

SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMITTEE ON EDUCATION

Nevada Revised Statutes (NRS) 218E.605

The following is a summary of recommendations adopted by the Legislative Committee on Education (LCE) at the July 28, 2016, meeting. The Committee submits the following recommendations and bill draft requests (BDRs) to the 79th Session of the Nevada Legislature.

PROPOSAL RELATING TO FINANCIAL TRANSPARENCY

1. **Online Posting of Data**—Send a letter from the LCE to Nevada’s Department of Education (NDE), with a copy to the Fiscal Analysis Division, Legislative Counsel Bureau (LCB), requesting that the In\$ite education finance data be made publicly available online in a timely manner and to the fullest extent practical.

PROPOSALS RELATING TO SCHOOL ACCOUNTABILITY

2. **Career Readiness Measures**—Include a statement in the final report recommending NDE incorporate career readiness measures in the Nevada School Performance Framework for high schools.
3. **Standardized Test Reporting**—Send a letter from the LCE to NDE encouraging it to provide school districts the scores of third grade pupils on the English Language Arts Criterion-Referenced Test early enough for a retention decision to be made by the school before the summer break each year.

PROPOSALS RELATING TO EDUCATION REPORTS

4. **Report of Accountability**—*Nevada Revised Statutes* 385A.070 requires an annual report of accountability from the State Public Charter School Authority (SPCSA), the Achievement School District, each school district that sponsors a charter school, and each college or university within the Nevada System of Higher Education (NSHE) that sponsors a charter school.

Propose legislation to change the report due date and written notice from September 30 to December 31 to enable the inclusion of more recent data. **(BDR XX-326)**

5. **Report on Pupil Achievement**—*Nevada Revised Statutes* 385A.650 requires the principal of each public school to prepare a plan to improve the achievement of pupils enrolled in the school and submit the plan to certain persons.

Draft a letter from the LCE to NDE urging that, to the extent practicable, the report's format be simplified, redundancies be eliminated, and design be improved to facilitate efficient completion and submission.

6. **Report of Accountability**—Propose legislation to amend NRS 385A.400 by removing the requirement to provide written notice when the annual report of accountability is available. **(BDR XX-326)**
7. **Notice of School Ratings**—Propose legislation to amend subsection 3 of NRS 385A.720 to remove the requirement that written notice of the determinations and final ratings made for all schools in this State be provided. **(BDR XX-326)**
8. **Notice of Exam Security**—*Nevada Revised Statutes* 390.270 requires NDE to: (1) adopt and enforce a plan setting forth procedures to ensure the security of certain examinations and assessments; and (2) submit a copy of the plan to the State Board of Education and LCE.

Propose legislation to remove the requirement that NDE submit a copy of the plan to the State Board and LCE, and instead require NDE to post the plan on its website on or before September 1 of each year. **(BDR XX-326)**

9. **School Discipline Plans**—Propose legislation to amend subsection 5 of NRS 392.4644 to remove the requirement that the Superintendent of Public Instruction submit a report of the compliance of schools and school districts in adopting school discipline plans to the LCB. **(BDR XX-326)**
10. **Notice of Proposed Policy Changes**—Propose legislation to amend NRS 386.365 to reduce the public notice required before policy changes are proposed in the Washoe and Clark County School Districts from 15 days to 13 days. **(BDR XX-326)**
11. **Study of Education Reporting**—Propose legislation to create an interim study during the 2017–2018 Interim of K–12 education reporting and possible strategies to modernize and streamline the system of reporting. **(BDR XX-337)**

PROPOSALS RELATING TO INSTRUCTION

12. **Personalized and Competency-Based Education**—The following recommendations relate to competency-based education, which measures learning and allows pupil advancement upon demonstration of proficiency in a skill or subject, rather than measuring how much

time a pupil spends in a classroom. Proficiency can be shown through exams and performance-based tasks, including, without limitation, learning activities and assessments that require pupils to demonstrate their knowledge, understanding and proficiency, portfolios of pupils' work, and other approaches. Competency-based education is often viewed as a component of a broader strategy of pupil-centered learning, an instructional approach in which pupils influence the content, activities, and pace of learning.

