



**NEVADA LEGISLATURE**  
**LEGISLATIVE COMMITTEE ON EDUCATION**  
*(Nevada Revised Statutes [NRS] 218E.605)*

**SUMMARY MINUTES AND ACTION REPORT**

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The first meeting of the Nevada Legislature's Committee on Education was held on Wednesday, January 18, 2012, at 9 a.m. in Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. This meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://leg.state.nv.us/interim/76th2011/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's (LCB's) Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblyman David P. Bobzien, Chair  
Senator Mo Denis, Vice Chair  
Senator Shirley A. Breeden  
Senator Don Gustavson  
Senator Mark A. Manendo  
Assemblywoman Marilyn Dondero Loop  
Assemblyman Harvey J. Munford  
Assemblyman Lynn D. Stewart

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

H. Pepper Sturm, Chief Deputy Research Director  
Melinda Martini, Senior Research Analyst  
Kristin Roberts, Senior Principal Deputy Legislative Counsel  
Wayne Thorley, Legislative Bureau of Educational Accountability and Program  
Evaluation, Fiscal Division  
Nita Barnes, Senior Research Secretary, Research Division

## **OPENING REMARKS**

- Assemblyman David P. Bobzien, Chair, welcomed members and the public to the first meeting of the Legislative Committee on Education and introduced members and staff. Chair Bobzien highlighted items of importance to be addressed this interim.
- Senator Denis commented he saw fruition of past Committee work during the recent tour of Clark County schools.

## **PUBLIC COMMENT**

- Chair Bobzien called for public comment; however no testimony was presented.

## **REVIEW OF THE COMMITTEE'S DUTIES AND RESPONSIBILITIES**

- Melinda Martini, Senior Research Analyst, Research Division, LCB, explained the central role of the Legislature to the public school system as related in Article 11, Section 2 of the *Nevada Constitution*. She outlined the Committee's role, which was formed in 1997, as cited in NRS 218E.615. Ms. Martini stated that NRS authorizes the Committee to: (1) review and comment on accountability reports; and (2) plans for improvement. The NRS requires the Committee to: (1) review and recommend providers of supplemental educational services; and (2) review and recommend to Nevada's Department of Education (NDE) successful, remedial education programs. (Please see [Exhibit B](#), [Exhibit B-1](#), and [Exhibit B-2](#).)

## **PRESENTATION OF NATIONAL EDUCATION ISSUES**

- Daniel G. Thatcher, J.D., Policy Specialist, National Conference of State Legislatures, Denver, Colorado, provided a Microsoft PowerPoint presentation ([Exhibit C](#)), which highlighted major issues facing state legislatures. The presentation outlined:
  - Resource reallocation data;
  - Types of teacher evaluation reforms;
  - Federal Elementary and Secondary Education Act (ESEA) reauthorization status;
  - States seeking a No Child Left Behind (NCLB) waiver; and
  - Information regarding Pell Grants and federal student loans.

Mr. Thatcher noted that teacher evaluation will be a major focus in the Race to the Top. (Please see [Exhibit C-1](#), [Exhibit C-2](#), [Exhibit C-3](#), [Exhibit C-4](#), [Exhibit C-5](#), and [Exhibit C-6](#).)

In response to Chair Bobzien's request for more in-depth discussion on resource allocation, Mr. Thatcher clarified that the suggestion was based on efficiencies gained by consolidation, or through regional cooperatives, whereby school districts would combine resources to help offset the lower per-pupil ratios found in rural districts.

Responding to Chair Bobzien's request for clarification regarding funding student needs and student types, Mr. Thatcher stated that different students may require a different funding level to meet their educational needs.

**STUDY CONCERNING THE IMPLEMENTATION OF THE COMMON CORE STATE STANDARDS IN PUBLIC SCHOOLS (SENATE BILL 211, CHAPTER 428, *STATUTES OF NEVADA 2011*)**

- Chair Bobzien commented that S.B. 211 requires the Committee to conduct a study of the implementation of Common Core State Standards (CCSS).

