

**RECOMMENDATIONS OF THE
ADVISORY COMMITTEE TO DEVELOP A PLAN
TO REORGANIZE THE CLARK COUNTY SCHOOL DISTRICT
(August 16, 2016)**

Background

The Advisory Committee to Develop a Plan to Reorganize the Clark County School District (Advisory Committee) consisting of nine Legislators was created pursuant to Assembly Bill No. 394 of the 2015 Legislative Session (A.B. 394). In addition to the Advisory Committee, a Technical Advisory Committee consisting of Legislators and other interested members of the community was created to provide input, advice and assistance to the Advisory Committee. The Advisory Committee held eight public meetings to discuss the structure and organization of the Clark County School District and heard from various experts regarding the organization of large school districts. The Technical Advisory Committee held 10 public meetings. In April, the Advisory Committee approved the employment of a consultant to assist the Advisory Committee in developing a plan for the reorganization of the Clark County School District that would provide more decision making at the school level. The consultant provided ideas for implementing a structure throughout the Clark County School District which provides for site-based decision making, similar to the empowerment school model which was piloted in the Clark County School District through 2011. Based upon the ideas and plan developed by the consultant and the input from the Technical Advisory Committee and the public, the Advisory Committee established draft proposed regulations to carry out the specific recommendations of the Advisory Committee. Initial draft regulations were approved by the Advisory Committee on July 1, 2016, but were then revised based upon further consideration.

In accordance with the requirements of A.B. 394, the Board of County Commissioners for Clark County subsequently held eight town hall meetings throughout Clark County to solicit input from and provide information to the public regarding the plan to reorganize the Clark County School District. As a result of those public meetings and further input from stakeholders, additional details and recommendations were added to the draft proposed regulations. The Advisory Committee held an additional meeting on August 16, 2016, during which additional changes were proposed to the regulations and recommendations. Draft revised proposed regulations were drafted and sent to the Board of Education which include the revisions that were unanimously approved by the Advisory Committee. This document sets forth the specific recommendations of the Advisory Committee to carry out the plan that was developed by the consultant and which are encompassed in the draft revised proposed regulations that were forwarded to the State Board of Education for its consideration and adoption.

Recommendations

The Advisory Committee makes the following recommendations to reorganize the Clark County School District (School District):

I. Creation of Local School Precincts.

A. Converting Schools: Each public school within the School District, except for charter schools and university schools for profoundly gifted pupils, shall become a local school precinct and must operate using site-based decision making. (Sec. 13) This means that decisions will be made by the school for the school. Specialty schools such as magnet schools will also become

local school precincts, but such schools must not be reduced in size or have their funding reduced as a result of this reorganization unless otherwise provided by law, the reduction or conversion is recommended by the local school precinct and agreed to by the School District or the Superintendent determines with the approval of the Board of Trustees that there is good cause to reduce the size or convert the specialty school. (Secs. 13 and 17)

B. Allocation of Money: The Central Services of CCSD (Central Services) must allocate money to each local school precinct each year on a per pupil basis (see below). The local school precinct then budgets for the use of the money allocated.

C. Transfer of Authority to Local School Precincts to Carry Out Certain Responsibilities: Each year the Superintendent of the School District (Superintendent) must determine, in consultation with the school associate superintendents, the principals and the organizational teams of the local school precincts, the amount of authority that will be transferred to each local school precinct to carry out responsibilities previously held by the Central Administration of CCSD. (Sec. 14) The Superintendent must transfer, at a minimum, authority to each local school precinct to:

1. Select the staff for the local school precinct.
2. Provide direct supervision of staff, including addressing certain disciplinary actions that do not involve a violation of the law or require investigations.
3. Procure such equipment, services and supplies for the local school precinct as necessary or advisable to carry out the plan of operation for the local school precinct. The local school precinct will only procure equipment, services and supplies necessary to carry out the plan. Such equipment, services and supplies may be procured from the School District or elsewhere.
4. Develop a balanced budget for the local school precinct for the use of the money that is allocated to the local school precinct.
5. Carry out any other responsibility for which authority has been transferred with approval of the Board of Trustees of the School District.

