

# Legislative Committee on Education



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**LEGISLATIVE COMMITTEE ON EDUCATION**

**BULLETIN NO. 07-14**

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## SUMMARY OF RECOMMENDATIONS

### LEGISLATIVE COMMITTEE ON EDUCATION

*(Nevada Revised Statutes [NRS] 218.5352)*

The following is a summary of the recommendations adopted by the Legislative Committee on Education at its August 29, 2006, meeting and further developed at its meeting on November 29, 2006. A bill draft request (BDR) number corresponds to each recommendation for legislation.

#### PARENTAL INVOLVEMENT

The members of the Legislative Committee on Education adopted the following proposals relating to parental involvement in the public schools.

1. Provide for a transitory section that requires the Superintendent of Public Instruction to convene a statewide parental involvement advisory council that would recommend to the Legislature policies to increase parental involvement. **(BDR 34-415)**
2. Amend the statutes to require each school district and charter school to adopt a policy for the distribution of the code of honor relating to cheating, prescribed by the Nevada Department of Education (NDE) pursuant to NRS 392.461. The schools shall provide an opportunity for parents or guardians to sign a form acknowledging receipt and review of the code. Further, students will also sign a similar form. **(BDR 34-415)**
3. Amend the statutes to require elementary schools, including charter schools, to report to parents or guardians regarding their involvement in the education of their children. The report shall be used by schools that have been designated as demonstrating need for improvement for the third consecutive year. The form, prescribed by the NDE, must include a notice that parent involvement is a factor in the school improvement plan and conforms to provisions of the federal No Child Left Behind Act of 2001. No student shall be penalized by the contents of the parent report. **(BDR 34-415)**

#### P-16 COUNCIL

The members of the Legislative Committee on Education adopted the following proposal relating to coordination between elementary, secondary, and higher education.

4. Amend the statutes to create a permanent P-16 Council with 15 voting members appointed by the Governor, Senate Majority Leader, and Speaker of the Assembly. The Council members would have the authority to appoint advisory committees.

Members of the Council should represent higher education, elementary and secondary education, and business. Staffing will be provided by the Nevada System of Higher Education (NSHE). The mission of the Council will be to study and make recommendations regarding teacher education, including financial aid, the transitions from middle school through high school to postsecondary education or work, including strategies to increase parental involvement in student progress, curriculum alignment among the various levels of education, and other topics. **(BDR 34–416)**

## GOVERNANCE

The members of the Legislative Committee on Education adopted the following proposals relating to structure of governance of public elementary and secondary schools, including charter schools.

5. Send a letter to the Clark County School District (CCSD) requesting a report to the 2007 Legislative Session on its findings regarding the implementation of a pilot program to authorize selected school principals to exercise more control over school budgeting, programming, and staffing in their respective schools. The findings should include the impact on student achievement, on staffing and provision of educational services, and on budgeting and resource allocation.
6. Provide for a transitory section directing the Legislative Committee on Education to conduct the following:
  - a. An interim study on the governance of public schools, including alternatives for local school autonomy; and
  - b. A study of charter school governance, including structure, organization, accountability, and funding, to be conducted by a subcommittee of members of the Committee. **(BDR 34–417)**

## PUPILS

The members of the Legislative Committee on Education adopted the following proposals relating to pupils.

7. Send a letter to the Superintendent of Public Instruction to request a report on the positions of a consultant to serve the special needs of American Indian children and a consultant to serve the special needs of culturally diverse children, as provided by Assembly Bill 266 (Chapter 502, *Statutes of Nevada 1997*).



8. Provide an appropriation from the State General Fund to the NDE to continue and expand a program for bilingual aides in all school districts to serve in kindergarten classrooms having the highest percentages of Hispanic children, begun as a pilot program pursuant to the provisions of Assembly Bill 580 (Chapter 482, *Statutes of Nevada 2005*). **(BDR S-427)**.
9. Provide the following with regard to truancy prevention and enforcement:
  - a. Amend the statutes to provide for a school attendance review board (SARB) in school districts in counties with populations over 100,000 and to permit such boards in all other school districts. The SARB will adopt and follow a truancy prevention and enforcement program of intervention, diversion, and discipline.
  - b. Amend the statutes to provide that either a parent or child may be fined for truancy; in the event the parent is subsequently fined in a separate case, the fine against the child may be waived.
  - c. Amend the statutes to provide that school district boards of trustees must establish attendance monitoring procedures and compile an annual report of the disposition of truancy cases. Include coordination of community services as part of the truancy program.
  - d. Amend the statutes to provide that a truancy prevention plan that is part of a school or school district plan for improvement may be eligible for funding from the Account for Programs for Innovation and the Prevention of Remediation.
  - e. Provide for a transitory section to require the Legislative Committee on Education to study truancy and related issues in the 2007-2008 interim. **(BDR-418)**
10. Take the following actions with regard to services for students who are deaf or hard of hearing:
  - a. Provide an appropriation for additional signing bonuses for teachers of deaf and hearing impaired students and for annual training stipends for existing teachers of deaf and hearing impaired students and interpreters.
  - b. Provide an appropriation to establish a statewide mentoring program for teachers of the deaf with two consultants provided through the NDE.
  - c. Provide an appropriation for a pilot program to establish a magnet school to consolidate deaf education services at the elementary level **(BDR-433)**.
  - d. State in the final report of the Committee its support for the budget request from the Western Interstate Commission for Higher Education for out-of-state program slots to prepare teachers to work with students who are deaf and hard of hearing.

- e. Send letters to the Board of Regents of the University of Nevada urging the determination of costs and structure of expanded training opportunities for teachers of the deaf. Also urge the Board to determine the costs associated with expanding the availability of courses to enhance the skills of interpreters. Request the Board report these determinations to the Legislative Committee on Education in the 2007-2008 interim.

### **ACADEMIC STANDARDS, ACCOUNTABILITY, EDUCATIONAL TECHNOLOGY, AND STUDENT PROGRESS**

The members of the Legislative Committee on Education adopted the following proposals relating to academic standards, accountability, educational technology, and student progress in the public schools.

11. Send a letter to the Clark County School District Board of Trustees asking it to review the success of the Power Standards by measuring student performance on criterion-referenced tests. Ask the Board to report its findings to the Legislative Committee on Education in 2007 and in 2008.
12. Amend the statutes to authorize the State Board of Education to review and return the standards of content and performance established by the Council to Establish Academic Standards for Public Schools. Require the Council to give due consideration to the reasons provided by the State Board for returning the standards. **(BDR 34-419)**
13. Provide an appropriation from the State General Fund to the Interim Finance Committee to fund a research project through a competitive request for proposals process to measure the calibration and alignment of student assignments to grade level standards. **(BDR 34-419)**
14. Provide the following with regard to the Commission on Educational Technology:
  - a. Amend the statutes to require the Commission on Educational Technology to conduct an education technology needs assessment among the school districts in the spring semester of the first fiscal year of a biennium. The needs assessment shall be based on recommendations from the State technology plan, the school district technology plans, and any evaluations of educational technology. The Superintendent of Public Instruction shall transmit the report to the Legislative Committee on Education; and
  - b. Provide for a transitory section to require the Commission to conduct a needs assessment in the spring of 2008 that includes the need for computer-based assessments and the feasibility of providing laptop computers to students in lieu of

textbooks. The results of the needs assessment shall be transmitted to the Legislative Committee on Education by June 1, 2008. **(BDR 34-419)**

15. Send a letter to the Superintendent of Public Instruction, NDE, directing him to coordinate a meeting among the Commission on Educational Technology, the Council to Establish Academic Standards, and the Commission on Professional Standards for the purpose of developing a statewide plan for the integration of technology into the delivery of instruction and of linking student achievement to the use of technology. Request the Superintendent to provide the Legislative Committee on Education with a copy of a resulting plan and any recommendations for legislation.
16. Send a letter to the Superintendent of Public Instruction, NDE; the Chancellor of the NSHE; and the Director of Nevada's Department of Information Technology urging them to work together to implement throughout the public education system the use of the unique student identification number developed for the Automated System of Accountability Information for Nevada.
17. Provide the following with regard to school support teams, required to be formed in schools entering their third year of demonstrating need for improvement:
  - a. Amend the statutes to authorize the NDE to select either a Department employee or an individual who meets departmental qualifications to serve as the Department's representative on the school support team;
  - b. Amend the statutes relating to corrective actions to be taken when schools demonstrate need for improvement in year three or four, to include:
    - A requirement that the school support team make its recommendations for corrective action to the school district board of trustees, rather than the NDE; and
    - An option available to the NDE to decrease the management authority at the school, rather than the current option to reduce the number of employees who carry out management duties as provided in NRS.
  - c. Appropriate from the State General Fund to the NDE approximately \$3.6 million for the biennium to fund school support teams in non-Title I schools. **(BDR 34-419)**
18. Amend the statutes to change the progress report completed by school support teams in schools in need of improvement from monthly to quarterly. **(BDR 34-419)**
19. Amend the statutes to delete references to the formation and responsibilities for the technical assistance partnerships. **(BDR 34-419)**

20. Send a letter to the Legislative Bureau of Educational Accountability and Program Evaluation directing it to include in the next contract for a progress report on the system of education accountability recommendations regarding the addition or deletion of statutorily required data elements and recommendations to improve either the format or the substance of accountability reports.
21. Amend the statutes throughout by deleting the term “subgroups” and inserting in lieu thereof the term “groups.” **(BDR 34–419)**
22. Amend the statutes to remove charter school results from district sponsor results in the annual report of accountability. Require that school districts report the data for charter schools and provide that accountability data are not aggregated to the school district sponsor data. **(BDR 34–419)**
23. Amend the statutes to require the State Board of Education to provide for promotion from 8<sup>th</sup> grade to 9<sup>th</sup> grade by specifying requirements in the subjects of science and social studies as well as English language arts and mathematics, which are currently specified. Require the collection of data relating to the number of students who drop out during and after 8<sup>th</sup> grade and before enrollment in 9<sup>th</sup> grade. Provide that if a student has been retained once in 8<sup>th</sup> grade and the student is still unable to demonstrate readiness to perform 9<sup>th</sup> grade coursework, the student will be required to complete a course of remediation during the summer between 8<sup>th</sup> and 9<sup>th</sup> grades. **(BDR 34–419)**
24. Provide the following with regard to high school courses:
  - a. Amend the statutes to require a course of study for high school students, including those enrolled in charter schools, that consists of four years of English; four years of mathematics, including Algebra I and geometry; three years of science, including two laboratory courses; and three years of social studies, including: (1) United States history and government; and (2) world history or geography. Provide that school districts may require additional mathematics courses besides Algebra I and geometry **(BDR 34–419)**; and
  - b. Send a letter to the Board of Regents of the University of Nevada suggesting that it apply to the Class of 2008, rather than the Class of 2010, the increased mathematics requirement of four units to be eligible for the Governor Guinn Millennium Scholarship.

## **PERSONNEL**

The members of the Legislative Committee on Education adopted the following proposals relating to educational personnel.

25. Provide an appropriation for the implementation of a pilot program for the induction and mentoring of beginning teachers. Provide a transitory section directing the NDE to establish the pilot program. Include a survey of retired teachers and long-term substitutes to determine if any would be interested in serving as mentors. Provide for a report to the 76th Session of the Nevada State Legislature. **(BDR 34-423)**
26. Provide an appropriation to the NDE from the Distributive School Account for transfer to the four school districts serving as fiscal agents for the continuation of the four Regional Professional Development Programs (RPDPs). Provide an appropriation to the Statewide Council for the Coordination of the Regional Training Programs for statewide administrator training. Also provide an appropriation for the Legislative Bureau of Educational Accountability and Program Evaluation to evaluate the RPDPs. **(BDR S-427)**

### **THE COMMISSION ON EDUCATIONAL EXCELLENCE**

The members of the Legislative Committee on Education adopted the following proposals relating to the activities of the Commission on Educational Excellence.

27. Provide the following with regard to the Commission on Educational Excellence:
  - a. Amend the statutes to require the Commission on Educational Excellence to develop guidelines for consideration of all applications for grants of funds from the Account for Programs for Innovation and the Prevention of Remediation. In the event that the Commission establishes a process of considering applications that includes authorizing application review teams, provide that the full Commission shall review all recommendations for grant awards prior to the allocation of funds **(BDR 34-426)**; and
  - b. Send a letter of intent to the Commission on Educational Excellence informing the Commission that grant applications from school districts and schools that are acceptable for funding shall provide direct student services. Applications to provide indirect student services must be denied with the exception that instructional support for guidance and counseling services provided directly to the benefit of students may be funded.
28. Amend the statutes to revise the required list of priorities of schools to include a second tier of Title I-eligible schools. Further amend the statutes to require the Commission to use the lists of priorities of schools when awarding grant funds. **(BDR 34-426)**
29. Amend the statutes to require that the Commission on Educational Excellence must request from the Legislative Committee on Education an allocation of a portion of funds appropriated to the Account for Programs for Innovation and the Prevention of Remediation for:

- a. Travel and review—provide that no more than \$50,000 per biennium may be used by the Commission to fund travel to grant sites for the purpose of reviewing programs funded by the Commission and to fund conferences among grant recipients; and
  - b. Evaluation—provide that no more than \$250,000 may be retained by the Commission for the purpose of conducting an evaluation of programs funded by grants from the Account. **(BDR 34–426)**
30. Amend the statutes to require the Commission on Educational Excellence to report the distribution of the money and the programs for which the money was allocated according to specified categories. **(BDR 34–426)**

## VENDORS

The members of the Legislative Committee on Education adopted the following proposals relating to contractual services purchased through a competitive proposals process.

31. Provide an appropriation from the State General Fund to the NDE to fund through a competitive request for proposal process contractual services for a monitoring system that would include personal digital assistant assessment technology. The system would monitor progress and instructional improvement in early literacy and mathematics in kindergarten and grades 1 and 2 that is consistent with the goals of the Nevada Education Reform Act. Provide that school districts could use federal funding sources, such as Reading First, Title I, and special education to match State funds. **(BDR S–427)**
32. Provide an appropriation from the State General Fund to the Interim Finance Committee for transfer to the school districts to fund through a competitive request for proposal process contractual services for:
  - a. Personalized study guides to assist students in the following areas:
    - The transition from middle school to high school; and
    - The successful completion of the high school proficiency examination in grades 11 and 12; and
  - b. The continuation of brochures for the reporting of test scores of pupils and related services for teachers, administrators, and parents. **(BDR S–427)**
33. Provide an appropriation from the State General Fund to the NDE to fund through a competitive request for proposal process contractual services to provide career and academic planning and advising instruments for students in 8<sup>th</sup> and 10<sup>th</sup> grades. **(BDR S–427)**

# **REPORT TO THE 74<sup>th</sup> SESSION OF THE NEVADA LEGISLATURE BY THE LEGISLATIVE COMMITTEE ON EDUCATION**

## **I. INTRODUCTION**

Nevada's Legislative Committee on Education is a permanent committee of the Nevada State Legislature whose authorization and duties are set forth in Chapter 218 of the *Nevada Revised Statutes* (NRS). Created in 1997 with the enactment of Senate Bill 482, known as the Nevada Education Reform Act (NERA) (Chapter 473, *Statutes of Nevada*), the Committee is responsible for reviewing statewide programs in accountability, the statewide student information system, class size reduction, progress toward achieving the goals of the federal No Child Left Behind (NCLB) Act of 2001, and any other fiscal or policy concerns associated with public education. The creation of the Committee, its membership, and powers and duties are codified in NRS 218.5352 and 218.5354 (see Appendix A for a copy of these statutes).

