



Nevada's Compliance With Federal and State Education Programs

FEDERAL NO CHILD LEFT BEHIND ACT

The No Child Left Behind Act of 2001 (NCLB) is the current version of the United States Congress's reauthorization of the federal Elementary and Secondary Education Act of 1965 (ESEA), which includes Title I, the government's aid program for disadvantaged students. The NCLB supports standards-based education reform on the premise that setting high standards and establishing measurable goals can improve individual outcomes in education. The NCLB requires states to administer assessments in basic skills to all students at select grade levels in order to receive federal school funding. The NCLB does not assert a national achievement standard; standards are set by each state. The NCLB expanded the federal role in public education through annual testing, annual academic progress report cards, teacher qualifications, and funding changes.

During the 2003 Legislative Session, provisions of the NCLB were added to State statutes after passage of Senate Bill 1 (Chapter 1, *Statutes of Nevada 2003, 19th Special Session*). Although eligible for renewal in 2007, the United States Congress has not reauthorized the ESEA, but it has reviewed a number of proposed changes to the Act.

Federal NCLB Waivers

In 2012, the U.S. Department of Education (ED) established a program to grant waivers to states from certain NCLB requirements in exchange for implementation of comprehensive state-developed plans designed to improve educational outcomes for all students, close achievement gaps, increase equity, and improve the quality of instruction.

Nevada's Department of Education submitted an application to the ED for such flexibility, which was approved on August 8, 2012, for two school years beginning with School Year (SY) 2012–2013. Through the waiver, a new accountability model was created; provisions such as "Adequate Yearly Progress" (AYP) and "Annual Measurable Objectives" (AMO) are no longer utilized. Nevada's new system of accountability was implemented, and the first results from new measures of student achievement were released in early spring 2013. In July 2014, the ED granted the State's request to extend the waiver for SY 2014–2015. The waiver is valid temporarily until the NCLB is reauthorized. Due to the waiver's potential effect on Nevada's current accountability system, as codified in Chapter 385 ("Historic Preservation and Archeology") of *Nevada Revised Statutes* (NRS), it is anticipated that the accountability content of the waiver will be the subject of much discussion during the 2015 Legislative Session.

The new accountability system is guided by three primary principles:

Primary Principles

- ❖ College and career readiness as undergirded by the Nevada Academic Content Standards and measured through aligned assessments;
- ❖ The Nevada School Performance Framework for identifying, rewarding, and supporting school performance; and
- ❖ The Nevada Educator Performance Framework for measuring and supporting educator effectiveness.

NEVADA ACADEMIC CONTENT STANDARDS

The first of these accountability principles concerns academic standards. From 2008 to 2010, the National Governors Association (NGA) and the Council of Chief State School Officers coordinated a state-led effort to define common nationwide standards for K–12 education; this resulted in the development of the Common Core State Standards (CCSS). The goal of the CCSS is to set expectations for the knowledge and skills students should gain in English language arts and mathematics in order to be ready for college and career upon graduation from high school. The state-led initiative to develop these standards grew out of concerns that the array of different standards in every state did not adequately prepare students in our highly mobile society with the knowledge and skills needed to compete globally. The standards define the knowledge and skills students should develop within their K–12 education careers to graduate high school able to succeed in entry-level, credit-bearing academic college courses and in workforce training programs. Although not directly involved in CCSS development, the ED has gradually linked state adoption of rigorous college and career standards to numerous grant opportunities and waivers. Nevada, along with many other states, adopted its version of the CCSS in 2010—the Nevada Academic Content Standards—in part, to compete for federal Race to the Top funds.

