

Nevada's Compliance With Federal And State Education Programs

FEDERAL EVERY STUDENT SUCCEEDS ACT

The federal Elementary and Secondary Education Act of 1965 (ESEA) was reauthorized by the United States Congress in 2001 as the No Child Left Behind Act (NCLB). 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, Congress did not reauthorize the ESEA despite several attempts.

In the fall of 2015, Congress unexpectedly reached a compromise ESEA reauthorization bill, 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 NCLB.

Major Provisions

The following information is from a December 2015 report titled, *Summary of the Every Student Succeeds Act*, created by the National Conference of State Legislatures (http://www.ncsl.org/documents/educ/ESSA_summary_NCSL.pdf).

Title I

School Improvement Grants

School Improvement Grants are ended by the ESSA. To carry out a statewide system of technical assistance and support for Local Educational Agencies (LEAs), each state is required to reserve either 7 percent of Title I, Part A funding or the amount the state had reserved for school improvement activities in 2016, whichever is greater.

Not less than 95 percent of the amount must be granted to LEAs on a formula or competitive basis for schools implementing comprehensive support and improvement activities, or targeted support and improvement activities, or the State Education Agency (SEA) may directly provide those activities.

State Plans

The SEA must submit a Title I plan to the U.S. Department of Education (ED) that is developed with timely and meaningful consultation with governors, members of state legislatures, and state boards of education. The list of consulting entities also includes LEAs,

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tribal organizations, teachers, principals, and parents, among others. State plans must ensure coordination between programs under several other federal laws including the Individuals with Disabilities Education Act (IDEA), the Rehabilitation Act, the Perkins Career and Technical Education Act, and the Workforce Innovation and Opportunity Act, among others.

Standards

Each state's plan must provide an assurance the state has adopted challenging academic content standards and aligned academic achievement standards that include not less than three levels of achievement. Standards must apply to all public schools and public school students in a state. States are required to have academic standards for math, reading or language arts, and science; a state may have standards for any other subject it chooses. Standards must be aligned with entrance requirements for credit-bearing coursework at state higher education institutions and with relevant state career and technical education standards.

States are allowed to adopt alternate academic achievement standards for students with the most significant disabilities, provided those standards align with overall academic standards and promote access to the general education curriculum consistent with IDEA, and ensure a student who meets the alternative standards is on track to pursue postsecondary education.

States must also adopt English language proficiency standards derived from four domains (speaking, listening, reading, and writing), address the different proficiency levels of English learners, and align with academic standards.

Academic Assessments

States are required to implement a set of high-quality academic assessments in math, language arts, and science, and may implement assessments in other subjects. These assessments (with exceptions regarding alternative assessments for certain students) must be administered to all elementary and secondary students, must measure the achievement of all students, and must be aligned with state academic standards.

The ESSA retains the schedule of federally required statewide assessments. Math and language arts must be assessed annually in grades 3 through 8, and once in grades 9 through 12. Science must be assessed at least once each in grades 3 through 5, grades 6 through 9, and grades 10 through 12.

These assessments must involve multiple measures of student achievement, including higher order thinking skills and understanding, and may include measures of student growth and be partially delivered in the form of portfolios, projects, or performance-based tasks. Assessments must provide appropriate accommodations for children with disabilities and may be administered through a single, summative assessment or through multiple assessments during the course of the academic year. Results must be disaggregated for each state, LEA, and school by:

- Racial and ethnic group;
- Economically disadvantaged students, compared to students who are not economically disadvantaged;
- Children with disabilities, compared to children without disabilities;
- English proficiency status;
- Gender; and
- Migrant status.

Alternate assessments must be aligned with alternative academic standards and achievement goals. Only 1 percent of the total number of all students in the state may be assessed using these alternate assessments.

Local Education Agencies may administer a nationally recognized high school academic assessment approved by the state in place of a required statewide assessment. NOTE: Additional provisions regarding assessments are contained in Part B of Title I, including new flexibility to develop innovative assessments, and are described below.

The ESSA contains a parental rights statement that it does not preempt a state or local law regarding the decision of a parent not to have their child participate in the assessments. However, such children are still counted against a state's 95 percent participation rate requirement.