***States' Progress in Implementing the Common Core State Standards***

- Daniel G. Thatcher, J.D., previously identified, reported there is little data regarding other states' implementation of the CCSS. He provided a Microsoft PowerPoint presentation ([Exhibit D](#)) that highlighted the following:
  - State Adoption of CCSS;
  - Assessment Consortia Membership;
  - 2011 CCSS Legislation;
  - CCSS 2011 Legislative Overview;
  - CCSS Implementation Timeline;
  - Districts' Progress; and
  - States' Progress.

Mr. Thatcher stated Nevada was one of few states in the country with active legislation on the CCSS, and the bulk of Common Core legislation for the nation included four categories of alignment ([Exhibit D-1](#) and [Exhibit D-2](#)):

- Assessments;
- Curriculum;
- Instruction; and
- Professional development.

In response to Assemblyman Stewart's inquiry regarding a common student assessment across the states, Mr. Thatcher reported on two assessment consortia that will soon be completed and will include end-of-year exams to test both math and English Language Arts (ELA).

***Professional Development and Resources to Aid in the Transition to Using the Common Core State Standards in Nevada Schools***

- Pam Salazar, Administrative Trainer for the Regional Professional Development Programs (RPDP) commented the timeline and quality of implementation of the CCSS will depend on the teachers and leaders they support. Training videos for teachers, a summer institute with a trainer model for teams, and continued support to principals have been offered. (Please see [Exhibit E.](#))
- Mr. Dave Brancamp, Director, Northwest RPDP, provided a Microsoft PowerPoint presentation outlining implementation of the CCSS using a three-tiered plan ([Exhibit E-1](#)):
  1. Statewide professional development on the awareness of the CCSS;
  2. Essential professional development regarding shifts in ELA and mathematical practices; and
  3. In-depth, content-specific professional development.
- Caroline McIntosh, President, Nevada Association of School Superintendents and Superintendent, Lyon County School District (LCSD), focused on the united partnership between higher education, NDE, RPDPs, and school districts to implement CCSS. She emphasized that the RPDP's expertise with the CCSS is essential for all schools. Ms. McIntosh reported that LCSD is beginning curriculum alignment for K-12 using the CCSS next month.
- Pedro Martinez, Deputy Superintendent, Clark County School District (CCSD), reported CCSD has introduced the CCSS in K-8 and the ELA standards have been implemented in approximately 12 high schools. He reported that recent national assessments indicate the CCSS are approximately two grade levels above what students are now being tested. (Please see [Exhibit E-2.](#))

In response to Senator Breeden's inquiry regarding eliminating remedial programs, Mr. Martinez stated that remedial programs can be eliminated if different schedules are created that would include blocks of time for intervention when children fall behind in ELA or math so that they can receive the support they need. He commented that many children in the remedial programs are still failing. Mr. Martinez opined that children must be introduced at a level that meets the CCSS and then receive assistance during the intervention block.

Discussion ensued between Senator Breeden and Mr. Martinez regarding struggles achieving standards, low levels of expectations, and long-term goals for implementation of the new curriculum. Mr. Martinez mentioned finding resources through federal grants and working with the teachers' union to negotiate contracts and salaries.

Responding to Assemblyman Stewart regarding money to implement the program, Mr. Martinez stated that currently there are not enough resources to cover teachers' salaries. He mentioned the low operating budget and reserves. Mr. Martinez reported that the CCSD is using federal Individuals with Disabilities Act funds and Title I funds and expect to receive \$9 million from the federal Striving Readers Grant.

- Assemblyman Mumford commented on low performing schools located in the lower socioeconomic areas and the lack of involvement by parents.
- Mr. Martinez mentioned that next month the school rankings will be released and there are 30 high performing schools in the CCSD. He noted a Title I school that has 60 percent of its students exceeding the proficiency level.
- Assemblyman Munford praised the efforts of staff and administrators of a school in a lower socioeconomic neighborhood that the members toured.

***Status of the Transition to Using the Common Core State Standards in Nevada Schools, Including the Plan and Timeline for Transitioning Nevada's Assessment System to Align With the Common Core State Standards***

- Chair Bobzien requested that all key stakeholders in education contact staff with any future agenda items ideas, possible solutions, and requests that could assist efforts to adopt the CCSS in Nevada.
- Carol Crothers, Director of Assessments, Program Accountability and Curriculum, NDE, gave a brief overview ([Exhibit F](#)) of the transition plan for the CCSS, emphasizing the heavy dependence on the RPDPs and school districts to accomplish the timeframes. She advocated strongly for legislators' continued support of RPDPs. Ms. Crothers commented without RPDPs, they would not have a professional development arm.
- Ms. Crothers provided a Microsoft PowerPoint presentation ([Exhibit F-1](#)) describing the transition of existing State assessments to the future anticipated assessments.
- Ms. Crothers reported Nevada is an active member of the National Center for State Collaborative General Supervision Enhancement Grant, (states using the CCSS to create an assessment for the most cognitively disabled students), which would replace our current Nevada alternate assessment test.