Common Core Academic Standards

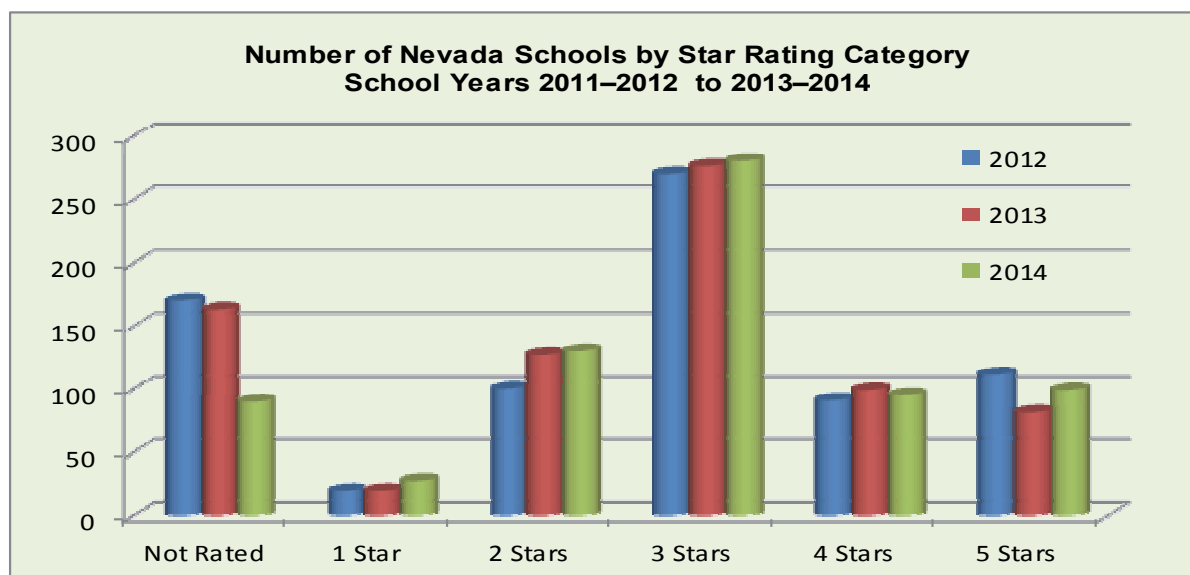
- ❖ Are aligned with college and work expectations;
- ❖ Are clear, understandable, and consistent;
- ❖ Require rigorous content and application of knowledge through high-order skills;
- ❖ Build upon strengths and lessons of current state standards;
- ❖ Are informed by other top performing countries, so that all students are prepared to succeed in a global economy; and
- ❖ Are evidence-based.

The CCSS are state-initiated and state-developed, rather than federally initiated or federally developed. They are also voluntary, meaning that states decide whether or not to adopt them. By December 2012, 45 of the 50 states, including Nevada, had adopted the CCSS; one state (Minnesota) adopted just the English standards. Due to recent controversy concerning the CCSS, a number of states have decided to reverse their earlier decisions. As of September 2014, three states (Indiana, Oklahoma, and South Carolina) passed legislation to exit the CCSS, joining the four states that had not adopted them (Alaska, Nebraska, Texas, and Virginia). In addition, six governors issued executive orders pertaining to state standards, and one of those executive orders (in Louisiana), was an action to exit the CCSS. As of September 2014, 42 states continue with the CCSS in place, although two of those states (Missouri and North Carolina) enacted legislation in 2014 creating groups that will review the CCSS and make recommendations about English and math standards. Neither state explicitly prohibited any set of standards or reversed its prior adoptions of the CCSS.

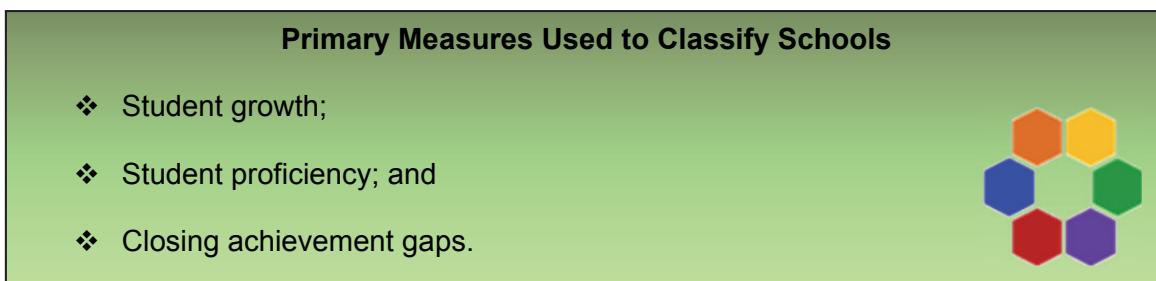
Sources: Website of the U.S. Department of Education: <http://www2.ed.gov/nclb/landing.jhtml>; website of the Common Core State Standards Initiative: <http://www.corestandards.org/about-the-standards>; Nevada's Department of Education, 2014; Education Commission of the States: [States and the \(Not So\) New Standards: Where are They Now?](#); and Education Week: [Common Core May Persist, Even in Opposition States \(July 30, 2014\)](#).