Subject to federal or state requirements related to assessments, evaluations, and accommodations, states may set a target limit on the aggregate time devoted to assessments in each grade, expressed as a percentage of instructional hours.

Statewide Accountability System

Each state must have a statewide accountability system, based upon the challenging state academic standards for language arts and math, to improve student academic achievement and school success. States must establish ambitious state-designed long-term goals for all students and each subgroup of students in the state for improved:

- Academic achievement as measured by proficiency on the annual assessments;
- High school graduation rates, including the four-year adjusted cohort graduation rate and, at the state's discretion, the extended-year adjusted cohort graduation rate; and
- Percentage of English learners making progress in achieving English language proficiency.

The indicators of the system, for all students and separately for each subgroup, include:

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- Academic achievement as measured by proficiency on annual assessments;
- Another indicator of academic achievement;
- For high schools, a measure of the graduation rate;
- Progress of English learners in achieving English language proficiency; and
- An indicator of school quality and student success such as student engagement, educator engagement, student access to advanced coursework, postsecondary readiness, school climate and safety, or another measure.

States must also incorporate test participation rates in the accountability system. A state must use this system to meaningfully differentiate all public schools in the state, based upon all indicators for all students and subgroups, and put substantial weight on each indicator. The system must differentiate any school in which any subgroup of students is consistently underperforming. Those subgroups are:

- Economically disadvantaged students;
- Students from major racial and ethnic groups;
- Children with disabilities; and
- English learners.

Identification of Schools

States must establish a methodology to identify, beginning in School Year (SY) 2017–2018 and at least every three years thereafter, schools in need of comprehensive support and improvement. These include the lowest performing 5 percent of all schools receiving Title I funds and any high school failing to graduate one-third or more of its students. There must be an annual measure of achievement that includes 95 percent of all students and 95 percent of all students in each subgroup. States must also notify LEAs of any school in their districts in which a subgroup of students consistently underperforms; this status will result in a school-level targeted support and improvement program.

School Support and Improvement Activities

For schools identified as in need of comprehensive support and improvement, the LEA, in partnership with stakeholders (including principals and other school leaders, teachers, and parents), must locally develop and implement a plan to improve student outcomes that: (1) is informed by all the indicators, including student performance, against state-determined long-term goals; (2) includes evidence-based interventions; (3) is based upon a school-level needs assessment; (4) identifies resource inequities; and (5) is approved by the school, the LEA, and the SEA.

An LEA may provide all students enrolled in a school identified by the state for improvement with the option to transfer to another public school if state law permits. Special consideration may be given to any high school predominately serving students returning to education or who are off-track to meet graduation requirements. If an LEA serves fewer than 100 students, it may forego implementing improvement strategies.

To ensure continued support for school and LEA improvement, the SEA must: (1) establish statewide exit criteria for schools identified for comprehensive support and improvement that, if not satisfied within four years, shall result in more rigorous state-determined action; (2) for schools where subgroups of students are not succeeding, review resource allocations to support improvement in schools identified for support; and (3) provide technical assistance. States may initiate additional improvement in LEAs with large numbers of schools needing improvement and, consistent with state law, establish alternative evidence-based strategies that may be used by the LEAs to assist schools.

Report Cards

An annual state report card is required and must be widely disseminated. The report card must be accessible online and provide a clear and concise description of the state's accountability system, including: (1) the long-term goals and measurements of interim progress for all students and subgroups of students; (2) the state's system for meaningfully differentiating all public schools; (3) the number and name of all public schools identified for improvement; and (4) the exit criteria for no longer being identified for improvement. The report card must identify all the indicators and other factors, including professional qualifications of teachers, per-pupil expenditures, National Assessment of Educational Progress scores and, where available beginning with the 2017 report card, information concerning postsecondary attainment. Local Education Agencies will also prepare report cards containing information on student performance on academic assessments.

Schoolwide Title I Programs

Local Education Agencies may consolidate and use Title I and other federal, state, and local funds for schoolwide Title I programs in schools serving an attendance area where not less than 40 percent of the children are from low-income families or where not less than 40 percent of the children enrolled are from such families. Funds may be used for preschool programs or dual/concurrent enrollment programs.