The following legislators served on the Legislative Committee on Education during the 2005-2006 interim:

Senator William J. Raggio, Chairman, Reno  
Assemblywoman Bonnie Parnell, Vice Chairwoman, Carson City  
Senator Barbara K. Cegavske, Las Vegas  
Senator Bernice Mathews, Reno  
Senator Maurice E. Washington, Sparks  
Assemblyman Chad A. Christensen, Las Vegas  
Assemblyman Mark Manendo, Las Vegas  
Assemblyman Bob McCleary, North Las Vegas

Legislative Counsel Bureau staff services for the Committee were provided by Carol M. Stonefield, Principal Research Analyst, and Maryann Elorreaga, Senior Research Secretary, of the Research Division; Melinda Martini, Education Program Analyst, and Joi Davis, Program Analyst, of the Fiscal Analysis Division; and Kristin C. Roberts, Principal Deputy Legislative Counsel, and Sara L. Partida, Deputy Legislative Counsel, of the Legal Division.

The Committee held eight meetings during the 2005-2006 interim. Pursuant to the Committee's charge as provided in NRS 218.5354, the Committee considered a wide range of topics relating to elementary and secondary education.

The Committee received a number of presentations from the Commission on Educational Excellence throughout its process of awarding grants to schools and school districts from the Account for Programs for Innovation and the Prevention of Remediation. It also received several presentations on the *State Improvement Plan* of the Nevada State Board of Education,

including the *STARS: Nevada's Blueprint for High School Improvement*. These presentations included a timeline to implement the goals of the plans.

The Committee gathered data on the adequate yearly progress (AYP) of Nevada public schools and school districts and on performance on standardized tests, including the National Assessment of Educational Progress (NAEP). It received reports on components of Nevada's system of educational accountability, as well as reports from state councils and commissions charged with reporting to the Committee. It also heard testimony on strategies to close the achievement gap for specific demographic populations.

The Committee focused its attention on high school and student transitions from middle school through postsecondary education and employment. It received testimony from the school districts on rigorous high school course requirements, surveys of dropouts, and efforts to enforce truancy. It also received a status report from the P-16 Council on its mission, objectives, and priorities to promote coordination between elementary and secondary education and higher education.

In addition, the Committee received presentations from WestEd on student achievement in Nevada and from Professor William G. Ouchi, Anderson Graduate School of Management, University of California, Los Angeles, on local school autonomy. Presentations were also received from various providers of assessment instruments, study guides, career and academic advising and planning tools, and curriculum calibration methods.

Members of the Committee adopted 33 proposals with regard to public education in Nevada, including parent involvement, coordination between elementary and secondary education and higher education, academic standards, accountability, educational technology, student progress, educational personnel, the Commission on Educational Excellence, and vendors. Major recommendations include proposals to:

- Require the use of a parent report in schools demonstrating need for improvement;
- Establish a permanent P-16 Council;
- Recommend that the Legislative Committee on Education study public school governance and form a subcommittee to study charter schools in the 2007-2008 interim;
- Establish requirements for a high school curriculum;
- Provide for truancy enforcement;
- Request that the Superintendent of Public Instruction take the lead in developing a statewide plan for the integration of educational technology into the delivery of instruction and the linking of student achievement to the use of technology;



- Require that certain 8th grade students be provided summer school remediation in order to be promoted to 9th grade; and
- Require the Commission on Educational Excellence to fund direct student services only and to award funds first to schools on a list of priorities.

Finally, the Chairman of the Committee was required by Assembly Bill 388 (Chapter 309, *Statutes of Nevada 2005*) to appoint the Subcommittee to Study the Effectiveness of Career and Technical High Schools. The Committee approved the report of the Subcommittee at its August 29, 2006, meeting and forwarded the Subcommittee's recommendations to the 74<sup>th</sup> Legislature for consideration. The activities and recommendations of the Subcommittee are provided in Bulletin No. 07-4.

Subsequent sections of this report contain detailed descriptions and background information for these recommendations as well as electronic links to material submitted by presenters to the Committee.

## **II. REVIEW OF MAJOR ISSUES AND COMMITTEE ACTIVITIES**

### **A. Education Reform: Background and Status**

#### **1. Background**

##### *a. The Federal No Child Left Behind Act of 2001*

In January of 2002, President George W. Bush signed the No Child Left Behind Act of 2001 (NCLB), the revised and reauthorized Elementary and Secondary Education Act of 1965. Among its many provisions, NCLB requires deadlines for expansion of student testing, the redesign of accountability systems, guarantees of classroom staffing by highly qualified teachers, and the demonstration of annual progress in raising student performance in reading and math and in narrowing the test score gap between identifiable groups of students.

According to NCLB, each state's Title I plans must include a single statewide accountability system for defining adequate yearly progress (AYP) for all public school students. States must define AYP so that all students achieve proficiency on state academic standards by the end of the 2013-2014 school year. Each state is authorized to set its own standards, subject to approval of the state plan by the U.S. Department of Education, but AYP requires annual targets in English and mathematics in grades 3 through 8 and one year in grades 10 to 12. The student assessment data must be disaggregated into the following subgroups: economically disadvantaged students, major racial or ethnic groups, students with disabilities, and English language learners. A school or school district will have achieved AYP for a school year if it tests 95 percent of the students in each subgroup and if the scores of no subgroup fall below the minimum set for AYP growth. In addition to student achievement on standardized tests linked to state academic standards, states must identify other indicators of progress. Failure to

achieve AYP requires corrective action in Title I schools and districts. States are required to produce report cards at the state, district, and school levels. The state plan developed by the Nevada Department of Education (NDE), titled *All Children Can Succeed*, contains the strategies for complying with NCLB. (For a copy of *The Nevada Plan*, go to <http://www.doe.nv.gov/nclb/NCLBplan.doc>.)

In addition to student testing, NCLB requires any state receiving Title I funds to develop a plan to ensure that all teachers in core academic subjects are highly qualified by the end of the 2005-2006 school year. To be highly qualified, a teacher must be fully licensed by the state without any waivers or conditions attached to the license and hold at minimum a bachelor's degree. Elementary teachers must demonstrate subject knowledge and teaching skills in the basic elementary school curriculum. Middle or secondary school teachers must hold bachelor's degrees in the subjects they teach and demonstrate competency. Existing teachers must meet high objective uniform state standards of evaluation to demonstrate that they are highly qualified. In addition, all paraprofessionals working in programs supported by Title I funds must be highly qualified. To do this, they must have completed at least two years of college, obtained an associate degree or higher, or demonstrated that they hold the knowledge and skills to assist in the instruction of reading, writing, and mathematics.

Numerous other sections of NCLB relate to grants for reading, educational technology, teacher quality, and safe and drug-free schools. Grants are available for innovative programs in such areas as parental involvement, school dropout prevention, and troops-to-teachers training programs.

*b. Senate Bill 1*

In order to avoid duplication and to eliminate conflicts between the federal law and NERA, the Legislature enacted Senate Bill 1 (Chapter 1, *Statutes of Nevada 2003, 19<sup>th</sup> Special Session*), which requires the NDE and the school districts to report certain activities. Among these are State and district annual reports of accountability. The State Board of Education and each school and district must submit a plan to improve school achievement. The NDE must report all schools and districts that fail to make AYP. The State Board of Education is required to establish guidelines for the participation of Nevada schools in the National Assessment of Educational Progress (NAEP) and to report a comparison of the results of Nevada students with the results of students throughout the country and with the results of Nevada students on the state mandated achievement and proficiency examinations administered pursuant to Chapter 389 of the NRS.

In *The Nevada Plan: All Children Can Succeed*, the Nevada Department of Education developed a plan to reach the NCLB goal of 100 percent proficiency by 2013-2014.

The following table displays the estimated annual measurable objectives (AMO) approved by the U. S. Department of Education as complying with the requirements of NCLB.

School Year	Elementary School		Middle School		High School	
	ELA	Math	ELA	Math	ELA	Math
Baseline, 2002-03, 2003-04	27.5 %	34.5 %	37.0 %	32.0 %	73.5 %	42.8 %
2004-05, 2005-06, 2006-07	39.6 %	45.4 %	47.5 %	43.3 %	77.9 %	52.3 %
2007-08, 2008-09	51.7 %	56.3 %	58.0 %	54.6 %	82.3 %	61.8 %
2009-10, 2010-11	63.8 %	67.2 %	68.5 %	65.9 %	86.7 %	71.3 %
2011-12	75.9 %	78.1 %	79.0 %	77.2 %	91.1 %	80.8 %
2012-13	88.0 %	89.0 %	89.5 %	88.5 %	95.5 %	90.3 %
2013-14	100 %	100 %	100 %	100 %	100 %	100 %

**Source:** Slide 32 from *Report on Nevada's Data and Current Improvement Strategies from the ICLE*, Microsoft PowerPoint Presentation by Larry Gloeckler, International Center for Leadership in Education, and Gloria Dopf, Nevada Department of Education, 2<sup>nd</sup> Annual Nevada High School Improvement Summit, September 14, 2006.

The student performance in school year of 2001-2002 on the standardized tests, required by Chapter 389 of the NRS, provided the baseline against which all future AYP is measured. For example, according to the timeline of measurable objectives displayed in the table, a school or school district was making AYP in the base year through the 2003-2004 school year if 27.5 percent of its elementary students were scoring at the proficiency level in English language arts (ELA). Starting with the test results for the 2004-2005 school year, a school or district would need to increase students achieving proficiency to 39.6 percent, finally arriving at 100 percent proficiency by 2013-2014 test results.

The AMO will increase as all states progress to 100 percent proficiency in 2013-2014. In the early years of NCLB, most states developed a plan where the schools and districts were allowed as many as three years on the lower steps (lower percentages of students scoring at a predetermined AMO in order to achieve AYP). As the NCLB deadline of 2013-2014 approaches, the increases in AMO will be much steeper.

To continue in its role of monitoring the impact of NCLB and S.B. 1 on Nevada schools and districts, the Legislative Committee on Education received a number of reports on the implementation of these education reform measures. The following section provides a status report on student achievement.

## 2. Status

### *a. Testing Results*

Paul M. LaMarca, Ph.D., Assistant Deputy Superintendent, Office of Assessments, Accountability, and Curriculum, NDE, presented an analysis of Nevada students' performance on various standardized tests at the November 16, 2005, meeting of the Legislative Committee on Education. In compliance with S.B. 214 (Chapter 410, *Statutes of Nevada 2005*), Dr. LaMarca presented a method for monitoring the accountability system by comparing performance criterion-referenced tests (CRT) with the results of the norm-referenced tests (NRT) and the NAEP. The measure also provided that if a difference of 10 percent or more occurs between the proficiency rates, a study of those differences must be made.

At the elementary school level, Dr. LaMarca reported the following:

- Little difference occurred between the CRTs and the NRTs at the “meets standard” level. The disparities in performance resulting in the achievement gap among identifiable demographic groups are very consistent: students from the racial/ethnic groups of African American, American Indian, and Hispanic, and students who have individualized education plans, who are limited English proficient, or who derive from low socioeconomic families consistently perform below average. At the same time, Asian and Caucasian students score above average.
- The CRT performance at the State level is more similar to NAEP Basic performance than it is to NAEP Proficient performance. The disparities in performance among identifiable demographic groups are consistent with the disparities between the CRTs and the NRTs.

Based on work with the American Institutes of Research, which conducted a national NAEP validity study, Dr. LaMarca reported that Nevada's academic standards are between NAEP's Basic and Proficient standards, except Nevada's Grade 4 reading standard, which is at the NAEP Basic level. However, Nevada's standards are near the middle on a national comparison. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the November 16, 2005 meeting of the Legislative Committee on Education, Exhibit E, at: <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20051116-1174.pdf>.)

### *b. Designations of Adequate Yearly Progress*

At the November 16, 2005, meeting, Dr. LaMarca also reported on the 2004-2005 AYP results. He reported that 46.9 percent of schools made AYP, while 53.1 percent did not. The percentage achieving AYP was down from 62.9 percent in 2003-2004. He reported that 28.8 percent of schools failed to achieve AYP in both English language arts and mathematics. Failure to achieve AYP in English language arts occurred in 13.7 percent of schools;

68 of the 83 schools in this category were elementary. Failure to achieve AYP in math occurred in 6.7 percent of schools; of the 41 schools in this category, 15 were elementary and 16 were middle schools. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the November 16, 2005, meeting of the Legislative Committee on Education, Exhibit D, at: <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/>)

The 2004-2005 AYP results are provided below:

AYP Summary Results	Elementary	Middle	High	State
Number of Schools	343	133	132	608
AYP School Classification				
Made AYP	157	57	71	285
Fail AYP	186	76	61	323
Reasons for Failure				
Fail ELA Only	68	8	7	83
Fail Math Only	15	16	10	41
Fail Other Indicator (OI) Only	2	0	2	4
Fail ELA & Math	102	48	25	175
Fail ELA & OI	0	0	1	1
Fail Math & OI	0	0	0	0
Fail ELA, Math, & OI	0	4	17	21

AYP School Designation				
Exemplary	2	1	2	5
High Achieving – Growth	6	2	4	12
High Achieving – Status	15	11	14	40
Adequate	132	39	41	212
Watch List	115	30	20	165
In Need of Improvement (Year 1–Hold)	2	4	10	16
In Need of Improvement (Year 1)	25	13	20	58
In Need of Improvement (Year 2)	31	30	21	82
In Need of Improvement (Year 3)	13	3	0	16
In Need of Improvement (Year 4)	2	0	0	2

Source: Nevada Department of Education, [http://www.NDE.state.nv.us/accountability/ayp/ayp\\_2004-05.html](http://www.NDE.state.nv.us/accountability/ayp/ayp_2004-05.html)

NOTE: The following terms mean: ELA, English Language Arts; OI, Other Indicator (attendance rate at elementary and middle school level and graduation rate at high school level); Growth, significantly reducing percentage of students who did not score proficient in the previous year; Status, significantly exceeding the annual measurable objectives.

*c. Adequate Yearly Progress Model for Data Analysis*

Dr. LaMarca presented an AYP model for data analysis to the Committee at its March 2, 2006, meeting. Dr. LaMarca said school size and diversity are the two primary contributors to AYP classifications. Those classifications provide general indications of potential problems within a school, but do not identify specific problems. He suggested the AYP profile must be deconstructed with grade-by-grade and subject-by-subject comparisons to pinpoint problems. He said for s to be built effectively, information from AYP and large-scale assessments must be combined with classroom-based information. Dr. LaMarca said the NCLB model assumed independence between subgroups and assumed comparisons between the groups was reliable. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the March 2, 2006, meeting of the Legislative Committee on Education, Exhibit C, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>)

*d. Projections of Schools in Need of Improvement*

In addition, at the Committee's January 17, 2006, meeting, Keith W. Rheault, Ph. D., Superintendent of Public Instruction, NDE, projected an increase in the number of schools that will be designated as in need of improvement as a result of the testing conducted in the 2005-2006 school year. Pursuant to NRS 385.374, a school in its third or fourth year of such designation must establish a school support team. In the 2005-2006 school year, he reported a total of 18 schools with support teams. He estimated in 2006-2007 that approximately 100 schools would be required to establish such teams. Statutorily, the school support teams must include a member of the NDE. Because NDE consultants would be limited in the number of school support teams that they could serve, Dr. Rheault speculated that the NDE would need to add a number of employees. He also suggested that the NRS could be amended to allow the Department to contract with facilitators who are not employees. (For a copy of Dr. Rheault's presentation materials, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibit K, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/>)

**B. State Improvement: State Board Plan and Blueprint for High Schools**

**1. The 2005 "State Improvement Plan"**

*Nevada Revised Statutes* 385.34691, enacted as part of S.B. 1, requires the Nevada State Board of Education to develop a state improvement plan. The plan must include an analysis of the data compiled from the school districts and reported in the statewide annual report of accountability. The State Board is also required to review and revise the annual plan each December and submit it to the Committee as well as to the Governor, the Board of Regents of the University of Nevada, the boards of trustees of the school districts, and others. In addition to members of the State Board of Education and NDE staff, participants in the development of the 2005 *State Improvement Plan* included representatives from the school districts; the

Statewide Council for the Coordination of the Regional Training Programs; the Nevada System of Higher Education (NSHE); and various business, community, and parent organizations.