D. Selection of Licensed Teachers: When selecting staff for the local school precinct, the principal must select teachers who are licensed and in good standing before selecting substitute teachers to teach at the local school precinct and must make every effort to ensure that effective licensed teachers are in the classrooms. (Sec. 14)

E. Local School Precinct to Benefit From Cost Savings: Any cost savings that are realized by the local school precinct must remain in the budget for the local school precinct and be used for other purposes. (Sec. 15) For example, if a local school precinct cannot employ licensed teachers, any savings from employing a substitute teacher must remain with the local

school precinct and be used for the benefit of the pupils at that school. This may be accomplished by budgeting based on average unit cost and having a separate cost for teachers and substitute teachers. In this manner, any savings realized from hiring a substitute will remain in the budget of the local school precinct.

F. **Additional Allocation of Money:** If authority is transferred to allow a local school precinct to carry out any additional responsibility, a corresponding additional amount of money must be allocated in an amount equal to the amount that the School District would pay to carry out the responsibility. (Sec. 14)

II. **Organization of Local School Precincts.**

Each local school precinct will have a principal who is responsible for the local school precinct. (Sec. 23) As discussed below, a school associate superintendent will be assigned to oversee up to 25 local school precincts. (Sec. 20)

A. **Organizational team:** The principal of the local school precinct must establish an organizational team. (Sec. 23)

1. **Membership:** The organizational team must consist of 50 percent parents if available, and if not, the greatest number available and up to four teachers or other licensed personnel and one member of the support staff if there are fewer than four teachers or other licensed personnel serving as members, and two members of the support staff if there are four members who are teachers or other licensed personnel. If the local school precinct is a middle school, junior high school or high school, a pupil who attends the local school precinct must serve as a nonvoting member of the organizational team and provide advice and assistance concerning the plan of operation that is developed for the local school precinct. The principal assists with organizing the team but serves as a nonvoting member of the organizational team. Each category of membership must select the member or members for that category independent of the principal. The principal must ensure that each member who is a parent is informed that the member is not an employee of the local school precinct or the School District and of any potential liability for serving as a member. The organizational team may also elect to have a nonvoting advisory member from the community at large. (Sec. 25)

2. **Purpose:** The organizational team will provide advice and assistance to the principal in the development and implementation of the plan of operation for the local school precinct and assists with the selection of the principal of the local school precinct when a vacancy occurs. The organizational team must also be allowed to provide input regarding the principal up to two times each school year to the school associate superintendent. (Sec. 27)

3. **Organization:** The members of the organizational team will serve for a term of 1 year and may serve additional terms. Meetings must be open to the public unless confidential

information is being discussed. The organizational team must meet at least monthly throughout the school year and the members serve without compensation. (Sec. 26)

B. Principal of the Local School Precinct: The principal of the local school precinct is responsible for developing a plan of operation for the local school precinct with the assistance and advice of the organizational team and is responsible for selecting staff for the local school precinct as necessary to carry out the plan of operation. (Sec. 23)

1. Selection of the Principal: The principal of a local school precinct must be selected in a collaborative process. (Sec. 27)

(a) Superintendent Role: The Superintendent of the School District must post notice of a vacancy in the principal position and conduct preliminary interviews of candidates. After the preliminary interviews, the Superintendent must submit a list of three to five candidates to the organizational team. (Sec. 27)

(b) Organizational Team Role: The organizational team must establish a list of qualifications for the principal position and provide the list to the Superintendent. One member of the organizational team must be allowed to participate in interviewing candidates with the Superintendent. When the Superintendent provides the list of qualified candidates to the organizational team, the team must recommend which candidate to hire for the position. The Superintendent then decides, in consultation with the school associate superintendent who oversees the local school precinct, whether to hire the candidate. Once hired, the Superintendent has sole discretion to make employment decisions regarding the principal. (Sec. 27)

2. Plan of Operation: Each principal is required to develop a plan of operation for the local school precinct which includes the budget of the local school precinct that itemizes the manner in which money allocated to the local school precinct will be used as well as a plan to improve the achievement of pupils enrolled in the local school precinct, regardless of whether such a plan is required by statute. (Sec. 23)