Parent and family engagement (formerly parental engagement) efforts receive an allotment of 1 percent of Title I grants. Local Education Agencies must use parent and family engagement funds to do one or more of the following: (1) support schools and nonprofit organizations providing professional development in this area; (2) support programs to reach parents and family members at home; (3) disseminate best practice information on parent and family engagement; and (4) collaborate with entities with a record of success in improving and increasing parent and family engagement.

Maintenance of Effort Requirement

The requirement for maintaining effort at 90 percent of prior funding is continued, and federal funding is reduced if a state also fails to meet the Maintenance of Effort (MOE) requirement for one or more of the five immediately preceding years. However, the U.S. Secretary of Education can waive the MOE requirement in the case of exceptional or uncontrollable circumstances like a natural disaster or change in the organizational structure of the state, or precipitous decline in the financial resources of the state.

Part B, State Assessment Grants

The Secretary of Education will award grants to SEAs enabling states to carry out one or more of the following activities:

- Paying the costs of developing state assessments and standards; or
- Administering the assessments, including:
 - Ensuring appropriate accommodations for English learners;
 - Developing challenging assessments in other subjects in which the state wants to assess students;
 - Ensuring the continued validity and reliability of state assessments;
 - Refining assessments so that they are continually aligned with challenging state academic standards;
 - Developing balanced assessment systems that include summative, interim, or formative assessments;
 - Refining required science assessments to incorporate engineering design skills;
 - Developing or improving assessments for children with disabilities;
 - Allowing for collaboration for research to improve the quantity, validity, and reliability of state academic assessments;
 - Measuring student academic achievement using multiple measures;
 - Evaluating students through competency-based models; and
 - Designing the report cards and reports required under the ESSA in a user-friendly model that allows cross-tabulation of student information that the state deems appropriate.

State Option to Conduct Assessment System Audits

Grants are authorized to states to enable audits of state assessment systems and ensure LEAs audit local assessments. A first grant allows states to develop a plan for this audit; a subsequent grant may be used for implementation.

Innovative Assessment and Accountability Demonstration Authority

Innovative assessments include competency-based, interim, and cumulative year-round assessments, or performance-based assessments that combine into an annual summative determination, and may be administered through computer-adaptive assessments.

State Education Agencies or a consortium of not more than four SEAs may apply to exercise demonstration authority for a period up to five years. Initially, the Secretary shall provide not more than seven participating state agencies (including those in a consortium) with such authority. States may use this authority to allow LEAs to innovate assessments with the intent of eventual statewide deployment.

Part C, Education of Migratory Children

Federal funds for programs to assist migrant students are allocated by the following basic formula: the sum of the average number of identified eligible migratory children aged 3 to 12 residing in the state, based upon data for the three preceding years, plus the number of eligible migrant children aged 3 to 21 who received services under this part in summer or intersession programs, multiplied by 40 percent of the average per-pupil expenditure in the state (which will be not less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States).

Part D, Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or Considered At-Risk

Included in this section is a requirement that states must establish provisions for, or timely re-enrollment of, youth placed in the juvenile justice system, including opportunities to participate in credit-bearing coursework.

Part E, Flexibility for Equitable Per-Pupil Funding

Part E allows LEAs to consolidate eligible federal, state, and local education funding to create a single school funding system based upon weighted per-pupil allocations for low-income and otherwise disadvantaged students. Demonstration agreements for this local flexibility provision are available for up to three years. Fifty LEAs can receive approval from the Secretary for these demonstration programs, with possible expansion of the program beginning in SY 2019.

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Title II

The most important change in Title II is in the state allotment formula. It will shift from the current formula, 35 percent of which is based upon a state's total student population aged 5 to 17 relative to this population in all states, and 65 percent of which is based upon a state's student population aged 5 to 17 from families below the poverty line relative to this population in all states. The formula will change in phases, as follows:

- 35/65 in Fiscal Year (FY) 2017;
- 30/70 in FY 2018;
- 25/75 in FY 2019; and
- 20/80 in FY 2020 and subsequent years.