Beginning with its meeting on January 17, 2006, and throughout the interim, the Committee received detailed presentations on the five goals of the plan from Gloria Dopf, Deputy Superintendent, Office of Instruction, Research, and Evaluative Services, NDE. The goals of the plan are:

- **Goal 1:** to improve student performance through focused and unwavering collaboration with all key partners for a cohesive and aligned implementation of statewide improvement processes that drive all levels (school, district, and State) and increase student learning, effective teaching, and meaningful parental and community involvement;
- **Goal 2:** to improve teaching and learning through continued use of consistent and relevant data at all levels (school, district, and State) to support the improvement of the planning process, to evaluate the effectiveness of planned programs, and to drive instructional decisions focused on increased student achievement;
- **Goal 3:** to improve the performance of all students through the implementation of proven practices that enhance instruction in core academic subjects and reduce achievement gaps;
- **Goal 4:** to implement effective statewide professional development activities and education pre-service preparation focused on data-driven needs and proven practices that will increase student achievement as identified in school, district, and State improvement plans; and
- **Goal 5:** to improve student achievement in middle schools and high schools through the implementation of a statewide initiative that focuses on secondary education, including strategies to improve academic achievement, increase graduation rates, decrease dropout rates, improve distribution of information to the public, and increase postsecondary program enrollment and success rates.

Ms. Dopf told the Committee that progress had been made in developing and sustaining the components of a comprehensive educational system that improves teaching and learning. Data collection has been enhanced and research-based strategies have been implemented in schools across the State. Information to the public is more readily available. Students are increasingly aware of the availability of career and technical education courses. Areas of concern continue to revolve around the disparities between ethnic groups in test performance and graduation rates. A coordinated effort is needed to address raising student performance while closing the achievement gap and aligning curriculum with instruction, assessment and professional development.

The *State Improvement Plan* can be found on the NDE Web site (<http://www.nde.state.nv.us/schoolimprovement/STIP.html>). Further, at the Committee's June 7, 2006, meeting, Ms. Dopf presented a timeline for the implementation of the *State Improvement Plan*. (For a copy of Ms. Dopf's presentations on Goals 1 through 4 and the timeline to implement the *State Improvement Plan*, see the minutes of the following meetings of the Legislative Committee on Education: January 17, 2006, Exhibit D; April 12, 2006, Exhibit J; May 10, 2006, Exhibit B; and June 7, 2006, Exhibit E, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>)

## 2. "STARS: Nevada's Blueprint For High School Improvement"

Goal 5 of the Nevada *State Improvement Plan* is devoted to improving secondary education, focusing on improved academic achievement, increased graduation rates, decreased dropout rates, improved public information access, and increased postsecondary education program enrollment. A work group, commissioned by Governor Kenny C. Guinn, developed *STARS: Nevada's Blueprint for High School Improvement* as Goal 5. In addition to fulfilling a portion of the *State Improvement Plan*, the blueprint served to assist Nevada in earning a grant through Phase Two of the Honor States Grant Program of the National Governors Association.

Called *STARS* (the acronym stands for status, targets, actions, results, and status), Nevada's blueprint is organized around five strategies of high school improvement. These include:

- The value of a high school diploma;
- The redesign of high schools; Interim (Studies)\2005-2006\Education
- The provision of highly effective educators;
- The accountability of high schools and postsecondary institutions; and
- The improvement of governance.

At its March 2, 2006, meeting, the Committee received a presentation from Ms. Dopf on the development of the blueprint and a review of the plan's strategies to improve high schools. Ms. Dopf informed the Committee of the statewide Nevada High School Improvement Summit, convened to report on the status of activities and to plan for future activities. The *STARS: Nevada's Blueprint for High School Improvement* can be found on the NDE Web site (<http://www.doe.nv.gov/schoolimprovement/blueprint.html>). Phase Two of the Honor States Grant Program of the National Governors Association is available on the Center for Best Practices Web site (<http://www.nga.org/portal/site/nga/menuitem.9123e83a1f6786440ddcbeeb501010a0/?vgnextoid=ca8cf68ff8f87010VgnVCM1000001a01010aRCRD>). (For a copy of Ms. Dopf's presentation materials, see the minutes of the March 2, 2006 meeting of the Legislative Committee on Education, Exhibits E and E-1, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>)



### **C. Remediation and Innovation: Commission on Educational Excellence**

For the purpose of supporting school and school district improvement plans, required by NCLB and S.B. 1, Senate Bill 404 (Chapter 437, *Statutes of Nevada 2005*) created the Commission on Educational Excellence and established the Account for Programs for Innovation and the Prevention of Remediation in the State General Fund. The Legislature appropriated \$78 million for the biennium to assist schools and school districts in implementing their plans, placing priority on schools and programs for students in kindergarten through grade 6. An additional \$22 million would be utilized to fund full-day kindergarten in certain schools. For middle schools and high schools, \$13.9 million was available over the biennium to assist in implementing plans for improvement.

- George Ann Rice, Ed.D., J.D., Associate Superintendent, Human Resources Division, Clark County School District, was appointed by Governor Guinn to chair the Commission. Organized in autumn 2005, the Commission met in January 2006 to review approximately 550 applications and award grants. It continued to monitor and evaluate school and school district use of the grant funds throughout the interim. At its April 12, 2006, meeting, the Committee approved a request from the Commission for \$47,094 to be used by the Commission for school site visits, share alike meetings, and a best practices fair. (For a copy of the Commission's proposed budget request, see the minutes of the April 12, 2006 meeting of the Legislative Committee on Education, Exhibit E, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>;

Beginning with its meeting on November 16, 2005, the Committee received detailed presentations on the development of the grant application and guidelines, the distribution of grants, and the proposals to monitor and evaluate the effectiveness of the grants. At the Committee's meeting on April 12, 2006, Lynn Howard of the Center for Performance Assessment, presented information to the Committee on the data collection process to be used to evaluate the impact of the S.B. 404 funds on student achievement. According to Ms. Howard, the data will be used for a research project based on objective, qualitative, and quantitative data. For materials related to presentations to the Legislative Committee on Education relating to the Commission on Educational Excellence, see the minutes of the following meetings of the Committee:

- Dr. Rice's summary of the Commission's organizational activities, November 16, 2005, Exhibit C, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20051116-1174.pdf>

- Dr. Rice's summary of the work session to review grant applications, January 17, 2006, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>;
- Dr. Rice's presentation on funding of school district projects, March 2, 2006, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060302-1174.pdf>;
- Dr. Rice's summary of the Commission's plans to award the second round of grants, and Ms. Howard's Microsoft PowerPoint presentation and a companion document on the database of S.B. 404-funded projects, April 12, 2006, Exhibits F and G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>; and
- Dr. Rice's summary of grants funded in the second round, and Ms. Dopf's presentation on school-level programs and budgets allocated, June 7, 2006, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

#### **D. Committee Study: Issues**

##### **1. Summary Reports**

###### ***a. "Progress Report on the Nevada System of Educational Accountability"***

At its meeting on January 17, 2006, the Committee received a presentation from George Hill, Ph.D., Project Leader, University of Nevada, titled *2004 Progress Report on the Nevada System of Educational Accountability*. Dr. Hill was the project leader of a team receiving a contract to review the compliance of Nevada's school districts with the accountability requirements of the federal NCLB and S. B. 1. The team presented findings regarding student proficiency in reading and math in the 3rd, 5th and 8th grades and percentages of classrooms not taught by highly qualified teachers.

They also reviewed data obtained during school visitations, including information regarding various s; data based decisions and accountability; leadership styles of school principals; school staff development; individual education plan (IEP) students; and funding in both Title I schools and non-Title I schools.

The team addressed recommendations for improving accountability reporting, based on a review of available data on all Nevada schools, with special emphasis on information obtained from the 16 schools designated "in need of improvement." Among those recommendations are the following:

- Require standard format reporting;
- Establish continuous monitoring of individual student progress;
- Focus training from the RPDPs;
- Assess the effectiveness of technical assistance partnerships for schools in need of improvement;
- Document the effective use of remedial funds;
- Document continuous incremental progress of individual students;
- Provide incentives for development and implementation of high quality s;
- Reduce the funding gap between Title I-funded schools and Title I-eligible schools; and
- Select appropriate standardized tests and do not change test vendors for several years.

(For a copy of the Microsoft PowerPoint presentation and report, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibits B and C, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>.)

*b. “Student Achievement and Graduation Rates in Nevada: Urgent Need for Faster Improvement”*

Paul Koehler, Ph.D., Director, WestEd Center on Policy, presented the WestEd report titled *Student Achievement and Graduation Rates in Nevada: Urgent Need for Faster Improvement*, at the Committee’s November 16, 2005, meeting. He said WestEd, under a federal contract, worked with the Center for Policy Analysis at the University of Nevada, Las Vegas (UNLV), as well as with the NDE and school district superintendents. The report was published prior to the end of the 2005 Legislative Session so it did not capture any of the work accomplished during the session. He said the purpose of the report was to review some of the indicators required by the NCLB, and to capture the work that has been done in Nevada to reform and improve education.

Dr. Koehler made the following recommendations:

- Make education a State priority;
- Identify and incorporate research-based strategies to improve performance and reduce achievement gaps;

- Develop a comprehensive system for developing teachers, emphasizing strategies for teaching English learners;
- Implement a statewide high school initiative;
- Use data to drive improvement and evaluate progress;
- Focus comprehensively on early childhood; and
- Provide the resources and support needed to do the job.

(For a copy of Dr. Koehler's Microsoft PowerPoint presentation and report, see the minutes of the November 16, 2005, meeting of the Legislative Committee on Education, Exhibits F and G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20051116-1174.pdf>

## 2. Innovation and Prevention of Remediation

### a. *Executive Budget Proposal and Chairman's Statement*

As part of Nevada's compliance with NCLB, NRS 385.357 provides that all public schools will develop plans to improve the academic achievement of students. The plans are to identify problem areas that need to be addressed as well as strategies to help students improve performance and schools meet AYP. In his 2005-2007 *Executive Budget*, Governor Guinn proposed creating a trust fund into which would be deposited \$50 million in each year of the biennium into the fund for the purpose of supporting the improvement plans of each public school and school district. Eventually, the provisions of S.B. 404 (Chapter 437, *Statutes of Nevada 2005*) included this appropriations proposal, creating the Account for Programs for Innovation and the Prevention of Remediation in the State General Fund. The act also created the Commission on Educational Excellence to oversee the distribution of the funds in the account. (For a description of the School Remediation Trust Fund, as proposed, see the 2005-2007 Executive Budget at <http://budget.state.nv.us/bb0607/BB0507K12.pdf>.)

At the November 16, 2005, meeting of the Committee, the Chairman provided a statement of the understanding of the Legislature with regard to distribution of the funds. He said that the funds were not to be distributed based upon a per-pupil formula. The funds were to be distributed to the schools and school districts based upon the criteria listed in Section 6 of S.B. 404. He further noted that the Commission is to review and consider the recommendations of the Committee concerning effective programs, practices, and strategies.

The Chairman directed the Commission to distribute funds based upon the quality of s, the fiscal capacity and need of the applicant, and the applicant's projected ability to carry out the proposal. At its discretion, the Commission may refuse to fund some applications or change

the requested amount of a particular proposal, based upon the Commission's priorities and expertise in determining effective school improvement strategies.

The Chairman further stated that the evaluation component of the program of educational excellence will be the key to its continued funding. He said that because of the requirements of NCLB, the need for quality evaluations is paramount. There was a general understanding among legislators that the funding for the 2005-2007 biennium would be tied to some basic indicators. If the program is to be funded again, the Legislature would measure effectiveness based upon movement of the school in the NDE's annual AYP ranking list. He directed the Commission to become experts on strategies to prevent remediation and to increase student achievement. He said that the Legislature will need effective evaluations to make decisions about the continuing need to fund this program. He wanted to ensure that the applicants understand that there should be no expectation of a continuous cycle of funding. (For a summary of Senator William J. Raggio's remarks, see the minutes of the November 16, 2005, meeting of the Legislative Committee on Education, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20051116-1174.pdf>)

*b. Grant Awards*

At the Committee's March 2, 2006, meeting, Commission Chairwoman Dr. George Ann Rice reported on the grant awards to school districts. Committee members raised questions about the relevance of particular grant awards to the stated purposes of S.B. 404, which include programs that are designed for achievement of pupils that are linked to the plan to improve achievement or for innovative programs. Committee members cited funded projects that included a human resource director, an induction coordinator, a professional development center, assistant principals, and a social worker. (For a copy of the Summary of S.B. 404 District Projects, see the minutes of the March 2, 2006, meeting of the Legislative Committee on Education, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060302-1174.pdf>.)

Committee members received a list of commercial remediation programs, innovative programs, and professional development programs for school-level grant projects at the meeting on June 7, 2006. Members inquired as to how commercially available programs could be considered innovative, pursuant to the intent of S.B. 404. Members also questioned the appearance of commercially available programs on the list of funded projects that had previously been shown to be ineffective. (For a copy of the List of S.B. 404 Programs at Nevada Schools and a copy of S.B. 404 Programs and Budgets Allocated, see the minutes of the June 7, 2006 meeting of the Legislative Committee on Education, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

The Committee was informed that the provisions of S.B. 404 did not provide authority to the Commission to retain any funds from the Account for evaluation or for site visits or

conferences to share best practices learned from the grant projects. The Committee was informed that the school districts had agreed to pool funds allocated for evaluation at the district level to support a statewide evaluation. In addition, the Committee approved a request from the Commission for \$47,094 to be used by the Commission for school site visits, share alike meetings, and a best practices fair. (For a copy of Dr. Rheault's proposed budget request, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit E, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>

### 3. Demographic Groups and Special Populations

The federal NCLB requires that all student achievement and performance data must be disaggregated into demographic groups. The data from each of these demographic groups is factored into the calculations to determine a school's achievement of AYP. The Committee considered the special strategies that have proven successful in assisting selected demographic groups to meet annual measurable objectives.

#### *a. Students Who Are American Indian and Alaska Native*

At its meeting on April 12, 2006, the Committee received testimony from Richard Harjo, Chairman, and Sherry Rupert, Executive Director, Nevada Indian Commission, on improving the education of Native American children. Others testifying before the Committee on this topic included Sharon Fredericks, representing District 1 of the Nevada State Board of Education, and Wayne M. Garcia, Chairman, Yerington Paiute Tribe.

