



ELEMENTARY-SECONDARY EDUCATION

Nevada’s Department of Education (NDOE) supervises and regulates public elementary and secondary education in the State and is headed by the Superintendent of Public Instruction. The Department is responsible for regulating and supporting the State’s 17 school districts and 673 public schools. In Nevada, the responsibility for the education of elementary and secondary students is divided or shared among the State, local school districts, and charter schools.

CONSTITUTIONAL BASIS AND HISTORY

The *Nevada Constitution*, Article 11, Section 2 makes the State responsible for the establishment of the public school system. Specifically, the *Constitution* states:

The legislature shall provide for a uniform system of common schools . . .

In general, the Nevada Legislature has four primary responsibilities for public education: (1) providing for a uniform system of common schools; (2) prescribing the manner of appointment and duties of the Superintendent of Public Instruction; (3) indicating specific programs and courses of study; and (4) maintaining overall budget authority and establishing guaranteed per pupil funding.

Over the years, the Nevada Legislature has adopted a body of law within *Nevada Revised Statutes (NRS)* (Title 34, “Education”) regarding the system of public schools. Sections of Title 34 address the State administrative organization; the local administrative organization; financial support of the school system; the system of public instruction; examinations, courses, standards, and diplomas; textbooks; personnel; pupils; school property; and the education of pupils with disabilities.

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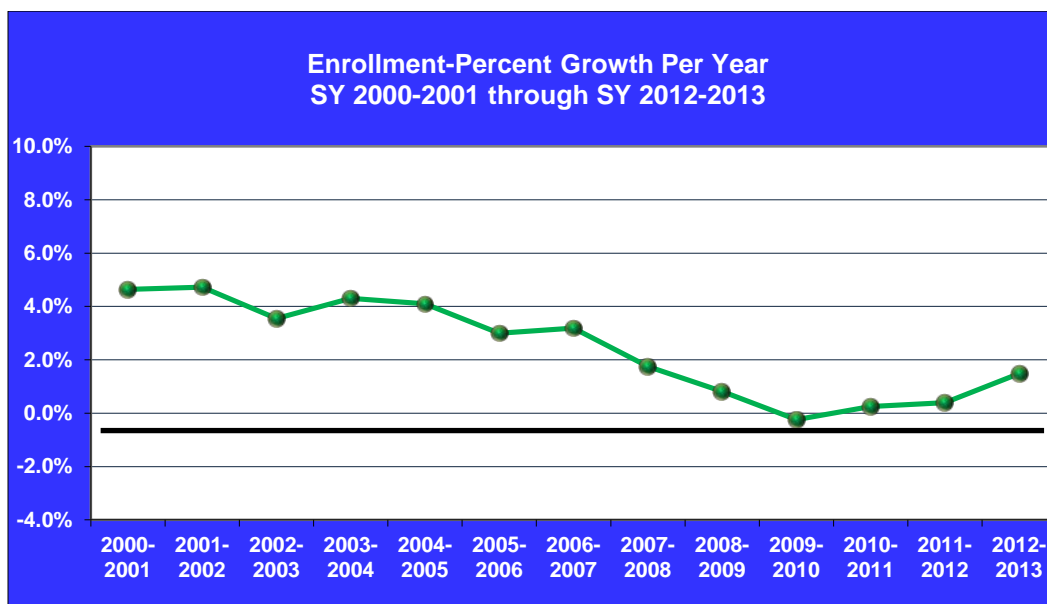
Education

During its biennial sessions, the Legislature acts upon numerous policy and fiscal measures dealing with public education. The two standing committees dealing with policy matters are the Senate Committee on Education and the Assembly Committee on Education. Bills requiring substantive funding are processed by the two appropriations committees—the Senate Committee on Finance and the Assembly Committee on Ways and Means. During the interim period between legislative sessions, fiscal matters related to education are considered by the Interim Finance Committee; education policy issues are discussed by the Legislative Committee on Education.

SCHOOL DISTRICT CHARACTERISTICS AND ENROLLMENT

For the past three decades, a primary focus of the State and many local governments has been the impact of Nevada's explosive growth. The effect of this growth upon government services has been significant, and the associated increase in student enrollment upon public schools is an important part of that overall picture. According to the National Center for Education Statistics (NCES) within the United States Department of Education, from 2002 to 2008, Nevada's Pre-K through 12 enrollment in public schools grew by 17.3 percent, leading the nation. The NCES has issued projections that show Nevada leading the nation in enrollment growth, with a projected increase of approximately 28 percent from 2008 through 2020.

Although past enrollment growth has had a profound impact upon both district staffing and infrastructure in Nevada, especially in Clark County, review of more recent enrollment growth percentages shows enrollment growth leveling off. Throughout the 1990s until School Year (SY) 2001-2002, enrollment growth in Nevada averaged 5 percent per year. Beginning with SY 2002-2003, enrollment growth began to level off, averaging just 0.5 percent over the five years ending in SY 2012-2013.