(a) Average Unit Cost: In developing the budget for the local school precinct, the average unit cost for each type of employee will be used instead of the actual cost. (Secs. 15 and 23) In this manner, the local school precinct is encouraged to make the best hiring decision for the local school precinct without regard to cost. In addition, a separate average unit cost must be established for teachers and substitute teachers. (Sec. 15) In that way, if a teacher shortage prevents the local school precinct from filling every classroom with a teacher, the savings in cost will remain with the school so that it can obtain additional services to benefit the pupils enrolled at that local school precinct. After July 1, 2018, the Department of Education is required to assess the equity of using the average unit cost for budgeting by the local school precincts and the financial impact of using the average unit cost. Based upon the assessment, the Department must recommend whether the average unit cost should continue to be used. (Sec. 35)

(b) **Actual Cost of Equipment, Services and Supplies:** In contrast to the average unit cost for budgeting for staff, the budget must reflect actual costs for equipment, services and supplies. (Secs. 15 and 23) The Superintendent is required to provide a list of the equipment, services and supplies that a local school precinct may obtain from the School District each year and the amount charged by the School District must not exceed the actual cost to the School District. (Secs. 15 and 23)

(c) **Presentation at Public Meeting:** Once the plan of operation is established, the principal must present the plan at a public meeting held at the local school precinct. (Sec. 24)

(d) **Approval of the Final Plan by the School Associate Superintendent:** Once finalized, the principal must submit the plan of operation to the school associate superintendent for approval. (Sec. 24) The plan must be approved within 10 days unless it violates law or policy of the School District. Once approved, the plan must be posted on the Internet websites of the School District and the local school precinct so that any member of the public may review the plan.

(e) **Appeal Process:** If an organizational team objects to any part of the final plan of operation for the local school precinct that is submitted by the principal, the organizational team must be allowed to appeal to the school associate superintendent. The school associate superintendent must consider the recommendations of the organizational team and decide whether to approve the plan or ask the principal to revise the plan. If the school associate superintendent approves the plan despite the objections from the organizational team, the team may then appeal to the Superintendent whose determination is final. (Sec. 28)

(f) **Budget Amendments:** Adjustments to the budget may be made by the principal if necessary after it has been approved upon consultation with the organizational team and approval by the school associate superintendent. (Sec. 24)

C. **Community Input:** Local governmental entities must be allowed to create Community Education Advisory Boards to provide advice and assistance to the organizational team of any local school precinct and the Board of Trustees of the School District. (Sec. 29)

D. **Assignment of Staff of Central Services to Local School Precinct:** If any member of the staff of Central Services is assigned to provide services at a local school precinct on a temporary or permanent basis, the decision regarding the assignment and any subsequent decisions regarding reassignment must be made in consultation with the principal of the local school precinct and the school associate superintendent. (Sec. 14)

III. **Organization of Central Services:** Under the reorganization plan, the Central Services of the School District continues to serve the local school precincts in a meaningful and valuable manner, in a partnership with the local school precincts.

A. **Responsibilities of the School District:** Any responsibility that has not been transferred to the local school precincts to carry out remains with and must be carried out by the School District, including, without limitation: negotiating the salaries and benefits and other conditions of employment of all staff for the local school precincts; transportation services; food services; risk management services; financial services, including payroll; qualifying employees for any position within the School District; services to promote and ensure equity and diversity; services to ensure compliance with all laws relating to civil rights; identification, evaluation, program placement, pupil assignment and other services provided to certain pupils pursuant to federal law; legal services; maintenance and repair of buildings; maintenance of the grounds of the school; custodial services; implementation of the master plan developed for English Language Learners; internal audits; information technology services; police services; emergency management services; carrying out state mandated assessments and accountability reports; and capital projects. Each year, the Superintendent will consult with the school associate superintendents, principals of the local school precincts and organizational teams to determine whether to transfer authority to carry out additional responsibilities to one or more of the local school precincts. (Sec. 14) Any such transfer of authority must also be approved by the Board of Trustees.

B. **Service Orientation:** With more autonomy to make decisions provided to the local school precincts, the School District must become more service oriented and provide services to the local school precincts in a timely manner. If the School District cannot provide any necessary maintenance or repair in a timely manner, it must, at the expense of the School District, arrange for another business or entity to provide the maintenance or repair or take such actions as necessary so that the local school precinct and the pupils and others at the local school precinct are not adversely affected. (Sec. 14)

C. **School Associate Superintendents:** The current structure of the School District must be changed so that there is one school associate superintendent who oversees up to 25 local school precincts. (Sec. 20) Those local school precincts are accountable to that school associate superintendent and that school associate superintendent will serve as the point of contact for the local school precinct with the School District.