Ms. Rupert provided statistics regarding the graduation rates, attendance rates, identification for special education, and student population growth of Native American children. Mr. Garcia told the Committee that Native American children are pushed out of school by other children or by teachers because of cultural differences and a lack of understanding of the learning abilities and styles of American Indian children. Mr. Harjo said that, historically, Indian students have not performed well in the education system because they had a different learning style, which had not been addressed in the public school system. He said that American Indian children needed to be better prepared to meet the academic challenges. Mr. Harjo said a task force of the Advisory Committee on Indian Education had convened to study the issue. He said the inter-tribal council had agreed to meet with the Advisory Committee and committed to supporting the task force's endeavors.

Mr. Harjo stated that the priority of the Nevada Indian Commission would be to elevate the Indian Education Consultant to an administrative level, reporting directly to the Superintendent of Public Instruction. Mr. Harjo testified that it was the understanding of the Nevada Indian Commission that the money appropriated for the position was to be used to employ the Indian Education Consultant and provide for clerical support, travel, equipment and operational expenses. The Committee was told that other assigned activities of the Indian Education Consultant were consuming more of the consultant's time to the detriment of the Indian children and inter-governmental cooperation on Indian education. (For a copy of

Ms. Rupert's Microsoft PowerPoint presentation, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit D, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>.)

*b. Students Who Are Limited English Proficient*

Diana Walker, Secondary Program Coordinator for English as a Second Language, Washoe County School District (WCSD), provided the Committee with information on second language acquisition, including a definition of proficiency in a second language and factors that affect second language acquisition. Ms. Walker said that all English language development classes taught in the WCSD are taught in English, following the sheltered instruction observational protocol (SIOP), which is a program for content classroom teachers to learn to instruct limited English proficient students. Ms. Walker said that the most effective model in the WCSD is to require SIOP training for staff. She also recommended teachers be given time to collaborate through professional development on the instruction plans for children. She presented information on a research project, comparing students who received SIOP instruction with a control group. Those who received instruction from SIOP-trained teachers outscored the control group. (For a copy of Ms. Walker's Microsoft PowerPoint presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit I, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

*c. Students Who Are Low-Income*

At the May 10, 2006, meeting, the Committee received a presentation on the impact of poverty on learning from Leslie Doukas, Innovation Grant Coordinator, State and Federal Programs, WCSD. She discussed the Ruby Payne framework for understanding poverty. Key points from research include:

- Poverty is relative in a culture;
- Poverty occurs in all races;
- Long-term generational and situational poverty are different;
- Schools operate from middle-class norms and values;
- Individuals bring with them the hidden rules of the class in which they were raised; and
- To move from poverty to middle class or middle class to wealth, an individual must give up relationships for achievement.



Ms. Doukas reviewed the hidden rules of the three classes of society. She noted, to become successful in school, children of poverty needed to learn the rules of the middle class. She said that hidden rules shape the activities and events of school. Ms. Doukas referred the Committee to the Ruby Payne Web site for research on understanding children in poverty (<http://www.ahaprocess.com/files/PovSeriesPartsI-IV.pdf>).

*d. Students Who Are Deaf or Hard of Hearing*

Gary Olsen, Executive Director of the Deaf and Hard of Hearing Advocacy Resource Center (DHHARC), addressed three major concerns of the deaf community at the June 7, 2006, meeting of the Committee. He addressed the lack of free and appropriate public education for children who are deaf and hard of hearing, the need for funds to assist the Nevada school districts to recruit highly qualified teachers who could provide student instruction without the use of interpreters, and the consolidation of existing education services for the deaf into regional model (or magnet) programs. (For a copy of Mr. Olsen's prepared remarks, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit I, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

4. Secondary Education Student Performance

*a. Middle School Preparation for High School*

At its meeting on May 10, 2006, the Committee considered the transition of pupils from middle school to high school. Dr. Keith Rheault, Superintendent of Public Instruction, provided background information on the policies governing promotion from 8th grade to 9<sup>th</sup> grade. He said that the State Board of Education changed the *Nevada Administrative Code* (NAC) 389.445, providing for the required units of credit, in 1999. At that time, the Board changed the regulation from a grade of C or better to a passing grade. Beginning after the 1999-2000 school year, a pupil must earn a passing grade in 1½ units of mathematics and 1½ units of language. Dr. Rheault told the Committee that some middle school students have entered high school with transcripts reflecting passing grades in those courses only. He suggested that the State Board of Education may reconsider the provisions of NAC 389.445.

Michele Collins, Ed.D. Principal, Darrel C. Swope Middle School, WCSD, addressed the promotion policy as provided in NAC 389.445. She said the policy focused in the 8th grade on problems that often emerge by the end of 3rd grade. The policy does not address limited English proficient (LEP) students and students with IEPs. Dr. Collins said that by emphasizing language and mathematics some students perceived that passing other courses did not matter for promotion. She said research conducted by the Education Trust revealed students who are behind need timely interventions, high quality teachers and instruction, more time devoted to core subjects, and opportunities for success. She said students who are behind in middle school typically are from low-income households, are LEP students, or are transient.



Some may exhibit all of these traits. (For a copy of Dr. Collins' Microsoft PowerPoint presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

Kelly Bucherie, Principal, Liberty High School, Clark County School District (CCSD), provided the Committee with statistics on 8th and 9th grade students. She reported that between the 2002-2003 school year and the 2004-2005 school year the percent of ninth graders that failed three or more classes increased from slightly more than 15 percent to nearly 18 percent. Ms. Bucherie also reported on the number of 8th graders, pursuant to the policy of NAC 389.445, who were retained up to three years. She described intervention in place in the CCSD to prevent the retention of 8th graders. Ms. Bucherie told the Committee that components found most often in successful transition programs for this age group include additional instruction in core academic classes, freshmen academies, lower class sizes, summer enrichment programs between 8th and 9th grades, upperclassmen or teacher mentoring, and 9th grade classes in study skills and social skills. (For a copy of Ms. Bucherie's presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit H, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

Clark M. "Rick" Hardy, Superintendent of Schools, Lincoln County School District, and Craig Babcock, Principal, Lincoln County High School, informed the Committee of the Lincoln County High School intervention program. The school's lunch period had been expanded from one-half hour to one hour. Any student with a grade of D or F on the weekly grade check was required to take 30 minutes of the lunch period for remediation in the class with the low grade. This policy had resulted in a significant decrease in the number of students with failing grades.

#### *b. High School Curricula*

At its March 2, 2006, meeting, the Committee received a presentation on the Gateway Course of Study from Paul Dugan, District Superintendent, and Kendyl Depoali, Superintendent for Public Policy, Special Projects and Legislation, WCSD. The Gateway Course of Study will become effective with the incoming 9th grade class in Fall 2006. Although the current WCSD graduation requirements remain unchanged, the Gateway curriculum will require students to take a third year of science and a fourth year of mathematics, including a second year of algebra. Students will be required to take six classes in their senior year. The Gateway curriculum recommends a total of 24 credits, compared with the 22.5 credits required for a standard diploma.

Mr. Dugan and Ms. Depoali testified that the WCSD Board of Trustees relied on research from the Washoe K-16 Data Profile of the Washoe Education Collaborative and policy recommendations from the Education Trust and the American Diploma Project. They listed the regional, state and national groups that have endorsed the Gateway Course of Study.

(For a copy of the Microsoft PowerPoint presentation on the WCSD Gateway Course of Study, see the minutes of the March 2, 2006 meeting of the Legislative Committee on Education, Exhibit G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060302-1174.pdf>.)

*c. High School Dropouts*

Carol J. Crothers, Assistant Director, Office of Assessments, Accountability, and Curriculum, NDE, reviewed graduation and dropout rates for Nevada. She explained that dropout rates are calculated independently of graduation rates. Nevada's definition of a dropout is found in NAC 387.215 and includes a student who is asked to withdraw at the request of the school, withdraws for various personal reasons, is absent for 10 consecutive days and whereabouts is unknown, or who completes one grade but fails to enroll as expected in the following school year. An explanation of the calculations for dropout and graduation rates may be found in Appendix B. Ms. Crothers reported dropout trends in Nevada. Statewide, in recent years the annual dropout rate peaked in 2001-2002 at 6.1 percent, decreasing to 5.8 percent in 2003-2004. The graduation rate, based on an entering 9th grade cohort, peaked statewide in 2002-2003 at 74.8 percent. Ms. Crothers provided comparisons of dropout and graduation rate calculations from national organizations. (For a copy of Ms. Crothers' Microsoft PowerPoint presentation, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit H, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>.)

Karlene McCormick-Lee, Ed.D., Assistant Superintendent, Research, Accountability and Innovation, CCSD, provided information on dropouts in the CCSD to the Committee at its April 12, 2006, meeting. Dr. McCormick-Lee summarized the results of a survey of Clark County School District dropouts in grades 9 through 12, conducted from December 2005 through March 2006. A copy of the presentation is enclosed along with the tabulations of the results. Among 12th grade respondents, 45.4 percent reported that they were unable to pass the proficiency examination and 35.5 percent reported they were credit deficient. Among 9th, 10<sup>th</sup>, and 11th graders, the most common reasons for dropping out were poor attendance (17.1 percent) and credit deficiency (12.3 percent). (For a copy of Dr. McCormick-Lee's Microsoft PowerPoint presentation, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit I, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>.)

Kendyl Depoali, Superintendent for Public Policy, Special Projects and Legislation, WCSD, summarized the results of efforts in Washoe County School District to reduce the dropout rate. According to Ms. Depoali, the dropout rate in the district was over 7 percent in the 1998-99 school year. At that time, the district began to address the problem with better tracking of students, more attention to ninth graders, alternative programs for credit deficient students, and targeted support from specialized personnel. (For a copy of Ms. Depoali's presentation

outline, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit I-a, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Minutes/IM-Education-20060412-1174.pdf>.)

*d. High School Proficiency Examination: Results and Study Aids*

Dr. Paul LaMarca, Assistant Deputy Superintendent, Office of Assessments, Accountability, and Curriculum, NDE, presented an analysis of the results of the 2004-2005 High School Proficiency Examination (HSPE) administrations to the Committee at its March 2, 2006, meeting. Dr. LaMarca drew the following conclusions from the data analysis:

- At the State level:
  - (a) White and Asian students performed above average in math and English language arts while, students who are American Indian, Hispanic, African American, LEP, low-income, or served by an IEP performed below average;
  - (b) Modest positive score trends occurred among first-time test-takers; and
  - (c) Significant student group score variability occurred among schools.
- At the district level:
  - (a) Significant characteristic differences between districts made one-to-one comparisons difficult;
  - (b) Patterns of student group performance were similar to state level patterns; and
  - (c) The difference in student group performance was not substantive when measurement error was considered.

(For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the March 2, 2006, meeting of the Legislative Committee on Education, Exhibit D, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060302-1174.pdf>.)

Darlene Hart, National Director, Education Solutions, The Grow Network, gave an overview of the components of "The MyGuide Personalized Learning Program" at the Committee's May 10, 2006, meeting. The program includes individualized guides for students, personal learning sites, an educator companion, tools for families and tutors, and professional development and implementation support. The program also includes support for English language learners. She said The Grow Network could provide Nevada with a comprehensive solution meeting the needs of all stakeholders; proven methods of motivating students; effective communication between students, parents, and educators; instructional materials; and ongoing statewide training and professional development. (For a copy of Ms. Hart's Microsoft PowerPoint presentation, see the minutes of the May 10, 2006, meeting of the Legislative

Committee on Education, Exhibit J, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

Michael Rector, Chief Technologies Officer, Interactive Technologies of Nevada, presented information to the Committee at its May 10, 2006, meeting on the company's Web-based tutorial in mathematics. He said the program was a combination of assessment and remediation, featuring proficiency level assessments and 54 remediation modules with full narration, animation, interactivity and immediate feedback. He discussed the pilot program in CCSD, which showed a 15 percent increase in the HSPE pass rate among students in the program. Mr. Rector said the program identified student needs, automatically adapted to student skill levels, and provided self-paced and personalized remediation.

Christy Falba, Director, Math, Science, and Instructional Technology, and Jennifer Peterson, Math Coordinator, CCSD, provided information about the use of the tutorial in the district. Ms. Peterson said teachers had found the tool to be very successful in providing differentiated instruction for students. (For a copy of Ms. Falba's presentation materials, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit K, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

*e. High School Preparation and College and Workforce Readiness Assessment*

At its meetings on May 10, 2006, and June 7, 2006, the Committee received information on commercially available instruments to assess high school preparation and college and workforce readiness.

Stacey Ellmore, Senior Consultant, Elementary and Secondary Education Services, ACT, Inc., said ACT was one of the largest, not-for-profit education organizations in the country with more than 45 years of experience in the arenas of middle-school-to-high-school transitions, undergraduate and graduate readiness and success, career exploration, academic assessment and instructional support, and workforce development. She said ACT's experiences, expertise, and resources spoke to the very heart of the education initiatives being discussed in Nevada: high school reform, college and workforce readiness, high school preparedness, raising high school graduation rates while lowering dropout rates, addressing remediation at the collegiate level, closing achievement gaps among all groups, and preparing all of Nevada's students for success after high school, whether they plan to enter postsecondary education or go directly into the workforce. She said an essential foundation for all of ACT's services was empirical research. The ACT had one of the most extensive databases in the country to assist and guide policymakers, students, parents, teachers, and other educators about what is necessary for postsecondary readiness.

Ms. Ellmore said, based on extensive research by ACT, it could provide a workable Action Plan for Nevada to create a seamless transition from middle school to high school to college and the workforce for all of Nevada's students. She said ACT

was deeply committed to assisting the Committee in its efforts to help more students be better prepared to contribute in meaningful ways to Nevada's educational and economic success. (For a copy of Ms. Ellmore's presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit L, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>.

Sandra Williams-Hamp, K-12 Education Director, College Board, said all of Nevada's school districts and three of its colleges and universities were members of the College Board, a not-for-profit membership organization. In the 2004-2005 academic year, over 71 Nevada high schools had participated in at least one of the numerous programs offered by College Board. She said the Advanced Placement (AP) program was the cornerstone of their efforts to prepare all students for college success. Rafael Magallan, Director of State Services for the College Board, discussed the participation of Nevada public schools in College Board sponsored activities. (For a copy of Mr. Magallan's presentation materials, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit H, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

Additional information on the participation of Nevada school districts was provided by Jhone Ebert, Executive Director, Curriculum Division, CCSD. Ms. Ebert said the CCSD developed a comprehensive action plan, utilizing College Board program tools, which coordinated the efforts of the district to address the needs of students, parents, counselors, teachers, and administrators. Through Preliminary Scholastic Aptitude Test (PSAT) testing they had been able to increase the number of students in AP courses by 50 percent. She said there were other data available that showed the implementation of the tools had resulted in student success.

Dotty Merrill, Assistant Superintendent, Public Policy, Accountability and Assessment, WCSD, said the WCSD had a long history of working with College Board. Recently, as a result of the WCSD Board of Trustee's decision to support fully funding the administration of the PSAT to 10th grade students, the WCSD had seen some additional benefits. She said data would be gathered in the fall regarding the students who took the PSAT test in October of 2003 and who would be graduating in spring 2006. Those data should demonstrate that the district had expanded the pipeline and the opportunities for students, allowing them to be better prepared when they arrived at colleges and universities. The WCSD teachers had used the Summary of Answers and Skills to provide an analysis of the PSAT test question information; linking those directly to the Nevada content standards and benchmarks and using that analysis to improve classroom instruction. She said the PSAT is the only nationally normed test for which all of the students, their families, and teachers receive the actual tests taken by the students, making it a valuable tool in the teachers' review. They could see specific items that were difficult for students and for which many students may have provided incorrect answers.