The ESSA maintains the requirement that 95 percent of state allotments be subgranted to LEAs, but a state may reserve up to 3 percent of the 95 percent for state activities for principals and other school leaders.

Subgrants to LEAs must be made on the following formula: 20 percent based upon the total student population aged 5 to 17 in the area served by the LEA, relative to all such areas in the state, and 80 percent based upon the student population aged 5 to 17 from families below the poverty line in the area served by the LEA, relative to all such areas in the state.

Funding for national activities (approximately \$470 to \$490 million for each year of FY 2017–2020) is included for the following activities:

- Development of teacher or school leader incentive programs and grants;
- Literacy education programs and grants (including early reading and K–12 programs);
- American history and civics education programs;
- School leader training and recruitment; and
- State-led science, technology, engineering, and mathematics (STEM) master teacher corps programs.

It is important to note the ESSA ends the federal mandate for teacher evaluation, and eliminates the “highly qualified teacher” requirement of No Child Left Behind.

Title III

The accountability measures for English learners are moved from Title III into Title I as previously noted, to show English learner proficiency is as important as proficiency for other students.

English learner program funding gradually increases from \$756 million in FY 2017 to \$885 million in FY 2020. States may use funds for subgrants to eligible entities, as long as 95 percent of state funding is used for purposes described in relevant Title III sections. States receive funding at a rate of 80 percent based upon the population of English learners in that state, relative to that population in all states, and 20 percent based upon the population of immigrant children and youth in the state, relative to that population in all states. This title outlines eligible uses of funds, guidelines for the aforementioned subgrants to local entities, reporting guidelines (submitted every other year), and national professional development project guidelines. The ESSA maintains the prohibition in existing law on federal prescription of curricular or pedagogical approach for educating English learners.

Title IV

This section of the ESSA is where some NCLB programs are eliminated or consolidated into a single grant.

Part A, Student Support and Academic Enrichment Grants

The purpose of these grants is to improve students' academic achievement by increasing the capacity of states, LEAs, schools, and local communities to:

- Provide all students with access to a well-rounded education;
- Improve school conditions for student learning; and
- Expand the use of technology to improve student academic achievement and digital literacy.

States submit a plan describing how the SEA will use funds for state-level activities, award grants to LEAs, ensure review of existing resources and programs across the state, and coordinate those with new resources and programs. States are directed to award 95 percent of the allotment to LEAs, reserve not more than 1 percent for administration, and use the balance for state activities.

Local Education Agencies would undertake a comprehensive needs assessment every three years to determine needs in the areas of:

- Access to, and opportunities for, a well-rounded education for all students;

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- School conditions for student learning in order to create a healthy and safe school environment; and
- Access to personalized learning experiences supported by professional development for the effective use of data and technology.

Activities and programs covered under this grant must be coordinated with other schools and with community-based services and programs and can be delivered in partnership with higher education institutions, businesses, nonprofit organizations, community-based organizations, or other entities. Activities can include:

- College and career guidance and counseling programs;
- Activities using music and the arts as tools to support student success through the promotion of constructive student engagement, problem solving, and conflict resolution;
- Programs and activities to improve instruction and student engagement in STEM, including computer science; and
- Efforts to raise student academic achievement through accelerated learning programs.

Each LEA will use a portion of its funds to develop, implement, and evaluate comprehensive programs and activities, coordinated with other schools and with community-based services and programs that foster safe, healthy, supportive, and drug-free environments that support student academic achievement, include parental involvement, and may be conducted in partnership with other organizations.

A portion of funds must also be used for activities to support the effective use of technology, which may include:

- Purchasing professional learning tools, devices, content, and resources for educators and administrators;
- Building technological capacity and infrastructure;
- Developing or using strategies for delivery of specialized or rigorous academic courses and curricula through the use of technology;
- Carrying out blended learning projects;
- Providing professional development in the use of technology; and
- Providing students, in rural and underserved areas, resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses.

Not more than 15 percent of funds may be used for purchasing technology infrastructure. This subpart is authorized at \$1.65 billion for FY 2016 and \$1.6 billion for each year of FY 2018–2020.