1. **Selection of School Associate Superintendent:** The school associate superintendent must be selected in a collaborative process. (Sec. 20)

(a) **Superintendent Role:** The Superintendent of the School District must post notice of the vacancy and interview qualified candidates for the position.

(b) **Involvement of Others:** At least one but not more than two representatives of the principals of the local school precincts overseen by the vacant position must be allowed to participate in the interviews of candidates. In addition, either a representative of a municipality

or county, whichever has the most schools that are overseen by the vacant position, must also be allowed to appoint one representative to participate in the interviews of candidates.

(c) **Public Meeting:** Before hiring a candidate, the Superintendent must notify the governing body of the city or the Board of County Commissioners for Clark County, whichever has the most schools that are overseen by the vacant position, of the candidate whom the Superintendent intends to hire. The city or county, as applicable, may then hold a public meeting at which the Superintendent and the candidate for the vacant position must appear to answer questions and receive public input.

(d) **Final Selection:** After the public meeting, or if no such meeting is held, the Superintendent decides which candidate to hire in his or her sole discretion. After the candidate is hired, the Superintendent has authority to make any employment decisions regarding the school associate superintendent in his or her discretion.

2. **Responsibilities of the School Associate Superintendent:** With respect to the local school precincts to which the school associate superintendent is assigned, the school associate superintendent is responsible for training and supervising the principals, approving the plans of operation, ensuring that the local school precincts remain in compliance with the law, and any other duties assigned by the Superintendent. The school associate superintendent must provide quarterly reports in person to certain local governmental entities. The school associate superintendent is responsible to the Superintendent and is accountable for the performance of all of the local school precincts to which he or she is assigned. The performance of the local school precincts must be measured by: (1) annual surveys administered to stakeholders; and (2) progress made toward satisfying the goals and objectives set forth in the statewide system of accountability for public schools. (Sec. 21)

IV. **Financial Transparency and Planning:** The School District must compile and provide financial information to provide transparency and to allow the local school precincts to understand their budgets.

A. **Estimates:** On or before January 15 of each year, the Superintendent must make certain estimates so that the local school precincts may begin to plan for the next school year. (Sec. 15)

1. **Average Unit Cost:** The Superintendent must estimate the average unit cost for each type of employee employed by a local school precinct. In determining the average unit cost, a different average unit cost must be established for teachers and substitute teachers. (Sec. 15)

2. **Available Equipment, Services and Supplies:** The Superintendent must provide a list of equipment, services and supplies that a local school precinct will be able to purchase from the School District, including the cost of such equipment, services and supplies. The School

District must not charge more than its actual cost for the equipment, services and supplies. (Sec. 15)

3. **Anticipated Amount of Unrestricted Money:** The Superintendent must estimate the anticipated total amount of unrestricted money that the School District will receive from all sources. The sources of all money must also be identified. Money should not be identified as restricted unless restricted by law, if proscribed by the Department of Education or the money has been otherwise encumbered. (Sec. 16)

4. **Percentage of Unrestricted Money to be Allocated:** The Superintendent must estimate the percentage of unrestricted money that will be allocated, which must equal not less than 80 percent of the total unrestricted balance for the 2017-2018 School Year, and not less than 85 percent of the total unrestricted balance each year thereafter. (Sec. 16)

5. **Categorical Funding:** The Superintendent must identify any anticipated categorical funding to be received by the School District and any restrictions on its use. (Sec. 16)

6. **The Amount of the Allocation:** The Superintendent must estimate the total allocation that will be made to each local school precinct. (Sec. 16)

7. **Responsibilities of Central Services:** The Superintendent must establish the responsibilities anticipated to be carried out by Central Services and those for which authority to carry out will be transferred to one or more local school precincts. (Sec. 16)

8. **Estimates to be Published:** The estimates made by the Superintendent must be posted on the Internet website of the School District and made available upon request. (Sec. 16)

B. **Year-End Balance Carry Forward:** The local school precinct must carry forward its year-end balance to the next school year. The School District must account for any such amount that is carried forward as a restricted fund balance. (Sec. 15)