## 5. Education Collaboration

### *a. Education Collaborative of Washoe County*

Steve Laden, Advocacy Co-Chair of the Education Collaborative of Washoe County, Inc. presented an overview of the Collaborative, including its vision, functions, and Board composition at the April 12, 2006, meeting of the Committee. Denise Hedrick, Executive Director of the Collaborative, told the Committee the *Washoe K-16 Data Profile* had been compiled to provide data to guide decisions, improve K-16 education, and obtain specific data about Washoe County to assist in identifying factors that guarantee student success. Ms. Hedrick said that any community could form a collaborative by initiating a conversation among representative groups of stakeholders from the business community, higher education, and elementary and secondary education.

William N. Cathey, Ph.D., President of the Collaborative's Board of Directors, reviewed information regarding the enrollment of WCSD high school graduates who enrolled in postsecondary education as well as the percentage registered in remedial/developmental courses in their freshmen year of college. Dr. Cathey said the members of the Collaborative thought college placement tests should be administered in high school so potential remediation needs could be identified sooner. The most commonly used tools for placement are scores obtained from either the ACT (formerly American College Testing, Inc.) and the Scholastic Assessment Test of the College Board. (For a copy of the *Washoe K-16 Data Profile*, see the minutes of the April 12, 2006, meeting of the Legislative Committee on Education, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060412-1174.pdf>.)

### *b. Nevada P-16 Council*

At the April 12, 2006, meeting, Jane Nichols, Ph.D., Vice Chancellor for Academic and Student Affairs, NSHE, gave an overview of the Nevada P-16 Council. Dr. Nichols indicated the Council would be pleased to have the support of the Legislature through enactment of legislation to establish the Council in statute.

Dr. Nichols said the Council was originally created to work on the American Diploma Project, the goal of which was to examine the P-16 enterprise in Nevada. In particular, that project sought to align the Nevada HSPE with college placement tests. She said the current P-16 Council is engaged in enterprises designed to prepare K-12 students for the workplace and for higher education. Dr. Nichols said the low percentage of college graduates in southern Nevada presents a serious problem for Nevada's economic future.

Keith Rheault, Superintendent of Public Instruction, discussed the Council's primary objectives and immediate priorities. (For a copy of the mission statement and priorities of the Nevada P-16 Council, see the minutes of the April 12, 2006, meeting of the



## 6. Truancy

The Committee received information on truancy prevention and enforcement at its June 7, 2006, meeting. Sharon Chase, Coordinator, Attendance Enforcement and Dropout Prevention, CCSD, testified that identifying strategies that intervene effectively with youth who are chronically truant are critical. Such strategies may interrupt the progress to delinquency and other negative behaviors by identifying the underlying reasons behind their absence from school.

Ms. Chase said national data support the belief that skipping school, while an indicator of preexisting problems, causes even more troubles and sends young people on a downward spiral of failure and involvement with the juvenile justice system. Several factors contribute to this situation.

- The family factors include: lack of guidance and supervision, presence of domestic violence, living in poverty, abuse of drugs and alcohol, lack of awareness of attendance laws, and differing attitudes towards education.
- The school may contribute if it is large, maintains insufficient staff to monitor attendance adequately, and is inflexible in meeting diverse cultural and learning styles of students.
- Economic factors enter if students are employed, come from single-parent homes, experience a high mobility rate, live in households where parents hold multiple jobs, or lack affordable transportation and child care.
- Other variables include student drug and alcohol abuse, lack of understanding of truancy laws, lack of social confidence, mental health difficulties, and poor physical health.

Dropping out is a process rooted in alienation and disengagement, originating from unfavorable school experiences over time, such as failure, absences, and behavior problems. Ms. Chase said preventing and correcting truancy cannot be born by any single entity if we expect to effectively handle the problem. Truancy must be understood to be both a symptom and cause of multi-faceted difficulties in a person's life.

A renewed commitment to keeping more students in school until they graduate from high school is not just sound educational policy, it is sound economic, public safety, and criminal justice policy. Increasing on-time graduation rates offers a win-win strategy that will not only improve economic vitality but will predictably reduce crime, lower incarceration costs, and salvage lives in the process. Despite substantial research on policy and programs

that can increase graduation rates, there have been very few significant State or federal initiatives to implement these programs. The most comprehensive research on dropout prevention has been conducted and compiled by the National Dropout Prevention Center at Clemson University.

Based on that research, Ms. Chase suggested increasing funding for Truancy Court. She said that due to limited funding and reallocation of personnel, the Juvenile Probation Department has been unable to handle the large numbers of truants who have been cited. She provided the following data.

- During the 2003-2004 school year, two probation officers were assigned to truancy. The CCSD issued 1,367 habitual truancy citations and 230 subsequent truancy citations for a total of 1,597. Every student being issued a citation saw a probation officer for supervision. Based on the data, the recidivism rate was 17 percent.
- Beginning with the 2004-2005 school year, juvenile probation was reduced to one probation officer for truancy due to lack of funding. As a result, all students receiving habitual truancy citations were issued a warn-and-release letter from Probation. Students and parents were not required to appear at Juvenile Probation Intake. Only students with subsequent truancy citations were seen by the probation officer. That year the CCSD issued 1,116 habitual truancy citations and 209 subsequent truancy citations. The recidivism rate was 19 percent.
- The first semester of the 2005-2006 school year produced 294 habitual truancy citations and 108 subsequent truancy citations. Although Juvenile Probation still has one probation officer assigned, continuous turnover in personnel has resulted from promotions. There has been less continuity this year. In addition, some of the students with subsequent truancy citations were warned and released rather than supervised. The recidivism rate for first semester this year was 21 percent.

The requirement of schools to re-cite for truancy and order students to appear at Juvenile Intake has caused an overload of work for staff and school district police. As a result, schools are reluctant to issue truancy citations. Students have discovered that there are few, if any, consequences for their behavior and they continue to be truant.

Ms. Chase also suggested enabling Truancy Court to charge a student with falsifying required attendance records and lying to the judge about going to school and related matters. Students coming before the Truancy Court judge have forged teachers' signatures on their attendance sheets or have gotten friends to forge the teachers' signatures. In addition, students have appeared before the judge and lied regarding their actions. Currently, there is no consequence for them or their parents. Truancy laws need to be strengthened in order to hold students and parents accountable for lying in court.



She suggested adding random urinalysis drug testing, at the parent's expense, to the consequences for habitual truancy. Students who are truant often have substance abuse problems. Presently, Truancy Court cannot take action on a student who may be using drugs. With the addition of the urinalysis test, students testing positive can be moved to the Delinquency Court where they can be monitored and receive services that Truancy Court is not able to produce.

Ms. Chase recommended providing funding for free summer school for 7th and 8th graders who are credit deficient. Immediate remediation and reinforcement of skills assist the students in regaining confidence and missed information in a timely manner. In addition, students who are transitioning to the high school have the ability to make up the required classes so that they can move with their class.

She urged support for accurate reporting of attendance data and funding schools to collect the data. This would be accomplished by providing, at every secondary school, a full time attendance clerk who deals exclusively with attendance reporting, parent notification, dropouts and non-returns. Currently, there are not enough personnel to effectively monitor school attendance. Many schools have reallocated staff by reducing hours or eliminating the position of the attendance clerk, especially at the middle school level.

Hector Garcia, Chief of School Police, CCSD, said the CCSD has proposed piloting a Truancy Interdiction Center where truant students would be assessed and parents would be called to pick them up. (For a copy of Mr. Garcia's presentation materials, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibits K and L, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

Eric Beye, Intervention Specialist, Student Support Services, WCSD, said early intervention needed to be a process that involves the student's entire family. He said the WCSD had a committee which included the District Attorney, members of Juvenile Services, and outside agencies that work together to "wrap around" rather than detain the truants. He said intervention needed to start at an earlier age.

## 7. Academic Standards

### *a. Council to Establish Academic Standards*

At the June 7, 2006, meeting of the Committee, Dr. Keith Rheault, Superintendent of Public Instruction, said one of the primary responsibilities of the Council to Establish Academic Standards was periodically to review and revise the standards of content and performance that are under its authority. He said the Council had held workshops in February and May of 2006, and then approved the new, revised math standards for kindergarten through Grade 12. He said the Council would next work on standards for English Language Arts. Revised standards in Health and Technology would be adopted in 2007.

Dr. Rheault said the Council had authority to revise and approve the standards, but NRS 389.520(3) states, “The State Board shall adopt the standards of content and performance established by the Council.” He recommended, to avoid a duplication of efforts, either the Council or the State Board of Education should have the authority to both approve and adopt the standards.

*b. Clark County School District Power Standards*

Dr. McCormick-Lee reviewed the alignment of the CCSD Power Standards to the Nevada content standards, at the Committee’s January 17, 2006, meeting. Dr. McCormick-Lee said the CCSD began an external curriculum audit process in 2003. She said the district conducted a review of the Nevada academic standards, the CCSD language arts and mathematics curricula, and the objectives included on the required State and district student assessments. In collaboration with ETS/Pulliam, the CCSD identified the Power Standards as the most critical standards that students are held accountable for mastering. She said the Power Standards are aligned with assessments for each grade and must be used to focus and pace instruction. (For a copy of Dr. McCormick-Lee’s Microsoft PowerPoint presentation, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibit H, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>.)

Subsequent to Dr. McCormick-Lee’s presentation, Bill Hanlon, Director, Southern Nevada Regional Professional Development Program, testified to the Committee that the Southern Nevada RPDP taught the State standards, which require an understanding of the concept and linkage. He urged the Committee to monitor the performance of CCSD students on statewide tests.

8. Curriculum Calibration to Measure Alignment of Coursework to Academic Standards

At the Committee’s June 7, 2006, meeting, John Hollingsworth, Chief Executive Officer, DataWORKS Educational Research, explained the curriculum calibration process, which determines the alignment of class grade level with assignment grade level. The difference between them is the instructional gap. Mr. Hollingsworth said teaching on grade level is important for the following reasons:

- Grade-level instruction provides equal opportunity for all students to learn;
- Students cannot learn what they are not taught;
- Students perform no higher than the assignments given;
- Students test higher when they are taught at a higher level than at a lower level; and
- State tests assess grade level content.

Mr. Hollingsworth reviewed the DataWORKS data collection process, the services available in the areas of curriculum, instruction, assessment, and research support. (For a copy of Mr. Hollingsworth's Microsoft PowerPoint Presentation, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

## 9. Testing and Monitoring

### *a. Testing Security and Irregularities*

At the Committee's March 2, 2006, meeting, Dr. Keith Rheault, Superintendent of Public Instruction, reported on testing security and irregularities as required pursuant to NRS 389.648. The report addressed testing irregularities within the Nevada Proficiency Examination Program. He noted approximately 250,000 students participated in assessments during the 2004-2005 school year, which generated over 360,000 answer documents. A total of 145 testing irregularities were found. Dr. Rheault said the NDE has implemented a training program on test administration for school personnel. He reviewed the status of ten cases of testing irregularity from the 2004-2005 school year, noting the NDE is awaiting submission and approval of corrective action plans, which will resolve those cases.

### *b. Monitoring System for the Statewide System of Accountability*

Dr. Paul LaMarca, Assistant Deputy Superintendent, Office of Assessments, Program Accountability, and Curriculum, NDE, explained the monitoring system that is required by Senate Bill 214 (Chapter 410, *Statutes of Nevada 2005*). He said the rationale for the monitoring system was to validate CRT performance with the NRTs, which are also employed. The focus is a comparison based on achievement levels; the law requires identification of significant differences at the school and district levels. Dr. LaMarca noted achievement level comparisons between the CRTs and NRTs could be made but the tests were based on different content and built to support different types of interpretations, which made the comparisons difficult. Dr. LaMarca reviewed the system progress to date and the auditing function. He said preliminary analyses at the elementary level had been accomplished and noted NRT performance was validating CRT performance in terms of the disparities seen among subpopulations. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibit F, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>.)

*c. Status of Accountability Reports*

Dr. Paul LaMarca, Assistant Deputy Superintendent, Office of Assessments, Program Accountability, and Curriculum, NDE, proposed changes to NRS 385.347(1)(b) regarding the contents of the annual report of accountability. He suggested the requirements to aggregate district-sponsored charter schools into district totals be retracted. Dr. LaMarca then reviewed the cost to produce the printed reports required by NRS 385.347(8), which includes costs to the NDE to produce a report and to the schools and districts for printing and mailing. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit J, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

10. Technology and Accountability Reporting

*a. Automated System of Accountability Information for Nevada (SAIN)*

Dr. Paul LaMarca, Assistant Deputy Superintendent, Office of Assessments, Program Accountability and Curriculum, NDE, provided the Committee with a report on the status of the automated System of Accountability Information for Nevada (SAIN), at its meeting on January 17, 2006. Dr. LaMarca reported that the implemented SAIN components included the accountability report card, the statewide student information system, and the student unique identification system. He said the components still under development included the analytical data warehouse. The Department continues to enhance the accountability report card applications and secure access to the warehouse. (For a copy of Dr. LaMarca's Microsoft PowerPoint presentation, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibit E, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>.)

At the Committee's meeting on November 29, 2006, Dr. Keith Rheault, Superintendent of Public Instruction, and Shawn Franklin, Evaluation Consultant, Office of Assessments, Program Accountability, and Curriculum, NDE reviewed Project Bighorn, the name given to SAIN by the Department. They reported the status of the development of SAIN, explained current uses of the system, discussed challenges that had been encountered, and reviewed resource solutions. Dr. Rheault indicated to the Committee that the NDE would request an appropriation to fund information technology staff in the next biennium. (For a copy of the presentation materials, see the minutes of the November 29, 2006 meeting of the Legislative Committee on Education, Exhibit O, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20061129-1174.pdf>.)

*b. Educational Technology*

Bart Mangino, Chairman, Commission on Educational Technology, summarized the allocation of the \$9.95 million for educational funding for Fiscal Year 2006-2007, at the Committee's June 7, 2006, meeting. In distributing the appropriation, the Commission on Educational Technology had conducted three rounds of funding. Information on funding applications for rounds one and two was made available to the Commission on Educational Excellence in an attempt to avoid any duplication of funding. Mr. Mangino summarized the Commission on Educational Technology's grant criteria, which emphasized scientifically based research and improving student achievement. He said the school districts that requested funding were questioned extensively regarding the research and evaluation components of their proposals as well as the anticipated impact they would have on student achievement. Mr. Mangino indicated that the Commission on Educational Technology plans to seek an increase in the biennial budget for educational technology. Mr. Mangino informed the Committee that no formal meetings had been held among the Commission on Educational Technology, the Council to Establish Academic Standards, and the Commission on Professional Standards in Education. (For a copy of Mr. Mangino's presentation materials, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit C, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

At the Committee's June 7, 2006, meeting, Tara Shepperson, Shepperson and Associates, reviewed the goals, methods, and measurements to be used when evaluating educational technology in Nevada. She said the evaluation, which is due prior to the convening of the State Legislature in February 2007, would determine:

- If educational technology was meeting goals of the Commission on Educational Technology;
- Whether funded programs for educational technology were assisting teachers to teach more effectively;
- Whether educational technology was assisting administrators with data-driven decisions; and
- If funding provided by the Nevada State Legislature was being used effectively.