In response to Assemblyman Stewart's earlier inquiry concerning a common student assessment, Ms. Crothers elaborated there are 19 governing states committed to the Smarter Balance Assessment Consortium and about 12 more deciding which consortium to commit to.

Responding to Assemblyman Stewart's inquiry if all participating states will have the same assessment, curriculum, and number of credits to graduate, Ms. Crothers explained the Smarter Balance Assessment Consortium test in high school is specifically funded to determine a student's preparedness for college and for school accountability, and that states like Nevada are potentially going to use this same assessment as a high school graduation exit exam. All participating states will administer the same tests for school accountability.

- Assemblyman Stewart voiced frustration that in his opinion Nevada is being unequally judged and commented that it will continue if other states use their own rules in each situation.
- Ms. Crothers commented that most states will be in one of two consortia which are collaborating to ensure scores for the two tests will be a common core standardized scoring system. She noted the Nevada high school proficiency exam would need to be examined further by the Legislature.

Responding to Chair Bobzien, Ms. Crothers noted collaborative work between the Legislature, school districts, and higher education is needed to ensure that State and federal laws are met. She emphasized that requirements for high school graduation in NRS 389.015 and NRS 389.550 must be met before a common college exam could be implemented.

## **STATUS OF NEVADA'S APPLICATION FOR FEDERAL ELEMENTARY AND SECONDARY EDUCATION ACT FLEXIBILITY**

- Chair Bobzien recognized Beth Wells, M.A., Secretary, Interim Executive Director, Nevada Stem Coalition, attending in Carson City, and her efforts on behalf of the Coalition.
- Chair Bobzien requested presenters to address California's decision not to apply for the ESEA waiver and asked if there will be additional costs to Nevada if the waiver is approved.
- Keith W. Rheault, Ph.D., Superintendent of Public Instruction, NDE, shared background information on the waiver.
- Rorie Fitzpatrick, Interim Deputy Superintendent, NDE, explained states have come forward with innovative solutions to address current flaws in NCLB. She noted due to State education reform efforts, Nevada currently has many of the requirements in place for waiver approval. Ms. Fitzpatrick provided a Microsoft PowerPoint presentation that highlighted the:
  - Purpose of Waiver;
  - Waiver Requirements;

- Key Consideration in Nevada's System;
- College and Career-Ready Expectations for All Students;
- Nevada Status College and Career Readiness;
- State-Developed Differentiated Recognition, Accountability, and Support;
- Required School Classifications;
- School Performance Framework;
- Differentiated Support for Schools;
- Supporting Effective Instruction and Leadership;
- Educator Evaluation and Support;
- Goals for the Teachers and Leadership Council;
- Components of a High Quality Plan;
- Stakeholder Engagement in Nevada ; and
- Nevada Application Development Timelines.

(Please see [Exhibit G.](#))

- Dr. Rheault stated there has been a concern regarding the effect the waiver would have on statutes that govern adequate yearly progress (AYP) designations. He reviewed Chapter 385 of NRS and commented there are 34 NRS cites that reference AYP. Dr. Rheault was of the opinion that requirements could be met if the waiver is approved. He asked for the Committee to review the current State school indicator designation system for growth, status, and achievement gap, for a possible change to the letter grade or "star" system.
- Chair Bobzien commented it appears that statutory changes are needed next legislative session to conform to the waiver application and asked what the consequences would be if the Legislature chose not to act on the waiver.
- Dr. Rheault stated many of the statutes would need modification, others deleted, and a few would need to specifically address the language in the waiver. He surmised if the waiver is denied, or the Legislature chooses not to act, NDE would need to continue to follow the current accountability provisions outlined in the NRS instead of the federal waiver guidelines.
- Rorie Fitzpatrick, previously identified, shared that all district superintendents asked to retain one unified single system of accountability for both Title I and non-Title I schools.
- Dr. Rheault offered to work with staff to develop a list of statutes needing revision for presentation at a future Committee meeting.