C. **Weighted Student Formula:** The amount to be allocated to each local school precinct must be determined on a per pupil basis after applying a weighted formula to certain categories of pupils. (Sec. 17)

1. **Establishing the Weights:** The School District must apply the same weights and distribution of weights that are established by the Department of Education. In addition, if the School District wishes to apply different weights or distribution of weights than those established by the Department, the School District may apply to the Department for a variance. (Sec. 17)

2. **Weighted Funding Must not Affect Certain Schools:** Applying the weighted formula must not cause the funding for specialty schools and rural schools to be reduced. (Sec. 17)

D. **Allocation:** On or before January 15 of each year, the Superintendent must inform each local school precinct of the anticipated amount of money that will be allocated to the local school precinct for the next school year. (Sec. 18)

1. **Determination of Amount:** The allocation must be based upon the number of pupils in each category who attend the local school precinct after applying the appropriate weight. (Sec. 18)

2. **New Local School Precinct:** If a new local school precinct is added to the School District, the School District must estimate the number of pupils in each category who will attend the new local school precinct and make any adjustments to the allocation of an existing local precinct based upon anticipated changes to the existing local school precinct as a result of the new local school precinct. (Sec. 18)

3. **End of Year True-Up:** The estimated allocation for the next school year must be adjusted on or before November 1 of each year to reflect the actual number of pupils in each category who attended the local school precinct. (Sec. 18)

E. **Determination of Actual Spending:** On or before November 1 of each year beginning in 2018, the Superintendent must determine the actual amount that was spent by the local school precincts and make that information available on the Internet website for the School District and to any person upon request. (Sec. 19) Such information must include:

1. The total amount allocated to each local school precinct and the actual amount expended by the School District for each local school precinct.

2. The amount budgeted for each local school precinct for teachers and the amount actually expended by the School District for teachers at each local school precinct.

3. The number of teacher vacancies at each local school precinct and the amount of money that the local school precinct had available to use as a result of salary savings from the vacancies.

4. The amount budgeted by each local school precinct for each type of employee other than teachers and the actual amount expended by the School District for such employees.

V. **Accountability:** Information must be made public which identifies how the local school precincts have been performing and how well the Central Services of the School District has been performing. (Secs. 30 and 31)

A. **Surveys:** The stakeholders involved with local school precincts must provide input concerning the manner in which the local school precincts and the Central Services of the School District operate so that any necessary adjustments may occur. Therefore, the Superintendent must provide surveys to be administered to employees, parents, legal guardians and pupils.

Surveys must also be given to the staff of Central Services. A summary of the results of the surveys must be made public and must be separated by groups of respondents and as overall results. (Sec. 30)

B. Superintendent's Report: Each year the Superintendent must prepare a report with information about the authority that has been transferred to the local school precincts to carry out responsibilities, a summary of the survey results, an assessment of the performance of the local school precincts, an assessment of the effectiveness of operating the School District under school-based decision making and with more autonomy. The report must also identify any recommendations for regulations or legislation that would improve the operation of the School District. The report must be provided to the Governor, the Department of Education and the Legislature. (Sec. 31)

VI. Oversight and Implementation of Recommendations.

A. Cost: The cost of carrying out the reorganization of the School District must be paid for by the School District through the redistribution of existing money. (Sec. 32) If the Advisory Committee employs a consultant to oversee the transition of the School District in the manner recommended herein, the School District must be required to reimburse the Advisory Committee for the cost of the consultant. (Secs. 32 and 33)

B. Cooperation with Advisory Committee: The School District and the Superintendent must continue to cooperate with the Advisory Committee during the transition of the School District and must provide any financial or other information requested by the Advisory Committee so that the Advisory Committee may ensure that the plan to reorganize the School District is carried out. (Sec. 33)

C. Review by Department of Education: The Department of Education must determine whether any revisions are necessary to the licensing requirements of principals to ensure they are prepared to act as principal of a local school precinct. (Sec. 34) After the first year, the Department must also assess the equity of using the average unit cost for budgeting for the local school precincts and its financial impact on local school precincts. The Department must then determine whether a different manner of budgeting for salaries and benefits should be used. (Sec. 35)

D. Timing: The plan to reorganize the School District must be carried out so that the local school precincts are operating districtwide beginning with the 2017-2018 School Year.