NEVADA SCHOOL PERFORMANCE FRAMEWORK

The second component of the State's accountability system measures school performance. In July 2012, Nevada's ESEA Flexibility request was approved, officially marking an end to the school accountability system known as Adequate Yearly Progress (AYP). The AYP requirement has now been replaced by the Nevada School Performance Framework (NSPF), a point-based system to classify schools with a star rating. The classification system ranges from one star for low-performing schools to five stars for those performing at the highest level.

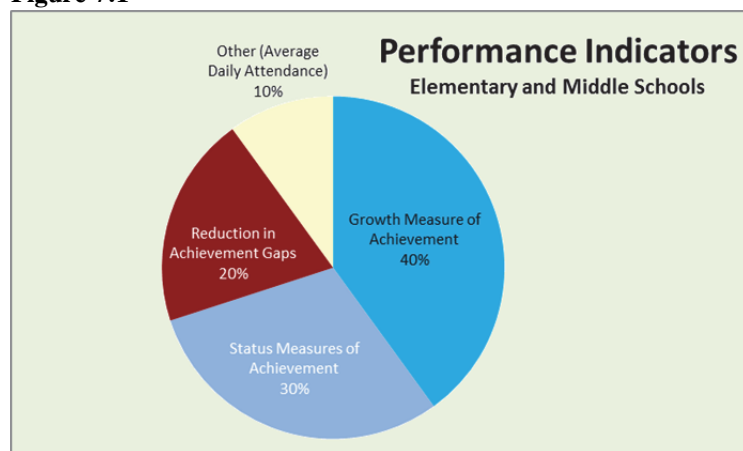


The NSPF classifies schools based upon:



Using the NSPF, Nevada rates all schools on a 100-point index derived from the multiple measures listed below. Based upon the index, each school is assigned a corresponding one- to five-star rating based on the school's scores. The NSPF includes multiple measures of student achievement and growth and aligns the designations for schools to the delivery of appropriate supports or rewards.

Figure 7.1

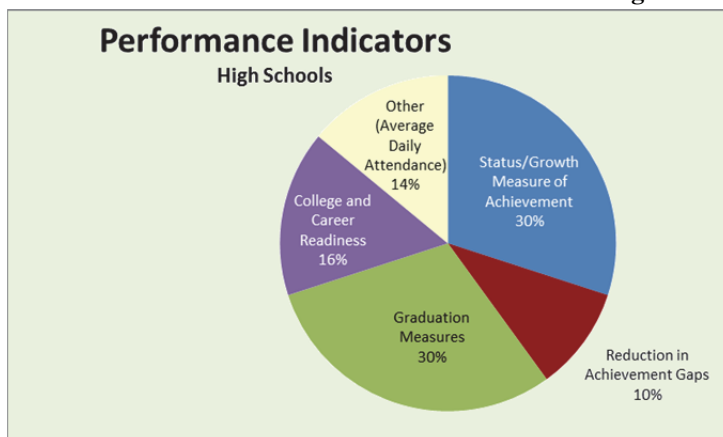


The performance indicators for this system differ, with elementary and middle schools having a set of four broad categories and high schools having five categories. Index scores are comprised of the total points earned across the several indicators. Figures 7.1 and 7.2 reflect those indicators and display the percentage of the total score each category contains. For elementary and middle schools, star ratings in

the NSPF are based upon growth student in achievement, measures of achievement, reductions in subgroup achievement gaps, and average daily attendance.

Figure 7.2

High school ratings are based upon growth in student achievement, reduction of subgroup achievement gaps, graduation rates, college and career readiness, and average daily attendance.



For all schools, the Framework provides measurable feedback to schools and districts to help determine the effectiveness of current practices in improving educational outcomes for all students.