Responding to Senator Denis' inquiry for an estimated cost for this process, Dr. Rheault stated one has not been prepared. He commented that NDE anticipates funding for unbudgeted professional development and data programming will be needed.

He mentioned there may be a savings due to the reclassification of schools; and that federal Title I money will be available to support the waiver.

In response to Senator Denis' query regarding the amount of the savings the waiver would provide, Dr. Rheault explained federal Title I money is currently used to support schools to carry out designations. He noted that the Title I funds could be focused on specific demands instead of distributing the funds over a number of schools that need improvement.

## **CONSIDERATION OF CERTAIN WORK PLANS AND BUDGETS FOR FISCAL YEARS 2012 AND 2013**

### ***Council to Establish Academic Standards for Public Schools***

- Keith W. Rheault, previously identified, testified that in the early years of the Council, the requests were as much as \$200,00 over a biennium. Recent funding requests have been substantially reduced. He reported LCB staff questioned why the funds were not included in the operating budgets and agreed this would speed up access to funding. Dr. Rheault requested a funding approval of \$15,840 for the science standards revision process for the biennium. (Please see [Exhibit H](#) and [Exhibit H-1.](#))

### ***Commission on Educational Technology***

- Keith W. Rheault, previously identified, reported the Commission is requesting \$10,000 to comply with the statutory requirement that an educational technology needs assessment be conducted this spring ([Exhibit H-2](#)).

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

ASSEMBLYWOMAN DONDERO LOOP MOVED THAT A LETTER OF RECOMMENDATION BE SENT TO THE GOVERNOR'S OFFICE TO CONSIDER MOVING THE FUNDS FOR SUPPORT OF THE COUNCIL AND COMMISSION FROM THE BUDGET ACCOUNT OF THE COMMITTEE TO THE APPROPRIATE BUDGET ACCOUNTS WITH NDE. THE MOTION WAS SECONDED BY SENATOR BREEDEN.

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

ASSEMBLYMAN STEWART MOVED TO APPROVE BOTH BUDGET RECOMMENDATIONS OF \$15,840 FOR SCIENCE STANDARDS REVISIONS AND \$10,000 FOR EDUCATIONAL TECHNOLOGY NEEDS ASSESSMENTS. THE MOTION WAS SECONDED BY SENATOR MANENDO.



- Assemblywoman Dondero Loop disclosed she is employed by a publisher of technology products and abstained from voting on this measure.

**DISCUSSION OF WORK PLAN TO REVIEW EDUCATION REPORTS REQUIRED BY STATUTE TO DETERMINE WHETHER TO RECOMMEND THE CONSOLIDATION OR ELIMINATION OF CERTAIN REPORTS**

- Chair Bobzien stated staff compiled a 26-page list of all education-related reports required by statute and that Dr. Rheault has offered to make recommendations for revisions of these at the Committee hearing scheduled for March 15, 2012.
- Keith W. Rheault, previously identified, commented briefly on duplications he identified on the list and offered to confer with his staff and school district superintendents for their additional comments for revisions. (Please see [Exhibit I.](#))

**PUBLIC COMMENT**

- Chair Bobzien called for public comment; however no testimony was presented.

## **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 12:58 p.m.

Respectfully submitted,

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Nita Barnes  
Senior Research Secretary

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Melinda Martini  
Senior Research Analyst

APPROVED BY:

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Assemblyman David P. Bobzien, Chair

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

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Melinda Martini, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B](#) is a list titled “Education Acronyms” submitted by Melinda Martini, Senior Research Analyst, Research Division, LCB.

[Exhibit B-1](#) is a document titled “Quality Counts State Report Card” from *Education Week*, “Quality Counts 2008 through 2012,” provided by Melinda Martini, Senior Research Analyst, Research Division, LCB.

[Exhibit B-2](#) is an article titled “State of the States Grading Summary” from *Education Week*, January 12, 2012, offered by Melinda Martini, Senior Research Analyst, Research Division, LCB.