Part B, 21st Century Community Learning Centers

This part provides opportunities for communities to establish or expand activities in community learning centers that provide opportunities for academic enrichment; offer students a broad array of additional services, programs, and activities; and offer families of students served by community learning centers opportunities for active and meaningful engagement in their child's education, including opportunities for literacy and related educational development. Funding is made available for continuation of certain current grants; there are reservations for national activities and for Bureau of Indian Education schools. There is a local competitive subgrant program, which is authorized at \$1 billion for FY 2017 and \$1.1 billion for each year of FY 2018–2020.

Part C, Charter School Grants

The Secretary is authorized to carry out a charter school program that serves early childhood, elementary, or secondary school students by supporting the establishment of new charter schools and the replication and expansion of high-quality charter schools; assists charter schools in accessing credit for acquiring and renovating facilities; carries out national activities to support these goals; disseminates best practices; and evaluates charter schools and strengthens charter school authorizing practices. There are reserves for charter school facility assistance (12.5 percent) and carrying out national activities (22.5 percent).

The Secretary will award competitive grants to a state entity (the SEAs, state charter school board, governor, or charter school support organization) to allow the entity to award subgrants to:

- Open and prepare for operating new charter schools or for replicating or expanding high-quality charter schools;
- Provide technical assistance to applicants; and
- Work with authorized public chartering agencies to improve authorizing quality.

Grants are for a five-year period. Priority for receiving a grant goes to states allowing at least one entity that is not an LEA to be an authorized public chartering agency; ensuring equitable financing for charter schools; and providing one or more of the following: (1) funding for facilities; (2) assistance with facilities acquisition; (3) access to public facilities; (4) sharing of bonds or levies; (5) right of first refusal of a public school building; or (6) low- or no-cost leasing privileges. The state entity should also support charter schools in other ways.

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The authorization for Part C is \$270 million for FY 2017; \$270 million for FY 2018; \$300 million for FY 2019; and \$300 million for FY 2020.

Part D, Magnet School Assistance

Assistance for magnet schools is provided with an authorization of \$94 million for FY 2017; \$96.82 million for FY 2018; \$102,387,150 for FY 2019; and \$108,530,379 for FY 2020.

Part E, Family Engagement in Education Programs

The Secretary is authorized to award grants to statewide organizations to establish family engagement centers which will carry out parent and family engagement programs or provide comprehensive training and technical assistance. The minimum award is \$500,000 and includes a nonfederal match requirement, in cash or in-kind. The authorization is \$10 million.

Part F, National Activities

The annual authorization is \$200,741,000 for FY 2017–2020. Part F grants are for education innovation and research; community school support (95 percent of funding is designated for Promise Neighborhoods and full-service community schools); national activities for school safety; and academic enrichment.

Title V

The purposes of the Innovative Programs provisions in Title V of ESSA include:

- Supporting local education reform efforts that are consistent with and support statewide efforts;
- Providing funding to enable SEAs and LEAs to implement promising reform and school improvement programs, based on research;
- Providing a continuing source of innovation and educational improvement, including library support services and instructional and media materials;
- Meeting the educational needs of all students, including at-risk youth; and
- Developing and implementing programs to improve school, student, and teacher performance.

The SEA bears responsibility for the administration of funds, but it is the intent of Congress the responsibility be carried out with minimal paperwork and that responsibility for the design and implementation of programs mainly fall to LEAs, school superintendents and principals, and classroom teachers and support personnel, because LEAs and individuals have the most direct contact with students and are most likely able to design programs to meet the educational needs of students in their own school districts.

Title VI

Title IV provides for Indian, Native Hawaiian, and Alaska Native education programs.

Title VII

Impact Aid

The ESSA makes a number of policy changes to the Impact Aid program, including increased timeliness of payments as well as permanent technical and formula changes for federal properties that have already reduced subjectivity in the program. It eliminates the Federal Properties “lockout” provision that prevented eligible federally impacted school districts from accessing Impact Aid funding. It adjusts the Basic Support formula to ensure equal proration when appropriations are sufficient to fund the proration formula. It also includes a “hold harmless” provision to provide budget certainty for school districts facing a funding cliff or significant changes to their federally connected student enrollment. The National Association of Federally Impacted Schools has noted the authorization for Impact Aid is kept level for the first three years of the four-year authorization.