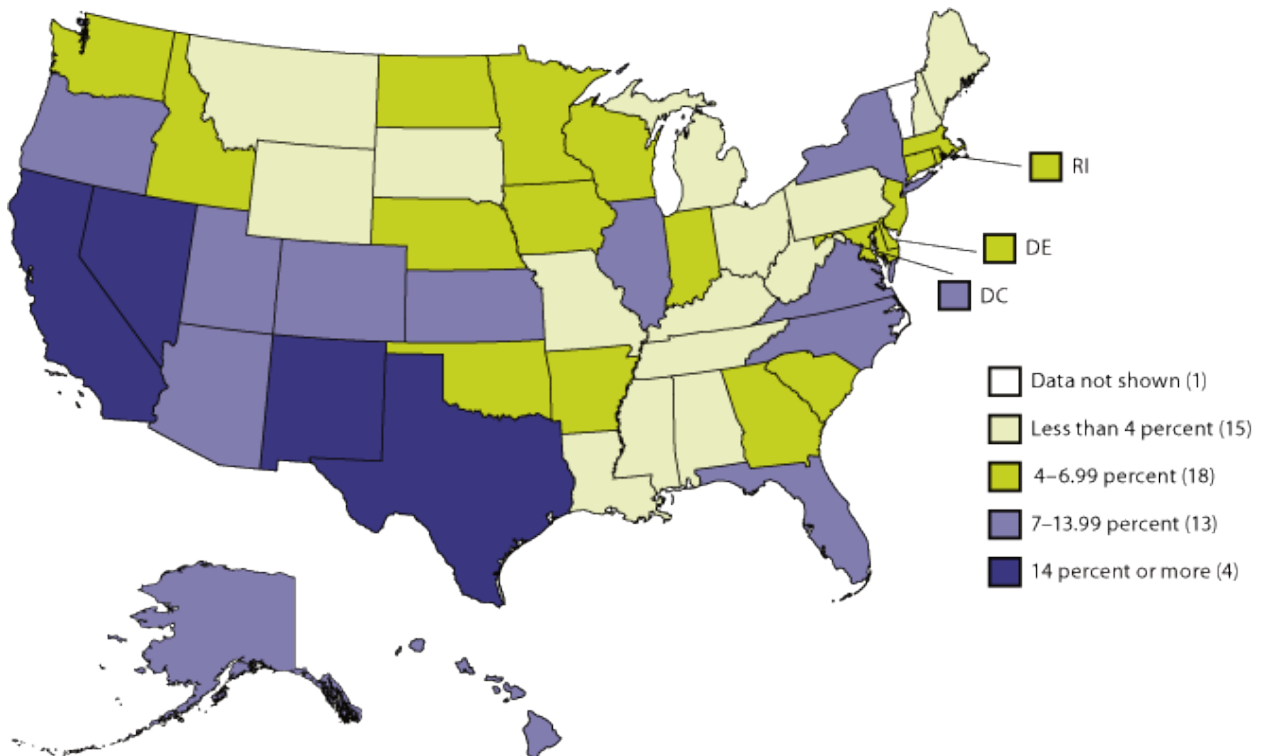


Source: NDOE

Part of Nevada’s large enrollment growth has involved an increase in ethnic minority student populations, particularly those requiring special instruction to gain language proficiency, referred to as English Language Learners (ELL). As of SY 2009-2010, Nevada led the nation with 19 percent of its students classified as ELL. The 2013 Nevada Legislature sought to address this issue through the passage of Senate Bill 504 (Chapter 515, *Statutes of Nevada*). This legislation:

- Provided for a comprehensive program targeting the needs of ELLs;
- Created a 16-member English Mastery Council, tasked with providing recommendations to policy-making entities;
- Required the establishment and implementation of policies to support the successful education of ELLs; and
- Appropriated approximately \$50 million over the 2013-2015 Biennium to support ELL programs.

Percentage of K-12 Students who are English Language Learners



Source: U.S. Department of Education, National Center for Education Statistics, *The Condition of Education*, 2012.

For Nevada’s class of 2013, the graduation rate was 70.7 percent, versus 63 percent in 2012. According to the NCES, the State’s annual dropout rate for SY 2009-2010 was 4.5 percent, the 13th highest dropout rate in the country.

FINANCING

The *Nevada Plan* is the means used to finance elementary and secondary education in the State's public schools. This document may be accessed in the Research Library of the Legislative Counsel Bureau (LCB) or at the following website: [http://www.leg.state.nv.us/Division/Fiscal/NevadaPlan/Nevada Plan 2013.pdf](http://www.leg.state.nv.us/Division/Fiscal/NevadaPlan/Nevada%20Plan%202013.pdf). Through the *Nevada Plan*, the State develops a guaranteed amount of funding for each of the local school districts, and the revenue, which provides the guaranteed funding, is derived from both State and local sources. On average, this guaranteed funding contributes approximately 75 percent to 80 percent of school districts' general fund resources. The *Nevada Plan* funding for the districts consists of State support received through the Distributive School Account¹ (DSA) and locally collected revenues from the 2.60² percent Local School Support Tax (LSST) (sales tax) and 25 cents of the Ad Valorem Tax (property tax).

To determine the level of guaranteed funding for each district, a Basic Per-Pupil Support Rate is established. The rate is determined by a formula that considers the demographic characteristics of the school districts. In addition, transportation costs are included using 85 percent of the actual historical costs adjusted for inflation according to the Consumer Price Index. A Wealth Adjustment, based on a district's ability to generate revenues in addition to the guaranteed funding, is also included in the formula.

Each district then applies its Basic Per-Pupil Support Rate to the number of students enrolled. The official count for apportionment purposes is taken in each district on the last day of the first school month. The number of kindergarten children and disabled 3- and 4-year-olds is multiplied by 0.6 percent and added to the total number of all other enrolled children, creating the Weighted Enrollment. Each district's Basic Per-Pupil Support Rate is multiplied by its Weighted Enrollment to determine the guaranteed level of funding, called the Total Basic Support.

To protect districts during times of declining enrollment, NRS contains a "hold harmless" provision. The guaranteed level of funding is based on the higher of the current or the previous year's enrollment, unless the decline in enrollment is more than 5 percent, in which case the funding is based on the higher of the current or the previous two years' enrollment.

An additional provision assists school districts that experience significant growth in enrollment within the school year. If a district grows by more than 3 percent but less than 6 percent after the second school month, a growth increment consisting of an additional 2 percent of basic support is added to the guaranteed level of funding. If a district grows by more than 6 percent, the growth increment is 4 percent.

¹The DSA is financed by legislative appropriations from the State General Fund and other revenues, including a 2.25-cent tax on out-of-state sales, an annual slot machine tax, mineral land lease income, and interest from investments of the State Permanent School Fund.

²The 2009 Legislature, through the passage of S.B. 429 (Chapter 395, *Statutes of Nevada*), temporarily increased the LSST from 2.25 percent to 2.60 percent for the 2009-2011 Biennium. The 2011 Legislature, through the passage of Assembly Bill 561 (Chapter 476, *Statutes of Nevada*), and the 2013 Legislature through S.B. 475 (Chapter 518, *Statutes of Nevada*), extended the temporary increase to the LSST through the 2013-2015 Biennium.

Special Education is funded on a “unit” basis, with the amount per unit established by the Legislature. These units provide funding for licensed personnel who carry out a program of instruction in accordance with minimum standards prescribed by the State Board of Education. Special Education unit funding is provided in addition to the Basic Per-Pupil Support Rate.

The difference between total guaranteed support and local resources is State aid, which is funded by the DSA. Revenue received by the school district from the 2.60 percent LSST and 25 cents of the property tax is deducted from the school district’s Total Basic Support Guarantee to determine the amount of State aid the district will receive. If local revenues from these two sources are less than anticipated, State aid is increased to cover the total guaranteed support. If these two local revenues come in higher than expected, State aid is reduced.

In addition to revenue guaranteed through the *Nevada Plan*, school districts receive other revenue considered “outside” the *Nevada Plan*. Revenues outside the formula, which are not part of the guarantee but are considered when calculating each school district’s relative wealth, include the following: 50 cents of the Ad Valorem Tax on property; the share of basic government services tax distributed to school districts; franchise tax; interest income; tuition; unrestricted federal revenue, such as revenue received under Public Law 81-874 in lieu of taxes for federally impacted areas; and other local revenues.

