

Policy Brief

New Legislator Orientation and Training: 2016–2017



K–12 Education

December 6, 2016

State Agency Overview and Mission

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

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The State Board of Education consists 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 from nominations by various entities specified in statute. The Governor appoints the Superintendent of Public Instruction from a list submitted by the State Board of Education. The Superintendent has the authority to enforce the K–12 education laws in Nevada and ensure the duties and responsibilities of various councils and commissions are carried out.

Relevant Nevada Revised Statutes (NRS) Chapters

NRS 385—State Administrative Organization
NRS 385A—Accountability of Public Schools
NRS 386—Local Administrative Organization
NRS 387—Financial Support of School System
NRS 388—System of Public Instruction
NRS 388A—Charter Schools

NRS 388D—Alternative School Choices
NRS 389—Academics and Textbooks
NRS 390—Testing of Pupils and Graduation
NRS 391—Personnel
NRS 392—Pupils

Issues

Federal Law—The federal K–12 education law, originally enacted in 1965, is known as the Elementary and Secondary Education Act (ESEA). In the fall of 2015, Congress unexpectedly reached a compromise reauthorization of ESEA, titled the Every Student Succeeds Act (ESSA), which was signed into law on December 10, 2015. The ESSA represents a significant shift in authority from the federal government to the states and a reassessment of the accountability-based education reform found in the 2001 version of ESEA. This change brings both challenges and opportunities to education policymakers in Nevada.

Testing—There have been significant changes in Nevada's testing regime in recent years. The old criterion-referenced tests have given way to computer-adaptive tests from the Smarter-Balanced Assessment Consortium (SBAC); the High School Proficiency Exam has been replaced by a series of end-of-course exams; and the ACT® is now required of all students in eleventh grade as a measure of college readiness. Technical problems with the SBAC tests in recent years have resulted in challenges for Nevada's school and teacher performance systems, which rely in part on SBAC scores to measure outcomes.

Funding Formula—Nevada is in the process of updating *The Nevada Plan*, the State's K–12 funding formula created in 1967. Under a phased-in approach, the revised formula will better address funding equity between school districts and will provide additional, weighted funding for students with disabilities, living in poverty, whose primary language is not English, or who qualify for gifted and talented education.

New Programs—Governor Sandoval proposed and the 2015 Legislature enacted several new and expanded K–12 education programs. On a macro level, these programs will help fund the changes to the K–12 funding formula. At the school level, these programs focus resources on underperforming schools and on students struggling to achieve reading proficiency by grade three. Using objective evaluation data, future legislatures will need to decide whether these programs should be expanded, contracted, replaced, or eliminated.

SAGE Commission—The 2015 Legislature funded a Spending and Government Efficiency (SAGE) Commission to examine K–12 education and recommend ways to reduce costs, create efficiencies, and improve outcomes.

2015 Legislative Session—Recent Legislation

The 2015 Legislature has been referred to as the “education session.” Legislators considered 50 percent more education legislation than in recent sessions—too many to list here. Highlights include:

Early Literacy—Senate Bill 405 expands the Zoom schools program for students whose primary language is not English; S.B. 432 creates the Victory schools program for the State’s poorest, lowest performing schools; and S.B. 391 institutes the Read by Grade Three program, which includes early literacy supports and a statewide grade three student retention policy.

District Operations—Assembly Bill 448 creates the Achievement School District to convert up to six underperforming district-operated schools to charter schools each year; and A.B. 394 requires creation of a plan to reorganize the Clark County School District into multiple precincts.

Teacher Supports—Assembly Bill 447 revises the teacher performance evaluation system; A.B. 483 requires districts to offer teacher performance pay incentives of 10 percent or more for at least the top 5 percent of teachers; S.B. 474 creates the Great Teaching and Leading Fund for expanded teacher training; S.B. 511 funds the Teach Nevada Scholarship Program to provide scholarships to students pursuing teaching degrees; and S.B. 133 provides limited reimbursement to teachers for out-of-pocket classroom supply expenses.

School Choice—Several bills strengthen Nevada’s charter school law, recently judged to be the best in the nation; A.B. 165 creates the Nevada Educational Choice Scholarship Program; and S.B. 302 is landmark legislation creating a universal education savings account program. However, the Nevada Supreme Court recently ruled the program’s funding mechanism is unconstitutional. This requires a legislative fix for the program to be implemented.

2015–2016 Interim—Legislative Committee on Education

During its end-of-interim work session, the Legislative Committee on Education recommended the following bill draft requests (BDRs) for transmittal to the 79th Session of the Nevada Legislature:

1. Expand and improve self-paced, competency-based education. **(BDR 34–327)**
2. Create and fund a dual language immersion program modeled on the Utah program. **(BDR –442)**
3. Clarify the definition of “pupil with a disability.” **(BDR 34–328)**
4. Improve the efficiency of teacher licensure processes and expand interstate reciprocity. **(BDR 34–329)**
5. Remove the exception for charter schools from the class-size reduction statute. **(BDR 34–330)**
6. Create an Interim Advisory Task Force on School Leader Management. **(BDR S–332)**
7. Simplify and eliminate several redundant or outdated education reporting requirements. **(BDR 34–326)**
8. Create an interim study of K–12 education reporting to recommend possible strategies to modernize and streamline the State’s reporting system. **(BDR R–337)**
9. Abolish the P–20W Advisory Council and replace it with a committee responsible for coordinating and managing the Nevada P–20 to Workforce Research Data System. **(BDR 34–331)**

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