assessment of Educational Process (NAEP), and provides federal funding for the costs of administration.

Outlining the implementation deadlines as set forth under the NCLBA, Ms. Scholley explained that beginning with the 2002-03 school year states are required to begin annual assessment of English language proficiency for all English Language Learners (ELLs). As well, the state and district reporting provisions become effective during the 2002-03 school year.

By the 2005-06 school year, annual assessments for grades 3 through 8 must be implemented in reading or language arts, and mathematics. The states also must have reasonable adaptations for ELL and special education students. Additionally, the provisions include that students who have lived in the United States for three years must take the reading assessment in English.

The final deadline will become effective during the 2007-08 school year and requires science assessments be developed and in place. This provision requires testing in science at least once in grades 3 through 5, 6 through 9, and 10 through 12.

The assessment provisions of the NCLBA are the same for Title I schools as well as all other schools in the state. Responsibility for compliance with all provisions lies with the state, and alignment of state academic standards is a significant requirement. States will be required to demonstrate annually, that high-quality and very specific academic assessments (please refer to Exhibit I) have been implemented. The assessments will be the principal factor in determining the yearly performance of each state and/or school district, and school.

Additionally, Ms. Scholley's information stated that assessments (both subject matter and English language proficiency) must:

- Be reliable and valid and consistent with national professional standards;
- Be of adequate technical quality (provide proof to secretary from test publisher);
- Be composed of "multiple measures," including higher-order thinking skills;

- Have results available to educators no later than the beginning of the next school year;
- Enable itemized score analyses to be produced for reporting; and
- Have results disaggregated by state, district and school, for gender, race/ethnicity, ELL, special education, migrant status, and socio-economic status (SES).

Ms. Scholley noted that a primary theme of the NCLBA is inclusion; there is little opportunity for exemption from assessments. The tests must include reasonable accommodations for disabled and ELL students, which may include tests in the language necessary to measure knowledge of the standards. There are provisions contained in the Act that enable states to defer assessment deadlines for one year under certain conditions.

Addressing Nevada's status with compliance, Ms. Scholley stated that Nevada does not comply with the annual testing required in reading and mathematics, since Nevada does not provide a state test in 6th grade for either of the subjects. Nevada will meet the science test requirement by the 2007-08 school year.

Ms. Scholley summarized two policy issues of NCLBA, which may be of concern to Nevada. The first issue is whether Nevada tests have been evaluated for alignment with state standards. Nevada will have criterion-referenced tests (CRTs) in three grades aligned with the state standards. However, the norm-referenced test (NRT) (Iowa Test of Basic Skills) is not fully aligned. The State of Nevada will need to address this issue prior to the deadline, as well as reviewing the technical quality of the CRTs.

Senator O'Connell said the issue of evaluating the tests was discussed at the most recent meeting of the Council to Establish Academic Standards. There was a Council decision to begin the process and bring all grades into compliance.

Ms. Scholley outlined the second policy issue, which involves using a combination of NRTs and CRTs, or using local and state assessments to fulfill the annual testing requirements of NCLBA. She reiterated that it is the state's responsibility to demonstrate that the state and local assessments are aligned to the standards. The federal regulation approaches the subject of augmenting the NRTs, to ensure their alignment with state standards.

Continuing, Ms. Scholley said that each state is now required to participate in the NAEP, every other year in grades 4 and 8 in reading and mathematics, beginning with the upcoming school year. There are no specific funds appropriated to the states for this provision, but the federal government has appropriated \$107.5 million to be retained at the federal level to administer the tests. Nevada schools have voluntarily participated in NAEP since 1996 for mathematics and since 1998 for reading and writing.

Ms. Scholley summarized the state report card requirements. The states and school districts receiving Title I funds must "prepare and disseminate" annual report cards. The requirements call for the reports to be concise and in an understandable and uniform format and to commence with the 2002-03 school year. A significant amount of data is required, including disaggregated data in ten subgroups, five racial/ethnic subgroups, special education, ELL students, migrant status, gender, and socio-economic status. (Please refer to page 6 of Exhibit J for a complete list of the requirement provisions.) Ms. Scholley noted the requirement that the state must ensure the results of the annual tests are reported in a clear and understandable manner not later than before the beginning of the next school year. She pointed out that Nevada currently prepares extensive state data tables from the information reported by the school districts; however, the information is not disaggregated by the required subgroups. In addition, there is no legal requirement in Nevada requiring the dissemination of the state data tables.

Ms. Scholley briefed the Committee on two of the policy issues the state will need to consider for compliance with the NCLBA.

1. Nevada must collect additional data on ELL students and report disaggregated data.
2. Nevada must have an adequate data management system to collect, analyze, and report information for the state report card. The Nevada Department of Education states that the SMART system can collect/report the data.

In addition, the NCLBA requires district level report cards. It is the responsibility of the school districts to prepare and disseminate the report cards. The district reports must include all information required in the state report cards, with the addition of the following:

- Number and percentage of schools in school improvement, and for how long;
- Comparison of student performance in district to state performance levels; and
- For each school – whether it is in school improvement and a comparison with state and district levels of performance.

The provision requires, in part, that district report cards must be distributed to all schools and to all parents in an understandable and uniform format. Also, the district report cards must be made widely available through the media or the Internet.

It was noted by Ms. Scholley, that school districts are also obligated to make certain information available to parents. This information includes:

- Whether the teacher has met state qualifications and licensing criteria for grade level and subject areas taught;
- Whether the teacher is teaching under an emergency or provisional license;
- The teacher’s baccalaureate degree and other graduate certification/degree, and, if so, the subject area; and
- Whether the child is provided service by paraprofessionals and, if so, their qualifications.

Title I schools must also provide information to parents about their child’s achievement level on the annual tests and timely notice if their child is taught by other than a high-quality teacher for more than four weeks.