In addition to revenues recognized by the *Nevada Plan*, school districts receive “categorical” funds from the federal government, State, and private organizations that may only be expended for designated purposes. Examples include the State-funded Class-Size Reduction program, Early Childhood Education, remediation programs, and student counseling services. Federally funded programs include the Title I program for disadvantaged youngsters, the No Child Left Behind Act, the Race to the Top program, the National School Lunch program, and the Individuals with Disabilities Education Act. Categorical funds must be accounted for separately in special revenue funds. Funding for capital projects, which may come from the sale of general obligation bonds, “pay-as-you-go” tax levies, or fees imposed on the construction of new residential units are also accounted for in separate funds (the Capital Projects Fund and Debt Service Fund).³

The 2013 Nevada Legislature passed S.B. 500 (Chapter 500, *Statutes of Nevada*) creating a Task Force on K-12 Public Education Funding with a goal of equitably funding public education based upon the individual educational needs and demographic characteristics of Nevada’s pupils. Those characteristics include, among other factors, pupils with disabilities, those from low-income families, and those who have limited proficiency in the English language. Studies were conducted in previous interim periods to assist in directing the work of the Task Force. Senate Bill 500 directs that the new weighted formula created by the Task Force be used to prepare the school funding portion of the *Executive Budget* for the 2015-2017 Biennium

³Source: Fiscal Analysis Division, LCB, 2012.

GOVERNANCE AND OVERSIGHT

State Board of Education and the State Superintendent

Senate Bill 197 (Chapter 380, *Statutes of Nevada*) of the 2011 Legislature made numerous changes affecting the structure and governance of Nevada's system of public elementary and secondary education. These include revising the selection process for members of the State Board of Education to consist of voting members elected by the voters in each of the State's four congressional districts, and three members appointed by the Governor. In addition to the voting members, the Board includes four nonvoting members appointed by the Governor after being nominated by various entities specified in the statute. Prior to the approval of S.B. 197, the State Board of Education consisted of ten members chosen statewide in nonpartisan elections.

The measure also changed the selection process of the Superintendent of Public Instruction to require the Governor to appoint the State Superintendent from a list submitted by the State Board of Education. Prior to the passage of S.B. 197, the State Superintendent was appointed by the Board. The measure further revised the current vision and mission statements of the Board, and it provided the Superintendent with the authority to enforce the K through 12 education laws in Nevada, and ensure the duties and responsibilities of various councils and commissions are carried out.

School Districts

Under the authority granted to it by the *Nevada Constitution*, the Legislature established a system of school districts to provide for a mechanism of local control. The Nevada Legislature, in a Special Session held in 1956, made extensive changes to the structure of Nevada's public school system. Among other changes, the Legislature eliminated the 208 legally active local school districts that had existed in Nevada and replaced them with just 17 districts, each of which is coterminous with county boundaries.

Under current law, boards of trustees are composed of either five or seven members; districts with more than 1,000 pupils have seven-member boards. Members serve four years, and vacancies are filled by the remaining trustees at a public meeting with the appointee serving until the next general election. Except in certain circumstances, members of Nevada's 17 local school boards are elected "at large" in each school district. Nevada school district boards of trustees carry out a number of policy roles, which include: (1) approving curriculum; (2) enforcing courses of study prescribed by statute and administering the State system of public instruction; (3) establishing district policies and procedures; and (4) providing oversight of the school district's funds and budget.

History of the Governance Structure in Nevada

Historical information about the structure of Nevada's public school system may be found in the LCB's Issue Paper titled, *History of Selected Components of Nevada's Public Elementary-Secondary Education Governance Structure*. This document may be accessed in the Research Library of the LCB or at the following website: <http://www.leg.state.nv.us/Division/Research/Publications/ResearchBriefs/HistoryEdGovernStruct.pdf>.

GRADUATION STANDARDS

Default Curriculum

Pursuant to NRS 389.018, high school pupils must enroll in four credits of English; four credits of mathematics, including Algebra I and geometry; three credits of science, including two laboratory courses; and three credits of social studies, including American government, American history, and world history or geography. This default curriculum includes more credits than are required for a diploma, but a pupil may request a modified course of study as long as it satisfies at least the requirements for a standard high school diploma or an adjusted diploma, as applicable.

Diplomas

There are currently four types of high school diplomas granted in Nevada: (1) standard; (2) advanced; (3) adult; and (4) adjusted. A standard diploma is awarded upon successful completion of 22.5 units (15 credits for required courses and 7.5 elective credits) and passage of the High School Proficiency Examination (HSPE)—for students graduating during or before SY 2017—or a series of end-of-course exams for students graduating thereafter. An advanced diploma requires completion of a minimum of 24 credits including all requirements for a standard diploma plus 1 additional credit each of mathematics, science, and social studies. In addition, the advanced diploma requires a minimum 3.25 Grade Point Average (GPA), which includes all credits applicable toward graduation. An adult diploma may be granted to a student who withdrew from high school before graduation, but has completed 20.5 units in a program of adult education or an alternative program for the education of pupils at risk of dropping out of high school. An adjusted diploma may be earned by any disabled student who meets the standards prescribed by the student’s Individualized Education Plan.

Required Courses for a Standard Diploma 15 credits	
English/Language	4 credits
Mathematics	3 credits
Science	2 credits
Physical Education	2 credits
American History	1 credit
American Government	1 credit
Arts/Humanities or Career and Technical Education	1 credit
Computer Literacy	1/2 credit
Health	1/2 credit

Source: Nevada Administrative Code 389.664

TESTING IN NEVADA PUBLIC SCHOOLS

Following several sessions of discussion, in 1977 the Legislature adopted a mandated student testing program—the Nevada Proficiency Examination—to provide a statewide measure of student accountability that was not previously available. Since 1977, the Legislature has required statewide testing.

Education

Nevada Education Reform Act

The 1997 Nevada Education Reform Act (NERA) increased testing requirements as a part of the revised accountability program for public schools. The NERA also established a policy linkage between the proficiency testing program and school accountability by creating a procedure for ranking schools based on their average test scores. Schools designated “in need of improvement” were required to prepare plans for improvement and to adopt proven remedial education programs based upon needs identified using the average test scores. In the 1999 Session, the Legislature added a requirement for criterion-referenced tests (CRTs) linked to the academic standards for selected grades and required that the HSPE be revised to measure the performance of students on the newly adopted academic standards starting with the class graduating in 2003.