In addition to the star rating system, the NSPF provides for three possible school designations: (1) Focus Schools; (2) Priority Schools; and (3) Reward Schools. Only schools at either end of the performance spectrum receive one of these designations; all other schools receive only the star rating.

1. *Focus Schools*—A Focus elementary or middle school is a school that is among the lowest performing schools, as defined by the State Board of Education, based on the total NSPF index points for Adequate Growth Percentiles in English language arts/reading and mathematics in the current year. To be identified as a Focus high school, a school must be among the lowest performing high schools based on the NSPF index points for graduation and proficiency in English language arts (ELA) and mathematics.
2. *Priority Schools*—To be identified as a Priority elementary, middle, or high school, a school must be among the lowest performing schools, as defined by the State Board of Education, based on the NSPF index points in ELA/reading and mathematics earned in the areas of student performance and growth in achievement during the current year.
3. *Reward Schools*—Reward schools are the highest performing schools for the achievement category on the State assessments (High Performance), as well as for growth over time on the State assessments (High Progress). For high schools to earn this designation, they must also report graduation rates among the top 5 percent of high schools statewide.

Test Participation

Historically, participation rates for Nevada's state assessments have averaged around 99 percent. High participation rates on these assessments are important because they help to strengthen equal access to educational opportunity as well as enable meaningful measurements of academic performance. To ensure that this high standard continues, Nevada has established participation rate penalties for schools that test fewer than 95 percent of their eligible student population. As such, Nevada provides for two separate participation penalties. The first penalty addresses schools that test fewer than 95 percent of their entire eligible student population (All Students Group) in reading or mathematics. The second penalty pertains to schools that test less than 95 percent of any one of their ESEA subgroup populations (Subgroups) in reading or mathematics. Penalties range from point reductions in the star rating index to assigning a single star if a recalculation of total participation falls below 95 percent.

NEVADA EDUCATOR PERFORMANCE FRAMEWORK

The third component of Nevada's ESEA waiver plan is the Nevada Educator Performance Framework. The U.S. Department of Education's ESEA Waiver Principle 3 requires the creation of a uniform statewide performance evaluation framework implemented across all school districts.

In 2011, Assembly Bill 222 (Chapter 487, *Statutes of Nevada*) was enacted by the Nevada Legislature. The measure creates the Teachers and Leaders Council (TLC) and requires the Council to make recommendations to the State Board of Education concerning the adoption of regulations establishing a statewide performance evaluation system for teachers and administrators employed by school districts. The legislation specifies that the evaluation system will require at least 50 percent of the evaluation of an individual teacher or administrator to be based upon the academic achievement of pupils. The new evaluation system requires that an employee's overall performance be determined to be "highly effective," "effective," "minimally effective," or "ineffective."

The framework provides standards for what educators should know and be able to do. For teachers, such standards involve instructional practice and professional responsibilities, as well as student performance. There are similar standards for administrators in the areas of instructional leadership practices and professional responsibilities, along with a broader requirement for student growth. The charts on pages 73 and 74 provide an overview of both the teacher and administrator evaluation models. The TLC's preliminary set of recommendations was presented to the State Board of Education on June 1, 2012, and the final evaluation models were presented to the Board on December 14, 2012. The Board approved the final regulations on October 4, 2013 (*Nevada Administrative Code* 391.565 through 391.580).



The first advanced degree in the State was awarded by the University of Nevada, Reno in 1903.