(For a copy of Ms. Shepperson's presentation materials, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit D, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

*c. In\$ite Financial Analysis Program*

Rick Wells, Vice President for Finance and Consulting Services, EDmin.com Inc., told the Committee at its June 7, 2006, meeting that the In\$ite Financial Analysis Program was a reporting system, not an accounting system. He said In\$ite transformed accounting data into useful management information, which made complex school district financial data understandable, produced “agenda free” decision quality data, reported consistent and comparable data, and provided 280 reports for analysis. An example was the “District Comparative — 4 Function” report, which showed a Nevada comparative of each district per pupil operating expenditures by four functions.

(For a copy of Mr. Wells’ Microsoft PowerPoint presentation, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibit F, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

*d. Personal Digital Assistant Assessment Technology for Early Literacy/Preschool and Mathematics*

David Stevenson, Executive Director, Business Development, Wireless Generation, said the mCLASS System for pre-K to Grade 3 mobile observational assessment in literacy and mathematics enabled students, teachers, parents, and other K-3 education stakeholders to use real-time data about student progress to improve reading and mathematics achievement and to reduce special education referrals. He explained the handheld assessment of key skill indicators; Web-based reporting; advanced analysis, which gave insight into implementation fidelity and effectiveness; and a professional services team which provided assistance with analysis, coaching, and change management. Mr. Stevenson also discussed the use of the program nationally and in Nevada. (For a copy of Mr. Stevenson’s Microsoft PowerPoint presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit F, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

11. Personnel

*a. Regional Training Programs*

At its May 10, 2006, meeting of the Committee, Stanley Chow, Director, Regional Services, WestEd, and Third Party Evaluator for the Regional Training Programs, reported on the status of the evaluation. He reviewed the questions which guided evaluations:

- How were the RPDPs organized?
- What were the nature, extent, and quality of RPDP training?
- Were teachers and administrators learning and applying new skills and content?
- Were students making achievement gains?

Mr. Chow said teachers had been chosen randomly to participate in the evaluation; it was unknown which teachers had attended RPDP training. He said current studies were being conducted to evaluate the work of teachers who had been well-trained by RPDPs. Because the evaluation was not yet complete, no clear conclusions could be drawn. Mr. Chow said the next report from WestED would be issued in January 2007. That report would summarize the results of the self-evaluation reports from all of the four regional programs. Chairman Raggio said the Committee expected to see more substantive, precise information in the January 2007 report. (For a copy of Mr. Chow's Microsoft PowerPoint presentation and the Executive Summary of the evaluation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibits D and E, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

At the May 10, 2006, meeting, Bill Hanlon, Director, Southern Nevada RPDP, told the Committee his program conducted teacher testing before and after professional development training, which enabled them to determine what the teachers had learned in terms of content knowledge. He said it was very important that the RPDPs be able to follow-up with the teachers to ensure they were implementing the recommendations they had learned in the professional development training.

#### *b. Survey of Administrator Needs*

Steven Canavero, Doctoral Candidate, and Intern, Fiscal Analysis Division, LCB, presented the results of a survey of school administrators to the Committee at its January 17, 2006, meeting. Mr. Canavero said the goal of the survey was to assess the needs of school administrators in regard to the development, implementation, and evaluation of their school improvement plans. The design of the survey was guided by recent legislation and the results of the 2004 Progress Report on the Nevada System of Educational Accountability.

Mr. Canavero reported that approximately 75 percent of administrators believe the school improvement plan is essential to school improvement. Although administrators report they spend more time on planning activities, they report they would like to devote more time to professional development. They report they would benefit from professional development aimed at helping them to use the school improvement plan more effectively, including linking specific strategies to goals of the school improvement plan. Most reported their schools were



best at collaboration and struggled most with resources. (For copies of Mr. Canavero's Microsoft PowerPoint and companion report, see the minutes of the January 17, 2006, meeting of the Legislative Committee on Education, Exhibits I and J, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060117-1174.pdf>.)

*c. Administrator Training*

Hugh Rossolo, Chairman, Statewide Council for the Coordination of the Regional Training Programs, gave an overview of the administrative training available in the northeastern, northwestern, southern, and western Nevada regions, at the May 10, 2006, meeting of the Committee. He discussed issues such as: training sessions on identifying effective classroom instruction; shared classroom observations; administrative council meeting follow-ups; ongoing trainings that reflected teacher learning; professional development through sharing; and professional learning communities. Mr. Rossolo noted the administrative training varied from region to region, but the common, ultimate goal was to improve student achievement. Mr. Rossolo said first year administrators were required to take a University of Nevada, Reno, course. The rest of the training was voluntary. He said the \$100,000 annual appropriation to the Statewide Coordinating Council and had been used to contract with the Nevada Association of School Administrators for training. (For a copy of Mr. Rossolo's Microsoft PowerPoint presentation, see the minutes of the May 10, 2006, meeting of the Legislative Committee on Education, Exhibit C, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060510-1174.pdf>.)

A report to the Statewide Coordinating Council from the Nevada Association of School Administrators on training grant activities in the 2005-2006 school year was entered into the record of the Committee meeting on June 7, 2006. (For a copy of the report, see the minutes of the June 7, 2006, meeting of the Legislative Committee on Education, Exhibits M and N, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060607-1174.pdf>.)

12. Local School Autonomy

*a. National Research on Student Weighted Funding and Local Decision-Making*

Professor William G. Ouchi, Ph.D., Anderson Graduate School of Management, University of California, Los Angeles, discussed his research of the impact of school size on student performance, at the April 12, 2006, meeting of the Committee. A copy of a summary of Dr. Ouchi's book, *Making Schools Work*, was provided to the Committee. (For a copy of the summary, see the following Web site: <http://www.williamouchi.com/booksum.html>.)

Through his studies of large business and government organizations, Dr. Ouchi told the Committee that he had concluded when an organization grew, it needed to decentralize. If it



did not, it would fall victim to the familiar pathologies of bureaucracy. He said the most prominent of those pathologies was that the central office staff and regional staffs bulked up and consumed an ever increasing percentage of the total resources of the organization. The resulting bureaucracies became rigid and insensitive to those they intended to serve. Dr. Ouchi said that in every case he had studied, the successful antidote was decentralization of control of the budget and decisions to those who ran the local operating units.

Dr. Ouchi said he had compared two decentralized school districts, Houston, Texas, and Seattle, Washington, to the three largest districts in Chicago, Illinois; Los Angeles, California; and New York, New York. The principals in the traditional districts controlled very small percentages of the funds spent in their schools. In the decentralized districts, the principals controlled the mixture of staffing in the school. In a centralized district, the central office utilized an enrollment formula system to determine school staffing. In a decentralized district, the principal had discretion over staffing, scheduling, curriculum, and budget. Dr. Ouchi advocated that schools have control of curriculum, not standards. He said the standards are set by a state, but the curriculum is the choice of books and materials to deliver instruction in the standards. He said the schools need to have the freedom to choose the method to deliver the content that works best for their circumstances. Dr. Ouchi said that in a school based autonomy model the state must set the standards, monitor performance, and enforce consequences.

Dr. Ouchi provided information on student-weighted funding. He said that a system developed in Edmonton, Alberta, Canada, allocated funding on the basis of the students. Each family was granted the freedom to choose any public school in the district and the money followed the students to the schools they attended. He said that public school choice was limited to schools within the public school districts that used weighted student formulas and had been widely supported in every district that utilized the approach.

According to Dr. Ouchi, eight school districts in the United States have implemented the approach. Legislation in Hawaii requiring local school autonomy would be implemented in September 2006. California law provided up to 15 of its school districts could implement the design, while the Miami-Dade County Public Schools, Florida, had recently approved an 18-school autonomy project. In Nevada, the CCSD had announced a four-school project.

*b. Site-Based Management in Nevada*

At the April 12, 2006, meeting of the Committee, Bill Hanlon, Director, Southern Nevada RPDP, discussed site-based management, which had been implemented in Nevada in the mid-1990s. Mr. Hanlon told the Committee that at that time, some principals determined some curricular requirements were no longer necessary because new technologies were available to students. He said the statutory academic standards were enacted in response to the failure of site-based management. Principals must have oversight and there must be enforcement of academic standards and testing, according to Mr. Hanlon.

### 13. Parental Involvement

#### *a. Educational Involvement Accord and Code of Honor*

Senate Bill 214 (Chapter 410, *Statutes of Nevada 2005*) required the NDE to prescribe a form for an educational involvement accord that complies with the parental involvement policy adopted by the State Board of Education for use in all public schools in Nevada. The measure also requires the NDE to prescribe a code of honor for students relating to cheating. The Committee received several status reports on the implementation of these requirements.

At the March 2, 2006, meeting of the Committee, Gloria Dopf, Deputy Superintendent, Office of Instruction, Research, and Evaluative Services, NDE, reviewed documents titled the *Educational Involvement Accord* and the *Education Code of Honor*. She said both documents had been developed by an advisory committee of parents, teachers, administrators, representatives of business, and others. Janie Lowe, Consultant, Office of Special Education, Elementary and Secondary Education, and School Improvement Programs, NDE, said the accord could be used as the parent compact required by NCLB. Ms. Lowe said both the accord and the code of honor will be available in English and Spanish. (For a copy of the *Educational Involvement Accord* and the *Code of Honor*, see the minutes of the March 2, 2006, meeting of the Legislative Committee on Education, Exhibits H and I, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060302-1174.pdf>.)

Ms. Dopf reported to the Committee at its April 12, 2006, meeting, the results of a survey of all school districts on their policies relative to the distribution of the *Educational Involvement Accord* and the *Code of Honor*. She said 16 of the 17 districts had responded. Most indicated that they expected to distribute the Accord and Code as part of their opening of the 2006-2007 school year. Ms. Dopf said that, although S.B. 214 required signatures on the Accord from the parent, student, and school staff, the measure did not require a signature on the code. She suggested incorporating the code with the noncheating agreement, which did require signatures.

#### *b. Nevada Parent Involvement Summit*

At its meeting on June 7, 2006, Assemblywoman Debbie Smith discussed the Parent Involvement Summit which had been held in Reno in March 2006. She said meetings had begun last summer to plan and set a vision for the Summit. They decided on the theme, “Connecting the Dots” because it was their desire for everyone involved in education to be able to connect the dots between involved parents and student achievement.

Barbara Clark, Nevada Parent Teacher Association Legislative Vice President, said it was the opinion of most of the stakeholders present at the summit that there was still a long way to go to complete collaboration between the stakeholders at the district and State level to bring about effective parent involvement. She said it was a common goal of the State and the districts to

target parent involvement but efforts in reaching the goals needed to be aligned. The participants had identified several needs at both the district and State levels:

- A parent involvement facilitator or coordinator in each district and at the State level to monitor and facilitate parent involvement;
- Infrastructure at the district and State levels to ensure people understood the standards of parent involvement;
- Establishment of a statewide parent involvement advisory committee that would make policy recommendations to the Legislature. Also, once the legislative session was over, review those policies on parent involvement coming out of the Session and see how they could be effectively implemented throughout the districts and the State; and
- A statewide parent involvement coordinator.

Assemblywoman Smith said a group in the WCSO had been working with the staff of the College of Education at the University of Nevada, Reno, to develop a training program for incoming teachers to educate them on effective parent involvement. They were developing a model that could be used statewide and by the RPDPs. She asked the Committee to lend its support to the establishment of a statewide parent involvement advisory committee as had been suggested by the participants in the Parent Involvement Summit.

At its November 29, 2006, meeting, the Committee received a report from Assemblywoman Smith on the final report of Nevada's first Parent Involvement Summit. She presented a list of needs for effective parent involvement as generated by a subsequent meeting of the summit steering committee and stakeholder group. The list included issues relating to parents, teachers, higher education institutions, administrators, policymakers, the community and businesses, and students. (For a copy of Ms. Smith's presentation materials, see the minutes of the November 29, 2006, meeting of the Legislative Committee on Education, Exhibit G, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>

#### 14. Charter Schools

Marc Deal, Director, Halima Academy, suggested an additional school district created just for charter schools, at the June 7, 2006, meeting of the Committee. He expressed his concerns regarding paying the NDE for the services of a charter school consultant, who also served to evaluate the charter schools. Mr. Deal also expressed concerns about the amount of insurance charter schools are required to carry, difficulties charter schools have in dealing with contractors, receiving students from the school district after the official count day, and the mandate that charter schools must have three teachers on their boards of directors. He said he would like to see legislation that promoted charter schools.

## 15. Career and Technical Education

Pursuant to Assembly Bill 388 (Chapter 309, *Statutes of Nevada 2005*), the Subcommittee to Study the Effectiveness of Career and Technical High Schools was required to submit its findings and recommendations to the Legislative Committee on Education. At its meeting on August 29, 2006, Assemblywoman Bonnie Parnell, Chair of the Subcommittee, presented the report. (For a copy of the report of the Subcommittee, see the minutes of the August 29, 2006, meeting of the Legislative Committee on Education, Exhibit B, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060829-1174.pdf>.)

The Subcommittee had been assigned the task of investigating the success of career and technical education (CTE) in Nevada's high schools and making recommendations regarding the expansion of programs. Assemblywoman Bonnie Parnell summarized the Subcommittee's activities during the interim and its recommendations for legislation and action. She noted the findings of the Subcommittee:

- Career and technical education courses are effective in educating students.
- Programs for CTE require stable funding sources and increased revenues.
- Additional CTE courses and schools are needed to meet the demands from students and employers.
- Courses articulated between high school and college enable students to start CTE majors early.
- Guidance counselors are increasingly assigned nonguidance duties.
- Schools and employers need to do more to make students and parents aware of the skills needed and the opportunities available.

Michael D. Pennington, Public Policy Director, Reno-Sparks Chamber of Commerce, also presented a document explaining a workforce development challenge grant program that focused on the integration and partnership between business and education by identifying and training a workforce for high demand industries in northern Nevada. Mr. Pennington said a recent survey of chamber members had confirmed that workforce development was a key issue facing the community. (For a copy of Mr. Pennington's document, see the minutes of the August 29, 2006, meeting of the Legislative Committee on Education, Exhibit D, at <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education/Minutes/IM-Education-20060829-1174.pdf>.)

The report of the activities of the Subcommittee is provided in Bulletin No. 07-4 of the Legislative Counsel Bureau.

#### 16. School Finance Studies

At its meeting on November 29, 2006, the Committee received reports on school financing studies and recommendations. Assemblywoman Debbie Smith, Chair of the Legislative Commission's Committee to Study School Financing Adequacy, [Assembly Concurrent Resolution No. 10 (File No. 99, *Statutes of Nevada 2005*)] summarized the findings and recommendations of Augenblick, Palaich, and Associates, the consultant contracted to assist the Committee with its study. The final report of the Committee is provided in Bulletin No. 07-7 of the Legislative Counsel Bureau.

In addition, Mary Pierczynski, Superintendent, Carson City School District, President of the Nevada Association of School Superintendents, presented a document titled "iNVest '07, Investing in Nevada's Education, Students and Teachers." She was joined by Paul Dugan, Superintendent of WCSD; Walt Rulffes, Superintendent of CCSD; and Rick Hardy, Superintendent of the Lincoln County School District, in explaining the initiatives recommending levels of funding for the 2007-2009 biennium. The proposal includes recommended funding for inflation, textbooks, salary increase, health benefits, incentives for licensed educational personnel, increased achievement for all students, services for English language learners, full-day kindergarten, professional development, classroom discipline and school safety, and career and technical education. (For a copy of the iNVest '07 document, see the CCSD Web site at <http://www.ccsd.net/pdf/iNVest07.pdf>.)