No Child Left Behind Act of 2001

To comply with the federal No Child Left Behind Act (NCLB), the Legislature enacted S.B. 1 during a special session in 2003 (Chapter 1, *Statutes of Nevada, 19th Special Session*). The measure modified the NERA to add tests aligned to the State academic standards in reading and mathematics for grades 3 through 8. Further, the Legislature made substantive revisions to the linkage between these tests and the State accountability system to meet federal requirements for making Adequate Yearly Progress and imposing sanctions on schools and school districts that are consistently unsuccessful in meeting their target increases in student progress.

The standards-based CRTs required by NCLB are linked to the school accountability program and are considered “high stakes” for schools and districts. The standards-based CRTs have been expanded to include a science examination at grades 5 and 8.

Since 1979, the HSPE has been a “high stakes” test for individual students since a passing score is required as a condition for high school graduation and for eligibility in the State’s Governor Guinn Millennium Scholarship Program. Historically, the HSPE included math, reading, and writing examinations; however, beginning with the Class of 2010, a science test was included in the examination. The 2013 Legislature passed A.B. 288 (Chapter 506, *Statutes of Nevada*), which will result: (1) in the phase-out of the HSPE; and (2) the addition of required end-of-course exams. The bill also calls for the adoption of assessments to measure students’ college and career readiness—though these assessments will not be a requirement for graduation.

Common Core State Standards

The adoption of the Common Core State Standards (CCSS) by Nevada in 2010 prompted reconsideration of the State’s overall testing scheme. Nevada joined the Smarter Balanced Assessment Consortium, a multi-state organization united in developing computer-adaptive assessments that are aligned with the CCSS. As these new assessments are brought online, they will replace the CRTs in Nevada.

EDUCATIONAL PERSONNEL

During SY 2013-2014, Nevada’s school districts employed 25,895 licensed personnel; of these, 21,276 (82 percent) were classroom teachers.

Average Teacher Salaries

Teacher pay is often viewed as a major factor in attracting qualified people into the profession. The National Education Association's (NEA) *2012 Rankings and Estimates* reported Nevada's average teacher salary at \$53,736 for SY 2012-2013; the national average was reported at \$57,282. This ranked Nevada 24th among the 50 states and the District of Columbia. Please note that the NEA estimates do not include the compensation package that contains the employee portion of retirement contributions, which the local school districts pay for employees.

Collective Bargaining

Although the State budget often includes funding for raises for education personnel, salary increases that are utilized by the Legislature to construct the budget are not necessarily what is passed on to the school district employees. Salaries for teachers are set at the school district level, utilizing the collective bargaining process outlined in Chapter 288 ("Relations Between Governments and Public Employees") of NRS. Following the lead of other states, the Nevada Legislature adopted the Local Government Employee-Management Relations Act in 1969 to regulate collective bargaining between local units of government and their employees, including school districts and teachers. The requirements for recognition of an employee organization and definitions of bargaining units are set forth in Chapter 288 of NRS. There is only one recognized employee organization for each bargaining unit. There are 17 organizations representing teachers—1 in each school district.

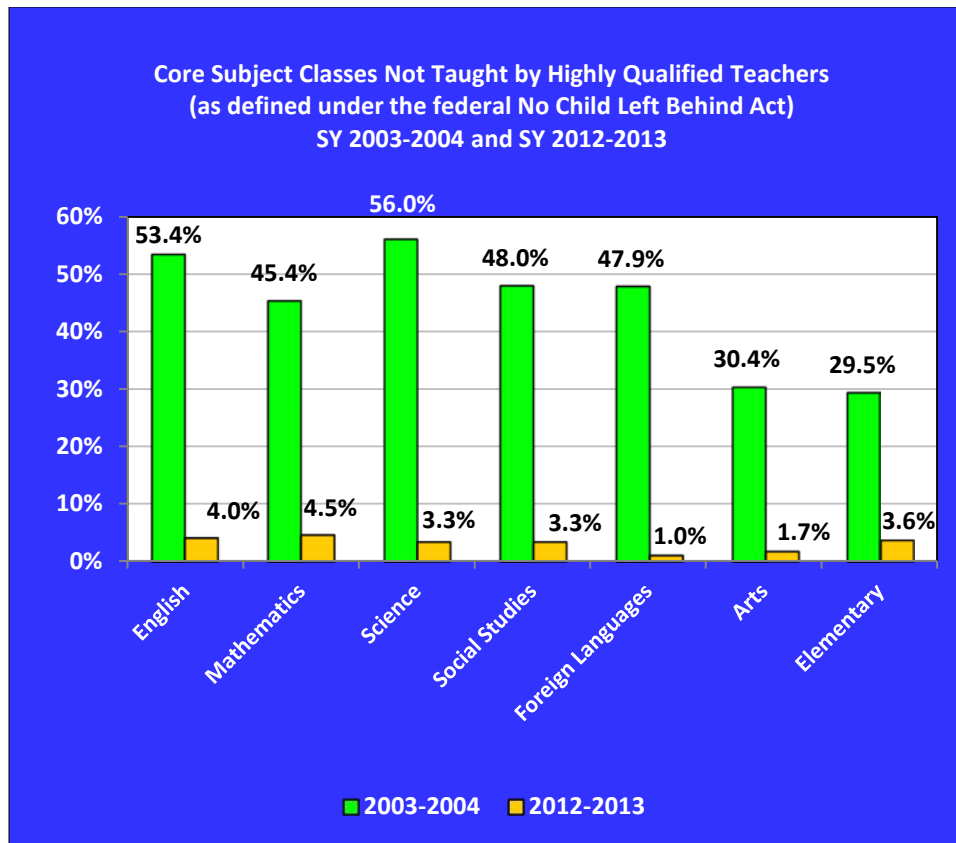
2011-2013 Budget Reductions: Teacher and State Employee Salaries

To help meet projected revenue shortfalls, the 2011 Legislature reduced funding for State employee salaries, including those for school employees, 2.5 percent in each Fiscal Year (FY) of the 2011-2013 Biennium. In addition, for the first time, the budget was reduced by the 5.3 percent employee contribution to the Public Employees' Retirement System (PERS) for school employees. Until then, though some school employees participated in the employer-paid PERS option, funding for school salaries had not been reduced to reflect this savings, as is the practice with Executive Branch agencies.

In FY 2014, teacher salaries are budgeted at an average of \$55,055 (\$75,756 with benefits); in FY 2015, they are budgeted at \$56,156 (\$77,384 with benefits). These figures are based upon a 2 percent increase in average salaries related to merit adjustments for increased education and longevity for years of service.