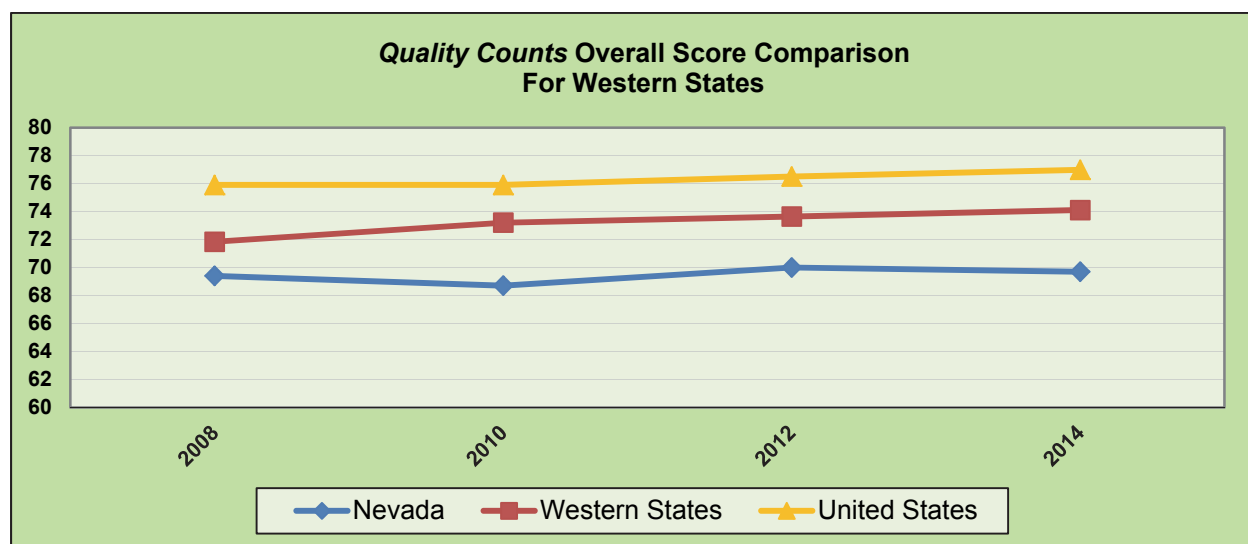
Although the 2011 legislation creating the TLC specified that the new evaluation system be in place for SY 2013–2014, the 2013 Legislature provided additional time to conduct a validation study of the system, delaying the full statewide implementation until at least SY 2014–2015. As authorized by the 2013 Legislature, in June 2014, the Interim Finance Committee recommended an additional one-year delay and a second validation study. The initial delay was approved by the ED as part of Nevada’s ESEA waiver extension. In August 2014, Arne Duncan, U.S. Secretary of Education, announced that states will have the opportunity to request an additional one-year delay for using student test results in their teacher evaluation systems. If a state makes such a request, this delay will push back by one year (to SY 2015–2016) the time when student growth measures based upon new state assessments become part of Nevada’s educator evaluation system. It is likely this request for flexibility will be a topic of discussion during Nevada’s 2015 Legislative Session.



The first Superintendent of Public Instruction under the State government was Reverend A. F. White, who also created the first comprehensive statistical report of school affairs in Nevada.

Quality Counts State Report Card

For 18 years, the Editorial Projects in Education (EPE) Research Center has conducted surveys of all states; findings are included in Education Week's annual publication of *Quality Counts*. In *Quality Counts*, states are awarded overall letter grades based upon their ratings across six areas of performance and policy: (1) chance for success (state data concerning family income, parental education, parental employment, linguistic integration, preschool enrollment, and kindergarten enrollment); (2) K through 12 achievement (state data concerning performance on the National Assessment of Educational Progress); (3) standards, assessment, and accountability (state data concerning state academic standards); (4) transitions and alignment (state data concerning early childhood education and college readiness); (5) teaching profession (state data concerning initial licensure requirements and out-of-field teaching); and (6) school finance (state data concerning equity and spending). The ratings for Nevada are presented in the tables that follow.



QUALITY COUNTS: NEVADA								
YEAR	Overall State Grade		Components of the Overall State Grade					
	Grade	Total Score	Chance for Success	K–12 Achievement	Standards, Assessment, and Accountability	Teaching Profession	School Finance	Transitions and Alignment
2014	D+	69.7	D-	D+	C	C-	D	C
2012	C-	70.0	D	D	C	C-	D	D+
2010	D+	68.7	D+	D-	C+	C-	D	D+
2008	D+	69.4	D+	D-	C+	C-	D+	D+

Note: *Quality Counts* does not measure states in all of the six categories every year; the Standards, Teaching, and Finance categories that are listed in the 2014 report are from previous years.

Source: Education Week; *Quality Counts*; 2008, 2010, 2012, and 2014.