The Committee also received a comment from Joe Enge, Education Analyst, Nevada Policy Research Institute (NPRI). Mr. Enge questioned the methodology of school funding adequacy studies as discussed in a publication of NPRI titled *Thoroughly Inadequate: The 'School Funding Adequacy' Evasion*, written by Richard P. Phelps.

(For a copy of the NPRI publication and Mr. Enge's presentation materials, see the minutes of the November 29, 2006, meeting of the Legislative Committee on Education, Exhibits D and E, <http://www.leg.state.nv.us/73rd/Interim/StatCom/Education>.)

### III. RECOMMENDATIONS

The Legislative Committee on Education held its work session on August 29, 2006, to consider recommendations in compliance with the September 1, 2006, deadline for interim committee bill draft requests (BDRs) as set forth in NRS 218.2429. Members of the Committee adopted 33 proposals geared toward improving student achievement. The Committee met again on November 29, 2006 to refine selected BDRs and take other actions with regard to specific topics.

## **A. Proposals Relating to Parent Involvement**

Involvement of parents in the education of their children continued to be an interest of the Committee. It received a report from Assemblywoman Debbie Smith and Barbara Clark, Nevada PTA Legislative Vice President, on the Parent Involvement Summit, held in Reno in March 2006. In addition, the Committee discussed the implementation of the educational involvement accords and the code of honor required by Senate Bill 214 (Chapter 410, *Statutes of Nevada 2005*).

### **1. Establishment of a Parental Involvement Advisory Council**

In the 2003-2004 interim, the Legislative Committee on Education recommended to the 2005 Legislature a temporary parental involvement advisory council. It was proposed as Assembly Bill 336, which was concurrently referred to the Assembly Committee on Education and the Assembly Committee on Ways and Means. Assembly Bill 336 was passed out of the Assembly Committee on Education but was held by Ways and Means. No opponents testified against this proposal. Proponents included the Superintendent of Public Instruction, who testified that no other group was providing this kind of information. Barbara Clark of the Nevada PTA also testified in support of the bill.

At the Legislative Committee on Education hearing in June, Ms. Clark recommended the creation of a statewide parent advisory committee. Because this was a proposal of the Committee in the previous interim and as a result of renewed support, the Committee recommended that the 2007 Legislature:

- **Provide for a transitory section that requires the Superintendent of Public Instruction to convene a statewide parental involvement advisory council that would recommend to the Legislature policies to increase parental involvement. (BDR 34-415)**

### **2. Distribution of the *Code of Honor* Relating to Cheating**

At the April meeting, the Committee received a status report on the educational involvement accords and the distribution of the *Code of Honor* relating to cheating. Senate Bill 214 (2005) requires that parents are to be provided an opportunity to sign and return the accords. It does not require either parents or students to acknowledge they have received and understand the code. Because the Committee felt that a written record of a student's receipt and acknowledgement of the code is important, the Committee recommended that the 2007 Legislature:

- **Amend the statutes to require each school district and charter school to adopt a policy for the distribution of the code of honor relating to cheating, prescribed by the Nevada Department of Education, pursuant to *Nevada Revised Statutes 392.461*. The schools shall provide an opportunity for parents or guardians to sign a form**

**acknowledging receipt and review of the code. Further, students will also sign a similar form. (BDR 34-415)**

**3. Report to Parents or Guardians Regarding Their Involvement in the Education of Their Children.**

In 2001, Senator Raggio introduced Senate Bill 73 to establish a parent report card. Since that session, Congress enacted the NCLB Act of 2001, which includes provisions on parent involvement. Section 1118 of NCLB (20 U.S.C. 6318) provides that a component of the school-level parent involvement policy will be a school-parent compact that outlines how parents, the school staff, and students share the responsibility for improved student achievement and the means whereby the school and parents will build and develop a partnership. The compact is to be developed jointly among school personnel and parents. The compact is to describe the school's responsibilities in providing instruction and a supportive learning environment and the ways in which parents will be responsible for supporting their children's learning, such as monitoring attendance, homework, and outside distractions. The compact is also to provide ways that parents can participate in decisions relating to their children's education.

Because the Committee was convinced that the involvement of parents in their child's education is one of the most important factors in student achievement, the Committee recommended the 2007 Legislature:

- **Amend the statutes to require elementary schools, including charter schools, to report to parents or guardians regarding their involvement in the education of their children. The report shall be used by schools that have been designated as demonstrating need for improvement for the third consecutive year. The form, prescribed by the Nevada Department of Education, must include a notice that parent involvement is a factor in the School Improvement Plan and conforms to provisions of the federal No Child Left Behind Act of 2001. No student shall be penalized by the contents of the parent report. (BDR 34-415)**

**B. Proposals Relating to P-16 Council**

The Committee discussed the work of the Nevada P-16 Council on several occasion as the topic arose in conjunction with other matters. In a discussion on March 2, 2006, related to the *STARS: Nevada's Blueprint for High School Improvement*, Dr. Keith Rheault, Superintendent of Public Instruction, commented that a council established by statute might be more effective, especially one with specific responsibilities and accountability. At the April 12, 2006, meeting, the Committee discussed further the possibility of establishing a statutory council during a presentation on the existing P-16 Council by Dr. Jane Nichols, Vice Chancellor for Academic and Student Affairs, NSHE. The Committee also discussed Senate Bill 69, as amended, from the 2005 Session. That bill would have established a permanent P-16 Council with a focus on economic development of the State.

Based on testimony before the Committee and to ensure coordination and collaboration among the elementary, secondary, and higher education systems for the purpose of supporting transitions to postsecondary education and employment, the Committee recommended that the 2007 Legislature:

- **Amend the statutes to create a permanent P-16 Council with 15 voting members appointed by the Governor, Senate Majority Leader, and Speaker of the Assembly. The Council members would have the authority to appoint advisory committees. Members of the Council should represent higher education, elementary and secondary education, and business. Staffing will be provided by the Nevada System of Higher Education. The mission of the Council will be to study and make recommendations regarding teacher education, including financial aid, the transitions from middle school through high school to postsecondary education or work, including strategies to increase parental involvement in student progress, curriculum alignment among the various levels of education, and other topics. (BDR 34-416)**

### **C. Proposals Relating to Governance**

#### *a. Local School Autonomy*

The Committee received testimony on the concept of local school autonomy and student-weighted funding from Professor William G. Ouchi, Anderson Graduate School of Management, University of California, Los Angeles. The Committee received an endorsement of the concept from Maureen Peckman, Director of the Council for a Better Nevada. It also received information from Clark County Superintendent Walt Rulffes about the pilot program to implement local school autonomy in four district schools.

Based on testimony before the Committee and because of its continued interest in monitoring the evolution of school autonomy and the impact on student learning, the Committee agreed to:

- **Send a letter to the Clark County School District requesting a report to the 2007 Legislative Session on its findings regarding the implementation of a pilot program to authorize selected school principals to exercise more control over school budgeting, programming, and staffing in their respective schools. The findings should include the impact on student achievement, on staffing and provision of educational services, and on budgeting and resource allocation.**

#### *b. Public School Governance*

The Committee also received testimony from Bill Hanlon, Director, Southern Nevada Regional Professional Development Program, expressing concern about the effect of site-based management on Nevada schools in the mid-1990s. Further, the Committee received recommendations from Marc Deal, Director of the Halima Academy, regarding the statutory



and regulatory provisions governing operations of charter schools. In an effort to provide an effective governance structure for public schools, the Committee adopted a recommendation to the 2007 Legislature that it:

- **Provide for a transitory section directing the Legislative Committee on Education to conduct the following studies:**
  - a **An interim study on the governance of public schools, including alternatives for local school autonomy; and**
  - b **A study of charter school governance, including the structure, organization, accountability, and funding, to be conducted by a subcommittee of members of the Committee. (BDR 34-417)**

#### **D. Proposals Relating to Pupils**

The Committee focused much of its attention on specific populations of pupils during the interim. One course of study examined some of the demographic populations into which student performance data are disaggregated, pursuant to the provisions of the federal NCLB and Nevada's Senate Bill 1. Another area of interest included the vulnerable points in student transitions from middle school to high school and beyond.

##### **1. Consultants in the NDE for Specific Demographic Groups**

The Committee received a presentation from representatives of the Nevada Indian Commission relating to recommendations to improve the education of American Indian and Alaska Native children in Nevada public schools. At that time, the Committee was told that other assigned activities of the Indian education consultant were consuming more of the consultant's time to the detriment of the Indian children and inter-governmental cooperation on Indian education.

The consultant to serve the special needs of American Indian children and the consultant to serve the special needs of culturally diverse children, including children whose native language is not English, were originally approved in 1997 with the enactment of Assembly Bill 266 (Chapter 502, *Statutes of Nevada*). Specifically, the money appropriated pursuant to the measure was to be used to employ these consultants and provide for clerical support, travel, equipment, and operational expenses. These positions were subsequently included in the Department's budget by the 1999 Legislature.

Based on the proposal from Richard Harjo, Chairman, Nevada Indian Commission, and to determine the relevancy of the current services of these consultant positions to the needs of the specific demographic groups, the Committee agreed to:

- **Send a letter to the Superintendent of Public Instruction to request a report on the positions of consultant to serve the special needs of American Indian children and of**

**consultant to serve the special needs of culturally diverse children, as provided by Assembly Bill 266 (Chapter 502, *Statutes of Nevada 1997*).**

## 2. Bilingual Aides for LEP Kindergarten Students

In 2005, the Legislature provided \$175,000 for pilot programs to teach English to children who have LEP during the summer before they attend kindergarten [Assembly Bill 580 (Chapter 482, *Statutes of Nevada 2005*)]. The Committee received information from the WCSD about its pilot program, called Kinder Amigos, reporting that initial assessments indicate parental involvement has increased.

As a result, the WCSD proposed increased funding to expand the program for bilingual aides in all school districts. The aides would serve in kindergarten classrooms with the highest percentages of Hispanic children. The purpose of the program would be to encourage parent involvement and improve student academic achievement in kindergarten. In the interest of ensuring LEP children are prepared to enter first grade, the Committee recommended the 2007 Legislature:

- **Provide an appropriation from the State General Fund to the Nevada Department of Education in the amount of \$5.5 million for the biennium to continue and expand a program for bilingual aides in all school districts to serve in kindergarten classrooms having the highest percentages of Hispanic children, begun as a pilot program pursuant to the provisions of Assembly Bill 580 (Chapter 482, *Statutes of Nevada 2005*). (BDR S-427)**

## 3. Programs for Truancy Prevention and Enforcement

The Committee discussed current truancy prevention and enforcement programs with representatives of the Nevada school districts. It also received information on national research and model programs. Initially, the Committee received two recommendations for actions by the Committee: representatives of the Clark County School District proposed establishing a pilot truancy interdiction center and representatives of the WCSD proposed amending the NRS to provide for a truancy master. At its work session, the Committee voted to reserve a bill draft request for truancy prevention and enforcement, directing the Committee staff to conduct further research on this topic.

At its meeting on November 29, 2006, the Committee staff reported on its research, which included a survey of Nevada school districts, interviews with individuals who work with truancy programs, and a review of model programs in other states. Because truancy involves a number of governmental and community services entities, the staff found that Nevada school districts and their communities approach truancy in different ways. The root cause of the truancy extends beyond the school and academics. Nationally, the model programs follow the intervention, diversion, discipline structure. They involve a number of segments of a community. For a summary of the poll results, see Appendix E.

Major issues reported to the staff include:

- Lack of personnel in the schools to monitor attendance and related record-keeping and lack of personnel in the court system to process and monitor cases;
- Lack of community social services for both parents and children; and
- Lack of enforcement of fines and court-ordered community work.

The Committee concluded that truancy prevention involves more than disciplinary action. Therefore, based on staff research and Committee discussion, the Committee recommended the 2007 Legislature take the following actions with regard to truancy prevention and enforcement:

- **Amend the statutes to:**
  - a. Provide for a school attendance review board (SARB) in school districts in counties with populations over 100,000 and to permit such boards in all other school districts. The SARB will adopt and follow a truancy prevention and enforcement program of intervention, diversion, and discipline.**
  - b. Provide that either a parent or child may be fined for truancy; in the event the parent is subsequently fined in a separate case, the fine against the child may be waived.**
  - c. Provide that school district boards of trustees must establish attendance monitoring procedures and compile an annual report of the disposition of truancy cases. Include coordination of community services as part of the truancy program.**
  - d. Provide that a truancy prevention plan that is part of a school or school district plan for improvement may be eligible for funding from the Account for Programs for Innovation and the Prevention of Remediation.**

Because of its continued interest in monitoring the truancy prevention and enforcement, the Committee adopted a recommendation that the 2007 Legislature:

- **Provide for a transitory section to require the Legislative Committee on Education to study truancy and related issues in the 2007-2008 interim. (BDR 418)**

#### 4. Students who Are Deaf and Hard of Hearing

The Committee received information on the educational services needed by students who are deaf and hard of hearing. In addition to other information, Gary Olsen, Executive Director of the Deaf and Hard of Hearing Advocacy Resource Center, provided similar information and

requests to the Legislative Committee on Persons with Disabilities (NRS 218.53791. (The Committee's agendas, minutes, and recommendations are accessible at its Web site: [http://www.leg.state.nv.us/73rd/Interim/StatCom/Disabilities/.](http://www.leg.state.nv.us/73rd/Interim/StatCom/Disabilities/))

At its work session on August 29, 2006, the Committee reserved a bill draft request for services for students who are deaf and hard of hearing. It directed the Committee staff to determine if the recommendations of the Committee on Persons with Disabilities addressed the requests made by Mr. Olsen and others. The staff found four similar recommendations: recruitment incentives; training stipends; consolidated services; and interpreter training. In the interest of ensuring that educational services are provided to students who are deaf and hard of hearing, the Committee recommended the 2007 Legislature take the following actions:

- **Provide an appropriation for:**
  - a. **Additional signing bonuses for teachers of deaf and hearing impaired students and for annual training stipends for existing teachers of deaf and hearing impaired students and interpreters in the amount of \$85,000 for the biennium.**
  - b. **A statewide mentoring program for teachers of the deaf with two consultants provided through the Department of Education in the amount of \$400,000 for the biennium.**
  - c. **A pilot program to establish a magnet school to consolidate deaf education services at the elementary level in the amount of \$275,000 for the biennium. (BDR 433)**

The Committee further agreed to:

- **Send letters to the Board of Regents of the University of Nevada urging the determination of costs and structure of expanded training opportunities for teachers of the deaf. Also urge the Board to determine the costs associated with expanding the availability of course to enhance the skills of interpreters. Request the Board report these determinations to the Legislative Committee on Education in the 2007-2008 interim.**

Because of its interest in enhancing educational services to students who are deaf and hard of hearing, the Committee agreed to:

- **State in the final report of the Committee its support for the budget request from the Western Interstate Commission for Higher Education in the amount of \$36,000 for the biennium for out-of-state program slots to prepare teachers to work with students who are deaf and hard of hearing.**

## **E. Proposals Relating to Academic Standards, Accountability, Educational Technology, and Student Progress**

The Committee received several reports on student performance as assessed through the Nevada Proficiency Examination Program (NPEP). Assessments as part of the NPEP that were reported to the Committee included the High School Proficiency Examination, writing assessments, the Iowa Test of Basic Skills and the Iowa Tests of Educational Development, criterion-referenced tests, and the National Assessment of Educational Progress.