Highly Qualified Teachers

A key focus of NCLB is the importance of highly qualified teachers. Highly qualified teachers must have: (1) a bachelor's degree; (2) full State certification or licensure; and (3) proof that they know each subject they teach. Under the federal law, all teachers of core academic subjects were to be highly qualified by SY 2005-2006. For SY 2012-2013, approximately 96 percent of core class teachers in Nevada met the criteria for highly qualified teachers. For elementary schools, 96 percent of teachers met the criteria. For secondary schools, the percent of core subject areas taught by highly qualified teachers ranged from approximately 95 percent in mathematics to 99 percent in foreign languages.



CLASS-SIZE REDUCTION PROGRAM

A key reform initiative for over two decades is Nevada’s program to reduce pupil-to-teacher ratios, commonly known as the Class-Size Reduction (CSR) Program. Following a review of the topic by a 1987-1988 Interim legislative study, the 1989 Legislature enacted the Class-Size Reduction Act (Assembly Bill 964, Chapter 864, *Statutes of Nevada*). The measure was designed to reduce the pupil-to-teacher ratio in public schools, particularly in the earliest grades where the core curriculum is taught. By the end of SY 2012-2013, the Legislature will have approved approximately \$2.11 billion for the direct costs of funding the CSR Program, excluding any local capital expenditures or other local costs.

Implementation of the CSR Program in the State of Nevada

The program was scheduled for implementation in several phases. The first step reduced the ratios in selected kindergartens and first grade for SY 1990-1991. The next phase was designed to improve second grade ratios, followed by third grade reductions and broadening kindergarten assistance. The 1991 Legislature made funds available for SY 1991-1992 to reduce the ratios in first and second grades and selected kindergartens to the 16-to-1 ratio. Due to budget shortfalls late in 1991 and the continuing State fiscal needs, the third grade phase was delayed until FY 1996-1997 when partial funding was provided at a 19-to-1 ratio. Those funding formulas continued throughout the subsequent biennia.

After achieving the target ratio of 15 pupils to 1 teacher in the primary grades, the original program proposed that the pupil-to-teacher ratio be reduced to 22 pupils per class in grades 4, 5, and 6, followed by a reduction to no more than 25 pupils per class in grades 7 to 12. Until the 2005 Legislative Session, only the primary grades (K through 3) had been addressed.

Flexibility in the Pupil-to-Teacher Ratios

Based upon a pilot program in the Elko County School District, the 2005 Legislature enacted S.B. 460 (Chapter 457, *Statutes of Nevada*), which provided flexibility in implementing improved pupil-to-teacher ratios in grades 1 through 6 for school districts other than those in Clark and Washoe Counties. Pupil-to-teacher ratios were limited to not more than a 22-to-1 ratio in grades 1 through 3, and not more than a 25-to-1 ratio in grades 4 through 6.

Current Status

The 2009 Legislature approved the continuation of funding for class-size reduction for the 2009-2011 Biennium. This funding would have maintained pupil-to-teacher ratios within statutory guidelines through all elementary grades. Instead, the 26th Special Session of the Legislature convened on February 23, 2010, to address the State's ongoing fiscal crisis. The Legislature passed Assembly Bill 4 (Chapter 7, *Statutes of Nevada 2010, 26th Special Session*) which *temporarily* revised provisions governing class-size reduction to allow school districts flexibility in addressing budget shortfalls. This legislation became effective on March 10, 2010, and was intended to sunset on June 30, 2011. However, the enactment of A.B. 579 (Chapter 370, *Statutes of Nevada 2011*) and S.B. 522 (Chapter 382, *Statutes of Nevada 2013*) temporarily continued the provisions for four more years through June 30, 2015.

As the economy improved, the 2013 Nevada Legislature was able to address class-size reduction. Together, S.B. 522 and A.B. 2 (Chapter 5, *Statutes of Nevada, 27th Special Session*) had the following impacts on class-size reduction:

- In grades K through 2, the statutory class size ratio increased from 15:1 to 16:1;
- In grade 3, the ratio increased from 15:1 to 18:1;
- For purposes of calculating these ratios, a teacher who teaches multiple classes may only be counted once;
- School districts that exceed the prescribed ratio in any quarter must request a variance from the State Board of Education for the following quarter, and the State Board must, in turn, report this information to the Interim Finance Committee;
- School districts must post on their websites and provide to NDOE a quarterly report of the average daily attendance in their schools and the ratio of pupils per licensed teacher in grades K through 3. The report must also detail whether a school has an approved alternative class-size reduction plan and whether there are any variances from the authorized class-size ratios; and

Education

- Class-size reduction funding was appropriated as follows:
 1. In FY 2013-2014, \$25.5 million to reduce kindergarten class sizes and \$161.7 million to reduce class sizes in grades 1 through 3; and
 2. In FY 2014-2015, \$27.9 million to reduce kindergarten class sizes and \$166.5 million to reduce class sizes in grades 1 through 3.

From the program's beginnings in 1990 through FY 2014-2015, Nevada will have expended nearly \$2.5 billion for the direct costs of funding class-size reduction, excluding any local capital expenditures or operating investments.

CHARTER SCHOOLS

Charter schools are independent public schools, responsible for their own governance and operation. In exchange for this independence, there is increased accountability for their performance. The first charter school legislation in Nevada was enacted in 1997, and Nevada's charter school law was substantially amended in subsequent sessions. While private schools can "convert" to a charter school, homeschools may not.

Sponsors

Until 2011, local school boards, the State Board of Education, and institutions of the Nevada System of Higher Education were authorized to sponsor charter schools in Nevada. Senate Bill 212 (Chapter 381, *Statutes of Nevada 2011*) created the State Public Charter School Authority (SPCSA) to replace the State Board as a sponsor. In addition to sponsoring certain charter schools, the SPCSA is to act as a model of best practices for all charter school sponsors in Nevada. All SPCSA practices align with the Principles and Standards for Quality Charter School Authorizing, as published by the National Association of Charter School Authorizers. Nevada's Department of Education serves as the regulator of charter school sponsors and is responsible for approving or denying and renewing or revoking sponsor applications.