Propose legislation to:

- Amend NRS 389.171, which authorizes school districts to award credit based upon demonstrated proficiency through examinations, to allow other means of receiving credit that may include, without limitation, performance-based tasks, portfolios or examples of student work, and prior learning. Also, authorize charter schools to award credit in the same manner.
- Require the State Board of Education to adopt regulations specifying alternative measures that may be used to demonstrate mastery.
- Establish a Competency-Based Education Task Force to meet during the 2017–2018 Interim. The Task Force will:
 - Consist of not more than 13 members appointed by the Governor who represent Nevada's community colleges, school districts, NDE, and Western Governors University;
 - Receive administrative support from NDE;
 - Serve without compensation or reimbursement of travel expenses from the Task Force, but members may be compensated or reimbursed by their employer;
 - Develop recommendations for the State Board of Education concerning competency-based education, including, without limitation, recommendations concerning:
 - Approaches to convert into competency measures requirements regarding the amount of time a pupil is required to spend in a classroom;
 - Tools for use in personalized learning and competency-based education;
 - Approaches to ensure appropriate pupil assessments are used to allow pupils to demonstrate proficiency;
 - Strategies for improving competency-based learning through the use of technology; and

- Professional development relating to competency-based education and other supports to assist educators in transitioning to a competency-based system; and
- By April 30, 2018, prepare a report describing its activities and recommendations; the report must be posted online and submitted to the Governor and the LCE. **(BDR XX-327)**

13. Personalized and Competency-Based Education—Propose legislation to require NDE to:

- Conduct a statewide awareness campaign concerning personalized and competency-based education, including regional informational meetings with district superintendents, to increase understanding of and local interest in personalized and competency-based education;
- Facilitate a collaborative network of Nevada educators who are engaged in the practice of personalized and competency-based education so they may support one another and share effective practices; and
- Authorize NDE to distribute the money appropriated by the 2017 Legislature to the Account for Programs for Innovation and the Prevention of Remediation to carry out a program of personalized and competency-based education through a competitive grants program. Grants must be awarded to school districts and charter schools based upon the proposals submitted and funding available. Allowable grants activities shall include:
 - Investigating, developing, and implementing competency-based educational pathways for pupils;
 - Developing model competencies and performance measures;
 - Developing or acquiring appropriate assessments and other tools to monitor learning and measure competency;
 - Establishing school sites at which personalized and competency-based education can be observed;
 - Supporting transitions to personalized learning among participating schools;
 - Identifying and purchasing technical assistance and professional development materials; and

- Documenting and sharing results, challenges, and lessons learned.
(BDR XX-327)
- 14. **Personalized and Competency-Based Education**—Send letters from the LCE to NDE and the SPCSA urging them to encourage school districts and charter schools, respectively, to pursue personalized, competency-based education.
- 15. **Distance Education**—Send a letter from the LCE to the State Board of Education urging it to amend regulations related to distance education (see *Nevada Administrative Code* [NAC] 388.825) to:
 - Amend NAC 388.825 to require course providers to adhere to nationally recognized quality standards (such as the iNACOL National Standards for Quality Online Courses) and to report to NDE performance outcomes at both the course and provider levels;
 - Amend NAC 388.825 to require course reauthorization for all providers to be contingent upon positive pupil outcomes and course evaluations;
 - To the extent practicable, for private providers of distance education, require course reauthorization to be contingent upon positive outcomes under school performance measures that apply to public schools in general; and
 - Require school districts to regularly notify pupils and families of distance education program opportunities.
- 16. **Dual Language Immersion**—Propose legislation to:
 - Authorize public elementary schools, including charter schools, to offer education using a dual language immersion model;
 - Require the State Board of Education to establish, by regulation, guidelines for the provision of dual language immersion education, including:
 - The process by which a school chooses its targeted foreign language with input from staff and parents;
 - The languages that may be offered, which must include Spanish, French, and Mandarin Chinese;
 - The manner in which a school will convert to the dual language immersion model, which may include a gradual introduction by grade level;

- A requirement that 50 percent of required coursework be taught in English and 50 percent of required coursework be taught in the chosen foreign language;
- A requirement that an English-only option be made available to students who prefer not to take part in dual language immersion or who enter the school after their grade has commenced dual language immersion instruction; and
- The process by which a school district or charter school may request a waiver from the State Board of Education for any of the requirements established by regulation. **(BDR XX-442)**

17. **Dual Language Immersion**—Propose legislation requiring NDE to create a competitive grant program which enables public elementary schools, including charter schools, the option to offer dual language immersion instruction and to apply for a grant for approval by NDE.