Concluding, Ms. Scholley noted that for the most part the school districts will be responsible for collecting the additional data needed by the state. This will require the district to assess their data management systems.

Senator O’Connell indicated that the Standards Council is preparing correspondence to the U.S. Secretary of Education, requesting that regulations be drafted and included as a requirement to recognize any change in a school district’s student population. She requested that the Committee “sign-on as a means of endorsing the letter” from the Council.

Chairman Raggio acknowledged general consensus from the Committee to endorse the request made by the Standards Council to the U.S. Secretary of Education.

PUBLIC COMMENT

Ashley Wade

Ashley Wade, student, Truckee Meadows Community College (TMCC) High School, Washoe County School District, Reno, requested the Committee attend a press conference called by the student group, the Students Allied for a Voice in Education (SAVE.) The group is concerned with the current funding problems in Washoe County and is seeking the involvement of Legislators and the public.

ADJOURNMENT

There was no further business to come before the Legislative Committee on Education; Chairman Raggio adjourned

the meeting at 2:28 p.m.

Exhibit K is the “Attendance Record” for this meeting.

Respectfully submitted

Ricka Benum
Senior Research Secretary

Susan E. Scholley
Senior Research Analyst

APPROVED BY:

William J. Raggio, Chairman

Date: _____

LIST OF EXHIBITS

Exhibit A is a document titled “NTAP: Proposal for Nevada Program Adapting the Milken Family Foundation’s Teacher Advancement Program (TAP),” prepared by H. Pepper Sturm, Chief Principal Research Analyst, Research Division, Legislative Counsel Bureau, Carson City, Nevada, dated May 22, 2002.

Exhibit B contains the following documents from the Milken Family Foundation’s Web site:

1. An article titled “The Road to Teacher Quality” by Lewis C. Solmon and Kimberly Firetag;
2. A document outlining the Milken Family Foundation Teacher Advancement Program, titled “What is the Teacher Advancement Program (TAP)”;
3. An informational piece titled “Frequently Asked Questions About the Teacher Advancement Program.”

Exhibit C is a Microsoft PowerPoint presentation prepared by Dr. Lewis C. Solmon, Senior Vice President, Milken Family Foundation, and Director, Teacher Advancement Program, Milken Family Foundation, Santa Monica, California.

Exhibit D consists of documents submitted by Richard Methia, State Project Director, Nevada School Leadership Academy, and President, the National Coalition for Technology in Education and Training, Fairfax County, Virginia:

1. A copy of Mr. Methia’s written testimony, dated May 22, 2002; and
2. The Executive Summary of the Nevada School Leadership Academy (Startup Funding Provided by *The Bill and Melinda Gates Foundation*), titled “Accountability and Assessment Training, Using Information to Elevate the Quality of Our Work.”

Exhibit E is an informational document provided by Dr. James Cox, Curriculum Developer and Primary Trainer, Nevada School Leadership Academy, Fairfax County, Virginia, titled “Accountability and Assessment Module Principals’ Skills to Lead a Data Driven Organization.”

Exhibit F is a Microsoft PowerPoint presentation prepared by Steve Williams, School Planner, and Public Policy Representative, Washoe County School District, Reno, Nevada, dated May 22, 2002.

Exhibit G was submitted by Dr. Walt Rulffes, Chief Financial Officer, and Deputy Superintendent of Operations, Clark County School District, Las Vegas, Nevada, and contains the following documents:

1. A progress report to the Legislative Committee on Education, titled *Presentation on School Construction, Clark County School District*, dated May 22, 2002;
2. A report titled *Clark County School District, A Summary Report – School Construction Audit*; and
3. A Microsoft PowerPoint presentation titled “Clark County School District, 1998 Capital Improvement Program Status Report” dated May 22, 2002, presented by Dr. Patrick Herron, Assistant Superintendent, Facilities and Transportation Division, Clark County School District, Las Vegas, Nevada, and Dusty Dickens, Director, Demographics, Planning, and Realty Department, Facilities and Transportation Services Division, Clark County School District, Las Vegas, Nevada.

Exhibit H is a copy of the testimony of E. Louis Overstreet, Executive Director, Urban Chamber of Commerce, Las Vegas, Nevada, dated May 22, 2002, and includes the following attachments:

1. Attachment I is a copy of *Nevada Revised Statutes (NRS) 354.621* “Limitation on use of ending balance of general or special revenue fund.” and *NRS 354.624* “Annual audit: Requirements; designation of accountant; scope and disposition.”
2. Attachment II is a letter to Walt Rulffes, Assistant Superintendent, Chief Financial Officer, Business and Financial Services Division, Clark County School District, Las Vegas, Nevada, from PriceWaterhouseCoopers, dated June 29, 2001.
3. Attachment III is Page 61 of the “2002-03 Final Budget, Clark County School District, Schedule of Staff Positions, Salaries, & Benefits – Other Funds.”
4. Attachment IV is a document titled “Clark County School District Business and Financial Services Division, Capital Expenditures Actual and Projected, Fiscal Years 1998-2008.”
5. Attachment V is titled “1998 Capital Improvement Program – Status as of March 1, 2002.”

Exhibit I is a report submitted by Stanley Chow, Director, Regional Services, WestEd Regional Laboratory, San Francisco, California, titled “*RPDP Evaluation: Progress Report on the Classroom Observation Study*,” dated May 22, 2002.

Exhibit J is a report prepared by Susan E. Scholley, Senior Research Analyst, Research Division, Legislative Counsel Bureau, Carson City, Nevada, titled “*Assessment and Reporting Provision of No Child Left Behind Act (H.R. 1 – Reauthorization of ESA)*,” dated May 22, 2002.

Exhibit K 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.