Governance

Each charter school is overseen by a governing body, which must include teachers, and may include parents or representatives of nonprofit organizations, businesses, or higher education institutions. Assembly Bill 205 (Chapter 484, *Statutes of Nevada 2013*) requires Nevada's charter schools to operate under performance-based contracts, which will replace written charters as they expire and will carry a term of six years. Charter contracts must include performance measures for: (1) student achievement and proficiency; (2) attendance and re-enrollment rates; (3) graduation rates, if applicable; (4) financial and governance outcomes; and (5) indicators specific to a school's mission. Through its contract, a governing body is accountable to the sponsoring organization, which can terminate a charter contract for persistent underperformance as measured by the performance framework developed for the school or NDOE's statewide school performance framework.

Revenues and Financing

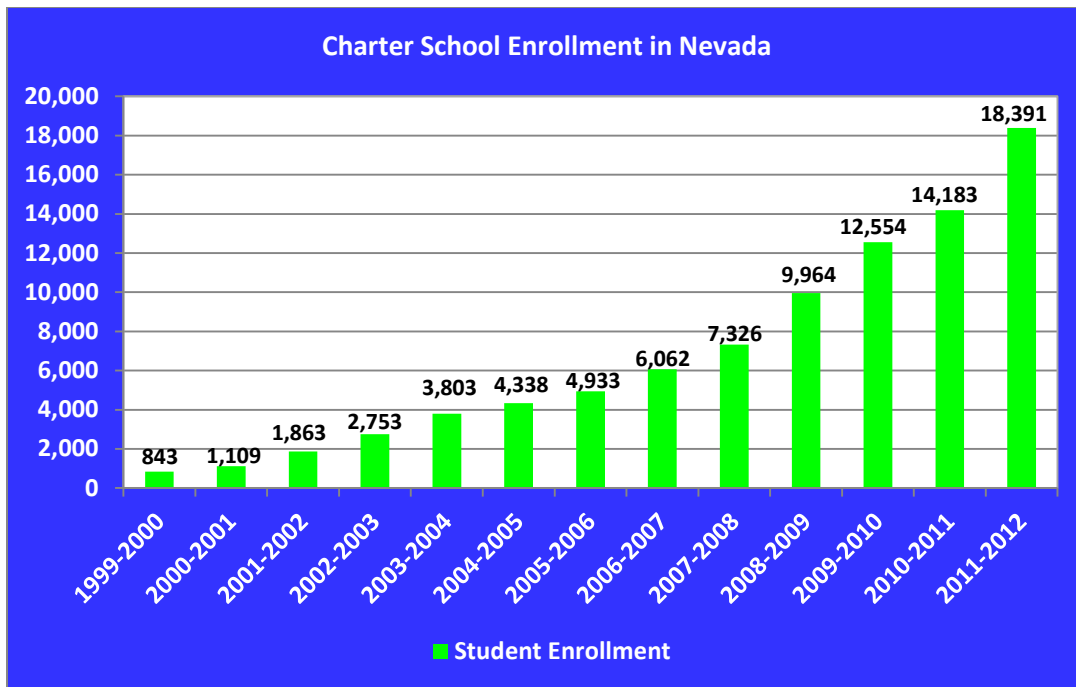
Charter schools receive full per-pupil State funding for their students. School districts are also obligated to share with local charter schools any State or federal funds, such as those received for special education students, on a proportional basis. Sponsors of charter schools receive up to 2 percent of a charter school's total State apportionment; the SPCSA currently charges 1.5 percent.

The SPCSA was created as a Local Education Agency (LEA) as defined in federal law. This LEA status allows it to receive and distribute State and federal categorical aid to its sponsored charter schools. Under Nevada's previous structure, federal law prohibited State-sponsored charter schools from receiving such funding.

Because the facilities of traditional public schools are typically funded through public dollars, above and beyond per-pupil funding, they have had an advantage over charter schools that must fund their facilities with per-pupil dollars or through independent fundraising efforts. To address this inequity, the 2013 Legislature passed S.B. 384 (Chapter 335, *Statutes of Nevada*) authorizing the Department of Business and Industry to issue tax-exempt bonds and other obligations to fund charter school buildings and facilities. Taxpayers are not obligated to repay the bonds in the case of default; bond purchasers bear the investment risk. In order to qualify for bond financing, a charter school must receive one of the two highest ratings in NDOE's statewide school performance framework for three consecutive years, or have an equivalent rating in another state as determined by NDOE.

Significant pre-opening expenses are often incurred before per-pupil funding begins to flow to a school. As a result, the financing of start-up costs have posed a challenge for new charter schools. Nevada has established a \$750,000 Account for Charter Schools that is managed by the SPCSA. Through the account, loans for start-up costs may be made to a charter school, up to \$500 per pupil enrolled or \$200,000 total, whichever is less.

Thirty-two charter schools operated in Nevada during SY 2012-2013. Local school boards sponsored 16 of the schools and the SPCA sponsored the remaining 16. Seventeen charter schools were located in the Clark County School District, 11 in the Washoe County School District, 2 in the Carson City School District, 1 in the Churchill County School District, and 1 in the Elko County School District. During SY 2011-2012, SPCSA charter schools received the following ratings under the standards of the NCLB: 23 percent High Achieving; 41 percent Adequate; 12 percent Watch; and 23 percent In Need of Improvement. Of the 14 applications proposing new charter schools for the fall of 2013, the SPCSA approved 5 to move forward.



Source: NDOE 2012

ACTIONS OF THE 2013 LEGISLATURE

The State’s education function generally includes three sub-functions: (1) NDOE (grades K through 12); (2) the NSHE; and (3) other educational programs, which include the Department of Tourism and Cultural Affairs; the Western Interstate Commission for Higher Education; and the Commission on Postsecondary Education.

Once again, education funding commanded much of the Legislature’s attention in 2013, particularly as Nevada emerged from the economic downturn of the previous several years. There was broad support for even greater investment in education, and meaningful progress was made. Within the State budget, approximately \$3.5 billion in the State General Fund was earmarked for education over the biennium, including \$2.5 billion for elementary and secondary schools, and just under \$1 billion for higher education. Historically, education has been the largest function in the State’s budget supported by the State General Fund, and this will continue in the 2013-2015 Biennium.

The 2013 Legislature addressed a number of important education public policy issues, including an increased focus on early education, and interventions for students in the early grades who are struggling with English proficiency. Steps were also taken to reduce class sizes in kindergarten and to increase the number of schools offering full-day kindergarten. To improve efficiency, the Legislature also transferred the school nutrition program from NDOE to the State Department of Agriculture.

The Legislature passed legislation that continues the improvement of the charter school sponsorship process and adds layers of accountability that will help improve Nevada’s charter schools.

Building upon the work of the 2011 Legislature, steps were taken to realign the statewide school accountability system with federal policy and to support implementation of new and more rigorous performance standards for Nevada's students. Additional steps were taken to implement teacher and administrator performance evaluations and to offer targeted and high-quality professional development for educators.