Such legislation will:

- Provide an appropriation beginning in Fiscal Year (FY) 2017–2018 to NDE, in an amount necessary to fund a 0.5 full-time equivalent (FTE) program manager and a 0.5 FTE program assistant to coordinate the program;
- Provide an appropriation of \$300,000 in FY 2018–2019 to NDE to fund up to 30 grants to individual elementary schools proposing to implement a dual language immersion model. Grants must be awarded by NDE on a competitive basis and will be awarded to school districts and charter schools that have been approved by the SPCSA;
- Provide an appropriation of \$300,000 in FY 2018–2019 to NDE to recruit teachers for participating schools, provide professional development for participating school personnel, establish performance measures, and provide technical assistance to grantees;
- Require NDE to determine the feasibility of adding American Sign Language as a foreign language under the program;
- Require grants to be made available to elementary schools beginning in FY 2018–2019. To the extent possible, grants will be awarded as follows: 20 schools in Clark County, 7 schools in Washoe County, and 3 in the balance of the State; and
- Require the State Board of Education to adopt regulations for the operation of the competitive grant program. **(BDR XX-442)**

PROPOSALS RELATING TO SPECIAL EDUCATION

18. **Special Education Services**—*Nevada Revised Statutes* 388.417 defines a “pupil with a disability” to mean a “child with a disability” who is under 22 years of age, as that term is defined in federal law.

Propose legislation to provide that a person with a disability who turns 22 years of age remains eligible to complete the school year irrespective of his or her age. **(BDR XX-328)**

PROPOSALS RELATING TO TEACHERS

19. **Career Pathways**—Include a statement in the final report urging each of Nevada’s school districts to utilize and expand upon existing policies and funding mechanisms, including, without limitation, performance pay programs and programs that provide enhanced compensation (see NRS 391A.450), in an effort to develop meaningful career pathways for teachers that enable them to advance in responsibility and compensation while remaining in the classroom.

20. **Teacher Licensure**—Propose legislation to:

- Amend NRS 391.032 to require, rather than authorize, the Commission on Professional Standards in Education to adopt regulations that provide for the issuance of conditional licenses to teachers before completion of all requirements for licensure;
- Enable licensed teachers or candidates for initial teacher licensure to demonstrate middle or high school subject matter competency (e.g., social studies, English, science, et cetera) through passage of a subject matter competency exam, in lieu of content area coursework requirements for a postsecondary major or minor in that subject;
- Require the Commission to adopt regulations that provide for the issuance of provisional, nonrenewable licenses in addition to conditional licenses; and
- Amend NRS 391.032 to require the regulations adopted by the Commission, which provide for the reciprocal licensure of educational personnel from other states, to include an exemption from examinations required for initial licensure for teachers and other educational personnel who are licensed in another state. **(BDR XX-329)**

21. **Career and Technical Education Teachers**—Send a letter from the LCE to the Board of Regents, the State Board of Education, and the Commission on Professional Standards in Education suggesting they jointly develop a plan to improve the pipeline of Career and Technical Education certified teachers adequate to Nevada’s needs.

22. **National Board Teacher Certification**—Send a letter from the LCE to NDE, with a copy to the Governor, encouraging NDE to assess the number of reimbursement requests for National Board for Professional Teaching Standards certifications anticipated during each year of the 2017–2019 Biennium and to request an appropriate budget enhancement for submission to the 2017 Legislature.