[Exhibit C](#) is a Microsoft PowerPoint presentation titled “State Education Policy in 2012: A Legislative Overview,” provided by Daniel G. Thatcher, J.D., Policy Specialist, National Conference of State Legislatures (NCSL), Denver, Colorado.

[Exhibit C-1](#) is a document titled “Oregon Learns: SB 909 and the Oregon Education Investment Board,” by John A. Kitzhaber, M.D., Governor, submitted by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit C-2](#) is a report titled “National Conference of State Legislatures, FY 2010 & FY 2011 Trends in State Funding for Higher Education,” by Mandy Rafool, NCSL, provided by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit C-3](#) is a report titled “NCSL Education Committee Federal Information Alert, Federal Fiscal Year 2012 Budget for Education Programs,” offered by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit C-4](#) is a report titled “NCSL Education Committee Federal Information Alert, ESEA Reauthorization Clears Senate Committee,” submitted by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit C-5](#) is a report titled “NCSL Education Committee Federal Information Alert, New Year, New Bills: Kline Introduces Accountability, Teacher Effectiveness Legislation,” provided by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit C-6](#) is a document titled “NCSL Education Committee Federal Information Alert, President Announces NCLB Waiver Plan,” revised date November 5, 2011, offered by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “State Efforts to Implement the Common Core State Standards,” prepared by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit D-1](#) is a document titled “Common Core State Standards: 2011 Legislative Update,” dated December 2011, by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit D-2](#) is a report titled “Preparing for Change, A National Perspective on Common Core State Standards Implementation Planning,” dated January 2012, by William Porter, Regina Riley and Lisa Towne, Education First, and Amy M. Hightower, Sterling C. Lloyd, Kacy L. Sellers and Christopher B. Swanson, EPE Research Center, provided by Daniel G. Thatcher, J.D., Policy Specialist, NCSL, Denver, Colorado.

[Exhibit E](#) is a document titled “Common Core State Standards, On the Road to Implementation,” Southern Nevada Regional Professional Development Program (RPDP), provided by Dr. Pamela Salazar, Consultant, Southern RPDP, Las Vegas.

[Exhibit E-1](#) is a Microsoft PowerPoint presentation titled “Common Core State Standards PD Status Report,” offered by Caroline McIntosh, Superintendent, Lyon County School District, and Dave Brancamp, Director, Northwest RPDP, Reno.

[Exhibit E-2](#) is a graph titled “Hard Work Matters,” submitted by Pedro Martinez, Deputy Superintendent, Clark County School District, Las Vegas.

[Exhibit F](#) is a chart titled “Common Core State Standards, Nevada Transition Plan,” revised March 2, 2011, provided by Carol Crothers, Director, Office of Assessments, Program Accountability and Curriculum, Nevada Department of Education (NDE).

[Exhibit F-1](#) is a Microsoft PowerPoint presentation dated December 13, 2011, titled “State Assessment Transition Matrix,” prepared by NDE, offered by Carol Crothers, Director, Office of Assessments, Program Accountability and Curriculum, NDE.

[Exhibit G](#) is a Microsoft PowerPoint presentation titled “Elementary & Secondary Education Act (ESEA) Waiver—Application Overview,” dated January 2012, prepared by Rorie Fitzpatrick, Interim Deputy Superintendent, NDE.

[Exhibit H](#) is a memorandum dated December 1, 2011, to Assemblyman David Bobzien, Chairperson, Legislative Committee on Education, from Keith Rheault, Superintendent of Public Instruction, NDE, titled “Request for Funding Support from the LCE for Academic Standards Development of the Next Generation Science Standards.”

[Exhibit H-1](#) is a document titled “Budget Plan for Legislative Committee on Education Funds for State Academic Standards Review Team Activities Occurring From 1/30/12 Through 6/30/13,” submitted by Keith Rheault, Superintendent of Public Instruction, NDE.

Exhibit H-2 is a memorandum dated December 1, 2011, to Assemblyman David Bobzien, Chairperson, Legislative Committee on Education, from Keith Rheault, Superintendent of Public Instruction, NDE, titled “Request for Funding Support from the LCE on Behalf of the Commission on Educational Technology.”

Exhibit I is a document titled “K-12 Reports to the Legislature—Annual” offered by Keith W. Rheault, Ph.D., Superintendent of Public Instruction, NDE.

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