EDUCATION ISSUES FOR THE 2015 LEGISLATURE

Due to the economic downturn in Nevada, federal and State funding of education will most likely continue to be an issue of high priority for the 2015 Legislature.

One of the most important ongoing statutory committees is the Legislative Committee on Education. During the 2013-2014 Interim, several issues will come before the Committee, including: (1) the rollout of the CCSS; (2) updates on the implementation of three separate new systems to assess the academic progress of students, evaluate the effectiveness of teachers and principals, and examine the performance of schools; (3) professional development for teachers and leaders; (4) early childhood education; (5) meeting the needs of ELL; (6) school safety; (7) digital learning; and (8) several subjects related to higher education.

There are two other interim committees considering education issues. One is examining the governance structure of Nevada's community colleges, and a special task force is revising Nevada's funding formula for K through 12 schools to ensure it gives equitable consideration to the needs of at-risk students, such as ELL, those from lower income families, and students with disabilities.

FREQUENTLY ASKED QUESTIONS

Q: At what age is compulsory attendance enforced?

A: Any person having under his or her control or charge a child who is between the ages of 7 and 18 years shall send the child to a public school during the time school is in session in the school district of residence (NRS 392.040).

Q: What are the age requirements for admitting a child to kindergarten or first grade?

A: Under NRS 392.040, a child must be five by September 30 to be admitted into kindergarten and a child must be six by September 30 to be admitted into first grade. Further, kindergarten is required before a student can go on to grade 1. If a child does not complete kindergarten in a public school program, a licensed private school, an exempt private school, or have on file with the school district a notification of intent to provide home instruction, then the child must pass a developmental screening test for grade 1 readiness.

Q: Is there any way around the September 30 age cutoff?

A: Under most circumstances, there are no provisions for a parent to seek a waiver from these age requirements. However, local districts may waive the age requirement of a child who becomes a Nevada resident after completing a public kindergarten or beginning grade 1 in another state unless there has been an intent to circumvent the law (subsection 8 of NRS 392.040).

Education

Q: Who determines if an absence is excused?

A: *Nevada Revised Statutes* 392.122 requires that each school district board of trustees establish a minimum attendance requirement for promotion to the next grade or for earning academic credit. The school principal or teacher is authorized to approve up to ten days of absences per year; these approved absences do not count against the attendance requirement if the pupil has completed course work requirements. Although each school district's policy is different, examples of reasons for these types of absences include bereavement, family emergencies, religious holidays, and so on. Each district has requirements for parents to notify the school regarding the student's absence. Parents must sign a statement acknowledging that they understand the policies concerning attendance and promotion for kindergarten and grade 1.

School districts may also adopt policies to exempt from the ten-day rule absences due to physical or mental inability to attend school, so long as the pupil completes course work requirements for promotion to the next grade. Attendance is also excused if a child has a physical or mental condition that prevents attendance or renders such attendance inadvisable (NRS 392.050).

Q: May parents homeschool their children instead of sending them to school?

A: Yes. A family wishing to homeschool its child(ren) must file a written notice of intent with the superintendent of the school district in which the child resides. A standard form for the notice is available from NDOE. An educational plan must be filed with the local school district board of trustees with the initial notice. Attendance at a private school also constitutes attendance under the compulsory statute (NRS 392.070).

ADDITIONAL REFERENCES

The LCB has produced a number of documents related to K through 12 education.

- The 2013 Bulletin of the Legislative Committee on Education may be ordered from LCB's Publications Office (LCB Bulletin No. 13-14, *Legislative Committee on Education, January 2013*). The telephone number for LCB's Publications Office is (775) 684-6835 in Carson City, Nevada. The Bulletin may also be found online at: <http://www.leg.state.nv.us/Division/Research/Publications/InterimReports/2013/Bulletin13-14.pdf>.
- Data concerning Nevada's public education system, including national and western states comparisons may be found in the *Nevada Education Data Book*, available through LCB's Publications Office, or online at: <http://www.leg.state.nv.us/Division/Research/Publications/EdDataBook/2013/>.
- Additional data specific to Nevada schools and districts may be found at NDOE's accountability website ("Nevada report card"): <http://www.nevadareportcard.com/>.
- Research Briefs titled "Career and Technical Education"; "Full-Day Kindergarten"; and "History of Empowerment Schools Program in Nevada"; and an Issue Paper titled "History of Selected Components of Nevada's Public Elementary-Secondary Education Governance Structure" may be found at: <http://leg.state.nv.us/Division/Research/Publications/ResearchBriefs/index.cfm>.

- Finally, Fact Sheets on “Charter Schools”; “Class-Size Reduction”; “Elementary-Secondary Education”; and “The P-16 Advisory Council” may be found at: <http://leg.state.nv.us/Division/Research/Publications/Factsheets/index.cfm>.

SELECTED WEBSITES FOR EDUCATION

Alliance for Excellent Education	http://all4ed.org/
American Association of School Administrators	http://www.aasa.org/
American Federation of Teachers	http://www.aft.org/
Center for Education Reform (Charter Schools)	http://www.edreform.com/
Common Core State Standards Initiative	http://www.corestandards.org/
Council of Chief State School Officers	http://www.ccsso.org/
Department of Education, Nevada’s	http://www.doe.nv.gov/
Department of Education, United States	http://www.ed.gov/
Education Commission of the States	http://www.ecs.org/
Education Trust, The	http://www.edtrust.org/
Education Week	http://www.edweek.org/
ERIC (Education Resources Information Center) (Online Searching)	http://www.eric.ed.gov/
National Association of State Boards of Education	http://www.nasbe.org/
National Board for Professional Teaching Standards	http://www.nbpts.org/
National Center for Education Statistics	http://nces.ed.gov/
National Education Association	http://www.nea.org/
National School Boards Association	http://www.nsba.org/
National Association of Charter School Authorizers	http://www.qualitycharters.org/
Nevada Association of School Administrators	http://www.nvadministrator.org/
Nevada Association of School Boards	http://www.nvasb.org/
Nevada State Education Association	http://www.nsea-nv.org/
No Child Left Behind	http://www2.ed.gov/nclb/landing.jhtml
Smarter Balanced Assessment Consortium	http://www.smarterbalanced.org/

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Nevada State Education Association Ruben Murillo, Jr. President Las Vegas, Nevada Telephone: (702) 733-7330 Toll-free Telephone: (800) 248-6732 Fax: (702) 733-6004	Nevada Association of School Boards Dotty Merrill, Ed.D. Executive Director Reno, Nevada Telephone: (775) 443-5988 Fax: (775) 324-5579