PROPOSALS RELATING TO SCHOOL FUNDING

23. **Peer Assistance and Review**—Include a statement in the final report urging the Nevada Legislature to determine the impact of the program of peer assistance and review on educational personnel and pupil outcomes and consider expanding the program within the Clark County School District and to other school districts.
24. **Charter Schools**—Propose legislation to remove the exception for charter schools from the class-size reduction (CSR) requirements of NRS 388.700 and revise statutes as necessary to make the CSR requirements applicable to charter schools, including:
- Amending NRS 388.700 to authorize the governing body of a charter school that exceeds the ratio of pupils per class to request a variance from the State Board of Education. Before requesting such a variance, the governing body of a charter school must receive approval from the sponsor to request the variance;
 - Requiring NDE to notify the sponsor of each charter school that exceeds the required pupil-teacher ratios and has not received a variance from the State Board of Education;
 - Amending NRS 388.710 to require the State Board of Education to consult with a representative of the Charter School Association of Nevada and a representative of the SPCSA to determine the data that each charter school is required to monitor and use;
 - Amending NRS 388.720, which authorizes certain school districts to develop a plan to reduce the district's pupil-teacher ratios per class that uses alternative pupil-teacher ratios, to authorize charter schools to develop such a plan with the approval of the sponsor of the charter school;
 - Amending NRS 388.723 to require NDE to develop policies and procedures for communicating with the governing body of each charter school, in addition to the board of trustees of each school district, regarding its expectations relating to CSR; and
 - Ensuring school district budgets are held harmless in the allocation of CSR funds to charter schools. **(BDR XX–330)**

25. **Early Childhood Education**—Include a statement in the final report encouraging the Governor and Legislature to expand the resources available for early childhood education, particularly for children assessed to be at risk of experiencing difficulty upon entry into kindergarten.
26. **K–12 Education Funding**—Include a statement in the final report urging adequate and equitable funding for K–12 education; continued progress toward a weighted K–12 funding formula for English language learners, pupils receiving free and reduced lunch, pupils in special education, and pupils in gifted and talented education; and an ongoing review of the base funding appropriated and categorical programs created or expanded by the 2015 Legislature.

PROPOSALS RELATED TO LONGITUDINAL DATA

27. **P–20W Advisory Council**—Propose legislation to abolish the P–20W Advisory Council (NRS 400.030) and replace it with a committee responsible for coordinating and managing the Nevada P–20 to Workforce Research Data System (commonly referred to as NPWR), as follows:
 - Members of the committee will be appointed by the Governor;
 - Members will include the Superintendent of Public Instruction; Director of the Department of Employment, Training and Rehabilitation (DETR); and Chancellor of NSHE, or their representatives;
 - Additional agency leaders, or their representatives, may be appointed by the Governor to the committee after nomination by a majority vote of the committee;
 - Terms of appointment will be three years, with no limit on the number of terms to which an individual member may be reappointed;
 - Vacancies will be filled in the same manner as an original appointment;
 - Committee members serve without compensation or reimbursement for travel expenses by the committee; and
 - The committee will meet at least annually and at other times deemed necessary by the Chair, who will be elected on an annual basis by a majority vote of the members.

The committee's duties will include:

- Overseeing the statewide longitudinal data system;

- Establishing the research agenda for the NPWR;
- Assisting and advising NDE, DETR, and NSHE in applying for grants, preparing budgets, or proposing legislation related to the committee’s work or for the operations of the NPWR;
- Advising member agencies in matters related to contracts necessary for the operation or utilization of the NPWR; and
- Issuing, by July 31 of even-numbered years, a biennial report of its activities for posting online and submission to the Governor and the Legislature.

The Department of Employment, Training and Rehabilitation will be required to provide any administrative support necessary for the committee. **(BDR XX–331)**

28. **NPWR Staffing**—Include a statement in the final report supporting the creation of a position within DETR to coordinate the interagency NPWR effort and a position in the Office of the Governor to develop policy recommendations based upon NPWR data.

PROPOSALS RELATING TO MISCELLANEOUS PRE-K THROUGH 12 MATTERS

29. **Braille Literacy**—Include a statement in the final report in support of providing braille literacy education for blind children at the earliest appropriate age in Nevada’s public schools.
30. **Deaf Education**—Include a statement in the final report encouraging NDE to assist early childhood education programs in providing instruction in American Sign Language to children who are deaf or hard of hearing. Such assistance may include finding and securing financial resources, locating instructional materials and tools, identifying professionals with the necessary skills to deliver instruction, or other similar assistance.
31. **Graduation Standards**—Include a statement in the final report recommending NDE to develop multiple diploma options that are aligned with certain paths for pupils after high school and ensure a pupil’s readiness for his or her chosen path; options might include community-, career-, and college-ready diplomas. Further, recommend each diploma be achievable through a “portfolio” of achievement that may include, without limitation, demonstration of proficiency through: (1) standardized test scores; (2) standards-based academic projects; (3) work experience and internships; (4) community service; (5) performance on military assessments; (6) certifications and certificates; and (7) postsecondary schooling and dual credit.