Title VIII

Education for the Homeless is reauthorized with a Coordinator for Education of Homeless Children and Youth and LEA liaisons for homeless children and youth established in each state. One provision requires immediate enrollment of homeless children and youth, pending documentation including their relevant academic and health records. The authorization for this program is \$85 million annually in FY 2017–2020.

Title IX

This title includes Preschool Development grants, which are intended to allow states to:

- Develop, update, or implement a strategic plan that facilitates collaboration and coordination among existing early childhood care and education programs in a mixed delivery system across a state;
- Encourage partnerships among Head Start providers, state and local governments, Indian tribes and tribal organizations, private entities, and LEAs to improve coordination, program quality, and delivery of services; and
- Maximize parental choice among a mixed delivery system of providers.

Grants will be awarded on a competitive basis. The grant period is one year, and grants may be renewed. There is a 30 percent matching requirement from nonfederal funds (cash or in-kind). States may use the funds to conduct a periodic statewide needs assessment of the availability and quality of existing programs, the number of children being served in existing

programs, and the number of children awaiting services; develop a strategic plan; maximize parental choice and knowledge; share best practices; and improve the overall quality of early childhood education programs. Renewal grants may be available to enable states to implement activities to address improvement in early care and education programs or to develop new programs. Funding is authorized at \$250 million annually in FY 2017–2020.

Prohibitions on Federal Influence Included in the ESSA

A state shall not be required to submit any standards to the Secretary for review or approval. The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging academic standards adopted or implemented by the state.

The Secretary is not permitted to promulgate any rule or regulation on the development or implementation of the statewide accountability system that would add new requirements or criteria inconsistent with or outside the scope of the law's requirements, or as a condition of approval of the state plan or revisions or amendments to the state plan or approval of a waiver request. The Secretary cannot require additional assessment reporting requirements, data elements, or information to be reported unless explicitly authorized under the ESSA.

Title II contains a prohibition against federal mandates, direction, or control over a state's, LEA's, or school's instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments; employee evaluation system; or specific definition of employees' effectiveness or professional standards, certification, or licensing.

The general provisions section (Title VIII) contains a prohibition against federal mandates, direction, or control, stating that no officer or employee of the federal government shall, through grants, contracts, or other cooperative agreements, mandate, direct, or control a state's, LEA's, or school's specific instructional content, academic standards and assessments, curricula, or program of instruction developed and implemented to meet the requirements of the ESSA (including any requirement, direction, or mandate to adopt the Common Core State Standards or any academic standards common to a significant number of states, or any assessment, instructional content, or curriculum aligned to such standards). No officer or employee of the federal government shall condition or incentivize the receipt of any grant, contract, or cooperative agreement, or preference for such awards, or receipt of a waiver upon a state's, LEA's, or school's adoption or implementation of specific instructional content, academic standards, assessments, curricula, or program of instruction.

The federal government is also prohibited from:

- Mandating states or subdivisions to spend any funds or incur costs not covered in the ESSA;
- Endorsing any curriculum; or

- Developing, incentivizing, pilot testing, implementing, administering, or distributing any federally sponsored national test in reading, mathematics, or other subject if not specifically and explicitly authorized by law.

Finally, the ESSA contains a Sense of Congress statement:

“It is the sense of Congress that state and local officials should be consulted and made aware of the requirements that accompany participation in activities authorized under this Act, prior to a State or local agency’s request to participate in such activities.”

NEVADA’S SYSTEM OF SCHOOL ACCOUNTABILITY

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.

Two schools in the Clark County School District were designated National Title I Distinguished Schools in 2016—Sandra L. Thompson Elementary School and Walter Bracken Elementary School’s STEAM Academy. They were 2 of only 54 schools nationwide to receive this honor in 2016.



NEVADA ACADEMIC CONTENT STANDARDS

The first of these accountability principles concerns academic standards. From 2008 to 2010, the National Governors Association 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 standards in different states did not adequately prepare students in our highly mobile society with the knowledge and skills needed to compete globally. The CCSS define the knowledge and skills students must 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 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 the standards of top performing nations, so that all students are prepared to succeed in a global economy; and
- ❖ Are evidence based.