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GLOSSARY OF ACRONYMS AND SELECTED TERMS

ACT	ACT® Exam
AFT	American Federation of Teachers
AP	Advanced Placement (Courses)
ARRA	American Recovery and Reinvestment Act of 2009 (Also see RTTT)
CBE	Council for Basic Education
CCSS	Common Core State Standards
CCSSO	Council of Chief State School Officers
CRT	Criterion-Referenced Test
CSN	College of Southern Nevada
CSR	Class-Size Reduction
CTE	Career and Technical Education
DOE	Department of Education, generally referring to the U.S. DOE
DRI	Desert Research Institute
DSA	Distributive School Account
ECE	Early Childhood Education
ECS	Education Commission of the States
ELL	English Language Learners (used interchangeably with ESL and LEP)
ESEA	Elementary and Secondary Education Act
ESL	English as a Second Language (used interchangeably with ELL and LEP)
ETS	Educational Testing Service
FERPA	Family Education Rights and Privacy Act
FRL	Free and Reduced-Price Lunch
GATE	Gifted and Talented Education
GBC	Great Basin College
GED	General Education Diploma
GPA	Grade Point Average
HOUSSSE	High Objective Uniform State Standard of Evaluation (applied to teachers)
HSPE	High School Proficiency Examination
IDEA	Individuals with Disabilities Education Act (Federal Special Education Law)
IEP	Individualized Education Program
iNVest	Investing in Nevada’s Education, Students, and Teachers
IPEDS	Integrated Postsecondary Education Data Systems
ITBS	Iowa Test of Basic Skills
LAS	Language Assessment Scales
LBEAPE	Legislative Bureau of Educational Accountability and Program Evaluation
LCE	Legislative Committee on Education
LEA	Local Education Agency (i.e., School District)
LEP	Limited English Proficient (used interchangeably with ELL and ESL)
LSST	Local School Support Tax
NAC	<i>Nevada Administrative Code</i>
NAEP	National Assessment of Educational Progress

Education

NASA	Nevada Association of School Administrators
NASB	Nevada Association of School Boards
NASS	Nevada Association of School Superintendents
NBPTS	National Board for Professional Teaching Standards
NCATE	National Council for Accreditation of Teacher Education
NCES	National Center for Education Statistics
NCHEMS	National Center for Higher Education Management Systems
NCLB	No Child Left Behind Act of 2001
NDOE	Nevada's Department of Education
NEA	National Education Association
NELIP	Nevada Early Literacy Intervention Program
NERA	Nevada Education Reform Act of 1997
NIAA	Nevada Interscholastic Activities Association
NRT	Norm Referenced Test
NSC	Nevada State College
NSEA	Nevada State Education Association
NSHE	Nevada System of Higher Education
NWEA	Northwest Evaluation Association
PISA	Programme for International Student Assessment
PSAT	PSAT® Exam
PTA	Parent Teacher Association
PTO	Parent Teacher Organization
RPDP	Regional Professional Development Program
RTTT	Race to the Top grant program (part of the American Recovery and Reinvestment Act of 2009)
SAGE	Student Achievement Gap Elimination
SAIN	System of Accountability Information for Nevada
SAT	SAT® Exam
SBAC	Smarter-Balanced Assessment Consortium
SBE	State Board of Education
SEA	State Education Agency (i.e., State Department of Education)
SHEEO	State Higher Education Executive Officers
SIOP	Sheltered Instruction Observation Protocol
SIP	School or State Improvement Plan
SLDS	Statewide Longitudinal Data System
STEM	Science, Technology, Engineering, and Mathematics
TESL	Teaching English as a Second Language
TMCC	Truckee Meadows Community College
UNLV	University of Nevada, Las Vegas
UNR	University of Nevada, Reno
USDE	U.S. Department of Education
WICHE	Western Interstate Commission for Higher Education
WNC	Western Nevada College

Common Core State Standards (CCSS)

The CCSS Initiative is a state-led effort that established a single set of educational standards for kindergarten through 12th grade in English language arts and mathematics. The CCSS has been voluntarily adopted by 45 states. The standards are designed to ensure that students graduating from high school are prepared to enter two- or four-year college programs or the workforce. Teachers, parents, school administrators, and experts from across the country together with state leaders provided input into the development of the standards.

Criterion-Referenced Tests (CRTs)

In general, CRTs are tests of academic achievement linked to specific standards or criteria. Such tests measure whether the individual (or group) demonstrates a specific level of skill—either the individual meets the performance standard or he or she does not meet it. An example of this type of test would be the Nevada Proficiency Examination. The criteria that are tested are done on a pass-fail basis determining whether or not the student passed the test by meeting a proficiency target cut score. The extent of any comparative data between schools and districts is a report of the percentage of students who passed the test.

Nevada Education Reform Act (NERA)

The 1997 Legislature passed a sweeping reform package called the Nevada Education Reform Act. The major components of the Act include: requirements for establishing academic standards and assessments; strengthening school accountability standards; funding for classroom technology; and legislative oversight of the process.

Nevada Plan

The *Nevada Plan* is the system used to finance elementary and secondary education in the State's public schools.

Nevada's Department of Education (NDOE)

Nevada's Department of Education is the administrative arm of the State Board of Education. While the Board maintains a policy role, the Department is responsible for carrying out the provisions of State statutes, implementing Board policies, administering the teacher licensure system, and administering federal and State educational programs. The Department's chief executive officer is the Superintendent of Public Instruction.

No Child Left Behind (NCLB)

The NCLB is the name for the 2001 reauthorization of the federal Elementary and Secondary Education Act. Signed into law on January 8, 2002, the NCLB requires each state to have a single, statewide system of accountability and challenging academic standards, taught by highly qualified teachers that will ensure that by 2014 all public school children will reach a minimum level of proficiency on state examinations.

Education

Norm-Referenced Tests (NRTs)

In general, NRTs are tests of academic achievement that measure the skill level of an individual (or the average scores of groups) along a continuum. The well-known bell curve is an example of how persons score along this scale, with a few showing minimal skills, a few demonstrating advanced understanding, and the great majority falling within a bulge on either side of the middle.

Smarter-Balanced Assessment Consortium (SBAC)

The SBAC is a consortium of 25 states working to develop next-generation assessments that accurately measure student progress toward college- and career-readiness. Smarter Balanced is one of two multistate consortia working to develop an assessment system aligned to CCSS by SY 2014-2015.