32. **School Social Workers**—Send a letter from the LCE to the Legislative Committee on Health Care urging it to propose legislation to change Nevada’s social worker interstate licensure reciprocity so licensure eligibility is based upon fair and objective criteria.
33. **School Leadership**—Propose legislation to create an Interim Advisory Task Force on School Leader Management. Such legislation will include the following:
- Require the Task Force to study issues relating to the Nevada Educator Performance Framework for school administrators as a foundation to link and align systems of school leader certification, compensation, evaluation, preparation, professional development, and recruitment.
 - Provide that a member of the Task Force who is an officer or employee of this State or a political subdivision of this State must be relieved from his or her duties without loss of regular compensation so that he or she may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable.
 - A State agency or political subdivision of this State shall not require an officer or employee who is a member of the Task Force to: (1) make up the time the member is absent from work to carry out his or her duties as a member of the Task Force; or (2) take annual leave or compensatory time for the absence.
 - By no later than December 31, 2017, the Task Force shall consist of:
 - Two members of the State Board of Education, appointed by the President of the Board;
 - Two members of the Senate, one of whom is appointed by the Majority Leader of the Senate and one of whom is appointed by the Minority Leader of the Senate;
 - Two members of the Assembly, one of whom is appointed by the Speaker of the Assembly and one of whom is appointed by the Minority Leader of the Assembly; and
 - One member who is a principal, appointed by the Nevada Association of School Administrators.
 - Require the Task Force to prepare a report by May 31, 2018, for submission to the Governor, the State Board of Education, and the Legislature describing its activities and recommendations.
 - Provide that legislators who are members of the Task Force are entitled to receive the salary provided for legislators generally.

- Provide, to the extent money is available for that purpose, members of the Task Force who are not Legislators also are entitled to receive compensation. **(BDR XX-332)**
34. **School Culture**—Include a statement in the final report encouraging NDE to work with school districts and the SPCSA to assess the professional and academic culture and climate of Nevada’s schools. Further, encourage NDE to support the SPCSA and each district in developing plans to support high performance cultures and positive school climates.
 35. **School Leadership**—Include a statement in the final report encouraging each of Nevada’s school districts to develop a comprehensive system of school leader management which includes using the Nevada Educator Performance Framework for administrators as a foundation to link and align principal certification, compensation, evaluation, preparation, professional development, and recruitment. The goal of the system should be to ensure the recruitment and development of effective principals who achieve the outcomes desired by each school and its community.
 36. **Class-Size Reduction**—Send a letter from the Committee to NDE requesting a change to the CSR variance request process, allowing a single signature from a school district superintendent as certification when attached to all the district’s variance requests in a given reporting period, and encouraging a dialogue between NDE and school districts to discuss reducing the paperwork burden and making the variance request process more efficient.

PROPOSALS RELATING TO HIGHER EDUCATION

37. **Medical Education**—Include a statement in the final report recommending continued funding for the University of Nevada, Las Vegas, School of Medicine and increased funding for graduate medical education at both of Nevada’s public medical schools.
38. **Financial Aid**—Send a letter from the LCE to the money committees urging the Legislature to provide adequate funding for the Silver State Opportunity Grant Program (see NRS 396.952).
39. **Financial Aid**—Send a letter from the LCE to members of the Legislature, the Governor, and the NSHE supporting the amendment of the eligibility requirements specified in the Silver State Opportunity Grant Program (see NRS 396.952) to allow students greater flexibility in the required credit hours, based upon their work and family commitments.
40. **U-Teach Program**—Include a statement in the final report urging NSHE to determine the impact of the U-Teach program, which recruits college students studying science, technology, engineering, and mathematic subjects, and support them in pursuing careers as secondary school teachers and consider expanding the program.
41. **Workforce Development**—Include a statement in the final report supporting capacity building for workforce development through the State’s community colleges.