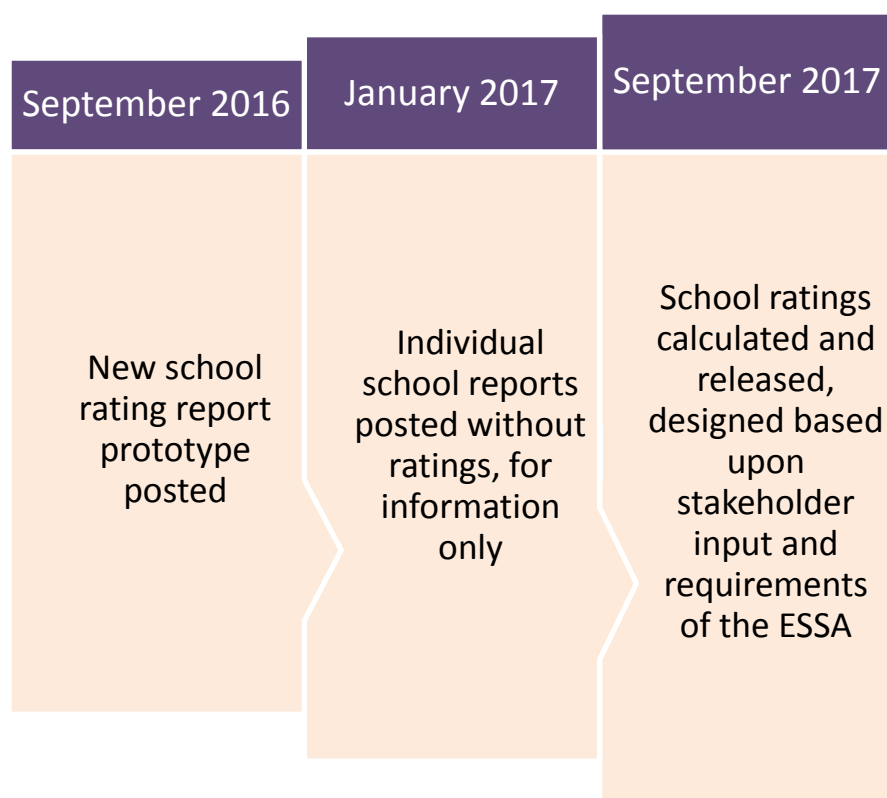
The CCSS are state-initiated and state-developed, rather than federally initiated or federally developed. They are also voluntary, meaning states decide whether to adopt them. By December 2012, 45 of the 50 states, including Nevada, and the District of Columbia had adopted the CCSS; 1 state (Minnesota) adopted just the English standards. Due to controversy concerning the CCSS, some states decided to reverse earlier decisions. As of September 2016, three states (Indiana, Oklahoma, and South Carolina) passed legislation to exit the CCSS, joining the four states that never adopted the standards (Alaska, Nebraska, Texas, and Virginia). As of September 2016, 42 states and the District of Columbia continue with the CCSS in place.

Sources: Common Core State Standards Initiative, <http://www.corestandards.org/standards-in-your-state/>; and Nevada’s Department of Education (NDE), 2016.

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 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 ratings for SY 2014–2015 were paused due to Nevada's transition to new assessments being administered to students in grades 3 through 8 and once during high school. As a result of severe technological issues experienced by the State's testing vendors, as well as the passage of the ESSA and its requirement that a revised school accountability system be in place for SY 2017–2018, NDE has developed a timeline for NSPF revisions and future ratings:

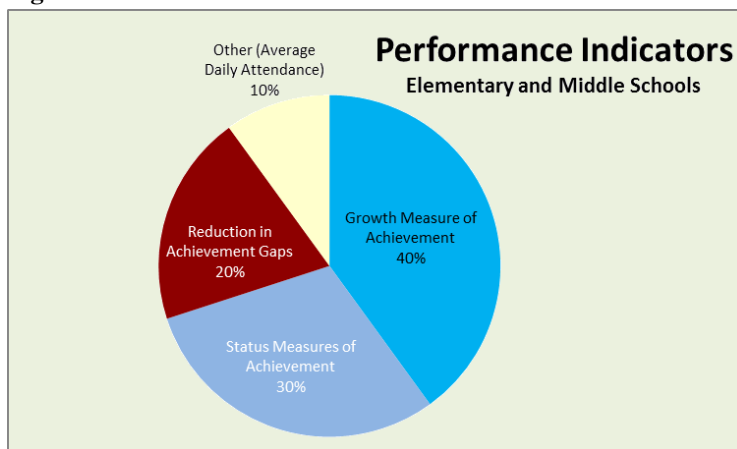


The NSPF in place before SY 2015 classified schools based upon three primary measures:

Primary Measures Used to Classify Schools	
1.	Student growth;
2.	Student proficiency; and
3.	Closing achievement gaps.

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

Figure 7.1

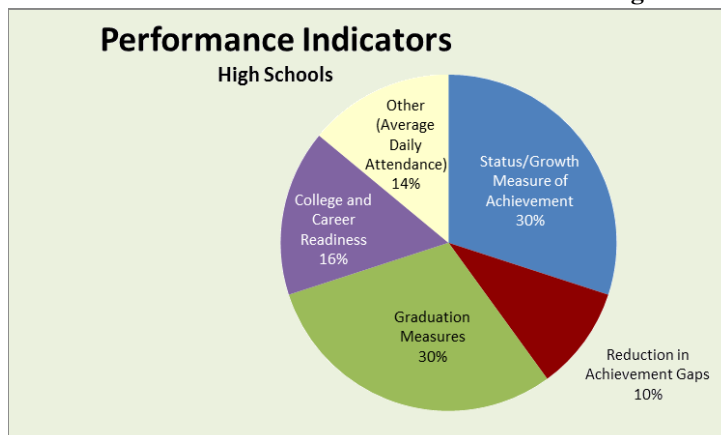


The performance indicators for this system varied, with elementary and middle schools having a set of four broad categories and high schools having five categories. Index scores were comprised of the total points earned across the several indicators. Figures 7.1 and 7.2 reflect those indicators and display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

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

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

Figure 7.2



For all schools, the NSPF provided 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 provided for three possible school designations: (1) Focus Schools; (2) Priority Schools; and (3) Reward Schools. Only schools at either end of the performance spectrum received one of these designations; all other schools received 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 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 English language arts/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 approximately 99 percent. High participation rates on these assessments are important because they help strengthen equal access to educational opportunity and enable meaningful measurements of academic performance. To ensure this high standard continues, Nevada has established participation rate penalties for schools testing fewer than 95 percent of eligible students. As such, Nevada provides for two separate participation penalties. The first penalty addresses schools testing fewer than 95 percent of eligible students in reading or mathematics. The second penalty pertains to schools testing fewer than 95 percent of any one of the ESEA subgroup populations 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 accountability plan is the Nevada Educator Performance Framework (NEPF). The U.S. Department of Education's NCLB Waiver Principle 3 required the creation of a uniform statewide performance evaluation framework implemented across all school districts. The December 2015 passage of the ESSA removes the requirement for a state educator performance framework.

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, though this requirement has been revised (see below). The NEPF requires an employee's overall performance be rated as "highly effective," "effective," "minimally effective," or "ineffective."

The NEPF 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 66 and 67 provide an overview of both the teacher and administrator evaluation models, respectively.

Although the 2011 legislation creating the TLC required 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, the ED provided states the opportunity to request an additional one-year delay for using student test results in teacher evaluation systems.

The 2015 Nevada Legislature enacted Assembly Bill 447 (Chapter 415, *Statutes of Nevada*), revising NEPF provisions to exclude the use of student achievement data in evaluating educators for SY 2015–2016. Beginning in SY 2016–2017, 20 percent of teacher or educator performance is weighted against student performance on both statewide and local examinations and, by SY 2017–2018, educator performance must be weighted 40 percent on student achievement. This legislation also revises the procedure for evaluating new and highly effective teachers, as well as experienced teachers who are determined to be ineffective or minimally effective.