Most of the issues related to implementation of the statewide testing and accountability measures enacted to comply with the federal NCLB Act of 2001 were addressed by the 2003-2004 Legislative Committee on Education and the 73rd Legislature. As more schools have been identified as in need of improvement, however, the Committee became aware of additional changes to enable the accountability activities to function more smoothly.

### **1. Academic Standards**

#### ***a. Power Standards***

The Committee received a presentation on the Power Standards adopted for use by the CCSD at its meeting on January 17, 2006. Dr. McCormick-Lee explained the process to develop the Power Standards with the assistance of ETS/Pulliam. She said that these are the most critical standards that students should master. She said that teachers must align the Power Standards to focus their instruction.

The Committee remained concerned about the breadth of the curriculum in CCSD resulting from the Power Standards. Unequal access to enrichment programs, tracking students to targeted instruction rather than exposure to the full curriculum, and adequate preparation for the NPEP examinations were some of the members' concerns.

Because of these questions, the Committee agreed to the following action:

- **Send a letter to the Clark County School District Board of Trustees, asking it to review the success of the Power Standards by measuring student performance on criterion-referenced tests. Ask the Board to report its findings to the Legislative Committee on Education in 2007 and in 2008.**

#### ***b. Standards Review***

On behalf of the State Board of Education, the Superintendent of Public Instruction expressed a concern that the Board has no authority to provide any comment to the Council to Establish Academic Standards regarding proposed standards, even though the Board is the body to hear public testimony on a proposed standard. He said that currently the Board is required by NRS 389.520 to adopt any standards submitted by the Council to Establish Academic

Standards without review. To address this concern, the Committee voted to recommend that the 74th Legislature:

- **Amend the statutes to authorize the State Board of Education to review and return the standards of content and performance established by the Council to Establish Academic Standards for Public Schools. Require the Council to give due consideration to the reasons provided by the State Board for returning the standards. (BDR 34-419)**

c. *Curriculum Calibration*

At its November 16, 2005, meeting, the Committee received a presentation analyzing and comparing the performance of Nevada students on criterion-referenced tests, norm-referenced tests, and the NAEP. According to a national NAEP validity study, Nevada's academic standards are between NAEP's Basic and Proficient standards. Analyses revealed that, while Nevada scores on NAEP are below the national averages, the gap is consistent across all demographic groups.

With this information as background, the Committee heard testimony on a research model to test the alignment of classroom instruction to grade-level academic standards. In an attempt to gain insight into the consistent performance of Nevada students on national examinations at less than the national average, the Committee agreed to recommend that the 74th Legislature:

- **Provide an appropriation of approximately \$340,000 from the State General Fund to the Interim Finance Committee to fund a research project through a competitive request for proposals process to measure the calibration and alignment of student assignments to grade level standards. (BDR 34-419)**

2. Educational Technology

a. *Needs Assessment*

In the 2005 Session, the Senate Committee on Finance and the Assembly Committee on Ways and Means questioned the request for funds from the Commission on Educational Technology since no needs assessment had been conducted by the Commission. The amount of money requested for the 2005-2007 biennium was the same as the amount that had been appropriated in previous biennia. Although these Committees approved the request, the Committee members asked that a needs assessment be completed in the future.

For the 2007-2009 biennium, the needs assessment was scheduled to be conducted in the autumn of 2007, too late to be included in the request for funds in the *Executive Budget*. To ensure that information from an educational technology needs assessment be available in time to develop an appropriate budget for submission and consideration in the Governor's budget, the Committee recommended the following action by the 2007 Legislature:

- **Amend the statutes to require the Commission on Educational Technology to conduct an education technology needs assessment among the school districts in the spring semester of the first fiscal year of a biennium. The needs assessment shall be based on recommendations from the state technology plan, the school district technology plans, and any evaluations of educational technology. The Superintendent of Public Instruction shall transmit the report to the Legislative Committee on Education; and**

The Committee further agreed to recommend that the 2007 Legislature should:

- **Provide for a transitory section to require the Commission to conduct a needs assessment in the spring of 2008 that includes the need for computer-based assessments and the feasibility of providing laptop computers to students in lieu of textbooks. The results of this needs assessment shall be transmitted to the Legislative Committee on Education by June 1, 2008. (BDR 34-419)**

b. *Integration of Technology into Delivery of Instruction*

The Committee heard testimony that *Education Week's Technology Counts* gave Nevada a low score on the use of technology in the public schools. *Technology Counts* reported that Nevada does not include the use of technology in teacher or administrator standards, or initial or recertification requirements. It also reported that ratio of students to computers for instruction and Internet access is in all categories much higher than the national average.

At its June 7, 2006, meeting, the Committee heard testimony that the Commission on Educational Technology would request an additional \$12 million to increase the access to technology in the classroom. According to that testimony, this amount is intended to “increase the exposure in the classroom as far as the impact that funding from the Technology Commission has had.” Because the appropriation has remained at \$9.95 million for the past several biennia, such an amount represents an increase of approximately 20 percent.

The Committee was informed that the Commission on Educational Technology, the Council on Academic Standards, and the Commission on Professional Standards have never met to formulate a comprehensive plan for the integration of technology into the delivery of instruction. No data have been provided to the Committee correlating student achievement and teacher capacity to educational technology.

To address its concern that a comprehensive plan to address teacher education and licensing, student assessments, individualized learning, and preparation for work and postsecondary education in a global economy be developed, the Committee agreed to:

- **Send a letter to the Superintendent of Public Instruction directing him to coordinate a meeting among the Commission on Educational Technology, the Council to Establish Academic Standards, and the Commission on Professional Standards, for the purpose**

**of developing a statewide plan for the integration of technology into the delivery of instruction and of linking student achievement to the use of technology. Request the Superintendent to provide the Legislative Committee on Education with a copy of a resulting plan and any recommendations for legislation.**

*c. Unique Student Identifier*

During the discussion about enhancing the P-16 Council's concept of a seamless education system, testimony was provided concerning the unique student identifier, required by NRS 386.650. The Committee was informed that the unique student identifier could be used by the Nevada System of Higher Education (NSHE) for those students who complete 12<sup>th</sup> grade in a Nevada public school and subsequently enroll in a NSHE institution. Dr. Paul LaMarca informed the Committee that the unique student identifier was not yet in use by the NSHE. He also suggested that, if this is to be implemented, the Department of Information Technology, which houses the elementary and secondary education student information system, should also be involved. To encourage the use of this student identifier, the Committee agreed to:

- **Send a letter to the Superintendent of Public Instruction, the Chancellor of the Nevada System of Higher Education, and the Director of the Nevada Department of Information Technology, urging them to work together to implement throughout the public education system the use of the unique student identification number, developed for the Automated System of Accountability Information for Nevada.**

**3. Accountability**

Upon its request for recommendations for legislation, the Committee received suggestions from the Superintendent of Public Instruction and the WCSB regarding supports and sanctions applied to schools demonstrating need for improvement. The 2004 Progress Report on the Nevada System of Educational Accountability, by Dr. George Hill, also presented recommendations regarding schools in need of improvement.

*a. School Support Teams*

Currently, NRS 385.374 requires that schools demonstrating need for improvement for three or more consecutive years must constitute a school support team. According to NRS 385.374, the team must include a representative of the NDE to serve as facilitator. The Committee received testimony that as more schools become eligible for school support teams, the Department will need additional staff to perform the function of facilitator. To limit the increase in employees to serve this function, the NDE recommended that it be allowed to appoint either a Department employee or a representative from outside the Department to serve as the facilitator. An outside facilitator would be required to meet minimum qualifications, including completion of a Department-approved program on school improvement and



demonstration of experience in working with low-performing schools. The NDE also suggested changing the term “facilitator” to “team leader” in the statutes.

The Superintendent also suggested that the NRS be amended to require that the school support team make its recommendations for corrective action to the school district board of trustees in years three and four because the local board is the entity with responsibility to take action. The NDE recommended this change to correlate with requirements of the federal NCLB Act. In addition, the NDE suggested an amendment to existing statutes relating to corrective actions, which require the Department to decrease the number of employees at the school who carry out managerial duties. The Department proposed that it be allowed to decrease the management authority of a school subject to corrective action.

Because of the projected increase in the number of schools requiring school support team services, the NDE recommended funding based on \$20,000 per school support team leader, an amount that Title I schools receive from NCLB to assist in school support team activities. According to the Department, no funding has been requested in the past because no non-Title I schools had reached the third year of demonstrating need for improvement. The NDE also suggested that it would consider the effectiveness of assigning more than one school in need of improvement to a support team leader for that amount of money, which would reduce the cost.

The Committee recommended that the 2007 Legislature take the following actions:

- **Amend the statutes:**
  - a. **To authorize NDE to select either a department employee or an individual who meets departmental qualifications to serve as the department’s representative on the school support team;**
  - b. **Relating to corrective actions to be taken when schools demonstrate need for improvement in year 3 or year 4, to include:**
    - **A requirement that the school support team make its recommendations for corrective action to the school district board of trustees, rather than NDE; and**
    - **An option available to NDE to decrease the management authority at the school, rather than the current option to reduce to number of employees who carry out management duties, as provided in the *Nevada Revised Statutes*.**
- **Provide for an appropriation from the State General Fund to NDE in the amount of approximately \$3.6 million for the biennium to fund school support teams in non-Title I schools. (BDR 34-419)**

The WCSD Board of Trustees suggested that the monthly progress reports, required pursuant to NRS 385.3741, be changed to quarterly reports. Currently, the monthly reports are to be submitted to the NDE. However, the WCSD suggested that it is the school improvement team that reviews all data elements and works with the school community to review and revise the school improvement plan. Therefore, a quarterly update to the NDE should be sufficient. The Committee recommended that the 2007 Legislature:

- **Amend the statutes to change the progress report completed by school support teams in schools in need of improvement from monthly to quarterly. (BDR 34-419)**

*b. Technical Assistance Partnerships*

Although not required by the federal NCLB Act, Senate Bill 1 established the requirement of technical assistance partnerships to assist schools in obtaining technical support from the school district in developing plans for improvement in years one and two of designation as demonstrating need for improvement. Pursuant to NRS 385.3692, the technical assistance partnerships are required to complete a form on a yearly basis that describes the operation of the school, testing data, and the plan for improvement, as well as any recommendation to revise the plan for improvement.

The elimination of the technical assistance partnerships was recommended by Dr. George Hill in the *2004 Progress Report on the Nevada System of Educational Accountability* and supported by the Superintendent of Public Instruction. When asked by Committee staff, school district representatives supported the proposal, reporting that the technical assistance partnership requirements are a paperwork exercise rather than assistance to schools. Therefore, the Committee recommended that the 2007 Legislature:

- **Amend the statutes to delete references to the formation and responsibilities for the technical assistance partnerships. (BDR 34-419)**

*c. Accountability Reporting*

The WCSD Board of Trustees proposed that the next contract with a consultant to conduct an evaluation of Nevada's accountability system include a review of accountability data elements to determine the usefulness of the data in School Improvement Planning. Because the contract is overseen by the Legislative Bureau of Educational Accountability and Program Evaluation, the Committee agreed to:

- **Send a letter to the Legislative Bureau of Educational Accountability and Program Evaluation directing it to include in the next contract for a progress report on the system of education accountability recommendations regarding the addition or deletion of statutorily required data elements and recommendations to improve either the format or the substance of accountability reports.**

The WCSD Board of Trustees suggested that the statutes be amended throughout to eliminate the word “subgroup” when referring to the various demographic groups into which student performance data must be disaggregated, pursuant to NCLB. According to the Board, the term “subgroups” is offensive to many recipients of assessment and accountability reports because it may be interpreted to mean “subservient” by those included in the various disaggregated groups. The Committee agreed to recommend that the 2007 Legislature:

- **Amend the statutes throughout by deleting the term “subgroups” and inserting in lieu thereof the term “groups.” (BDR 34-419)**

Both the NDE and the WCSD Board of Trustees proposed that current provisions of the NRS be amended with a technical correction. Currently, NRS 385.347 requires the school districts to report the data for charter schools sponsored by the school district in an aggregated fashion. However, NRS 385.372 requires charter school results to be reported in a disaggregated fashion for determination of adequate yearly progress. To align the two sections, the Committee recommended that the 2007 Legislature:

- **Amend the statutes to remove charter school results from district sponsor results in the annual report of accountability. Require that school districts report the data for charter schools and provide that accountability data are not aggregated to the school district sponsor data. (BDR 34-419)**

#### 4. Curriculum

Student progression from middle school to high school received considerable attention from the Committee. The Committee also focused its attention on high school curriculum.

##### a. *Middle School Retention*

The Superintendent of Public Instruction proposed an amendment to the NRS to address promotion from 8th grade to 9th grade. Pursuant to NRS 392.033, a board of trustees is prohibited from promoting an 8th grader to 9th grade until the student completes the course of study. A board is permitted to offer programs to complete the courses necessary to be promoted. The Superintendent suggested that a district be required to provide remediation during summer school if a student has already been retained once in 8th grade and is unable to be promoted after the second year in 8th grade. The Superintendent also informed the Committee that the State Board of Education had not reviewed the curricular requirements for promotion from 8th grade to 9th grade in a number of years. Currently, the only required credits must be earned in mathematics and reading.

The Committee approved a recommendation to the 2007 Legislature to:

- **Amend the statutes to require the State Board of Education to provide for promotion from 8th grade to 9th grade by specifying requirements in the subjects of science and**

social studies as well as English language arts and mathematics, which are currently specified. Require the collection of data relating to the number of students who drop out during and after 8th grade and before enrollment in 9th grade. Provide that if a student has been retained once in 8<sup>th</sup> grade and the student is still unable to demonstrate readiness to perform 9th grade coursework, the student will be required to complete a course of remediation during the summer between 8th and 9th grades. (BDR 34-419)

b. *High School Curriculum*

The Committee received a presentation on the Washoe County School District Gateway Curriculum, which consists of a set of courses in which all high school students would be enrolled unless they and their parents or guardians requested a different curriculum. Because the Committee supported the more challenging curriculum, the Committee voted to recommend to the 2007 Legislature that it:

- Amend the statutes to require a course of study for high school students, including those enrolled in charter schools, that consists of: 4 years of English, 4 years of mathematics including algebra I and geometry, 3 years of science including 2 laboratory courses, and 3 years of social studies including (1) United States history and government and (2) world history or geography. Provide that school districts may require additional math courses besides algebra I and geometry. (BDR 34-419)

c. *Governor Guinn Millennium Scholarship Requirements*

Further, in April 2006, all Committee members received a letter from Dr. Jane Nichols, Vice Chancellor of the Nevada System of Higher Education, in which she explained the policy of the Board of Regents of the University of Nevada on curricular requirements for mathematics. She explained that the Regents have always given students notice at the start of their 9th grade year for any significant policy changes. The Chairman proposed urging the Regents to reconsider the mathematics requirement of four units of math applied to the Class of 2010. He suggested applying the increase math requirement to the Class of 2008.

- Send a letter to the Board of Regents of the University of Nevada suggesting that it apply to the Class of 2008, rather than the Class of 2010, the increased math requirement of 4 units to be eligible for the Governor Guinn Millennium Scholarship.

**F. Proposals Relating to Personnel**

Induction and professional development of teachers continued to be an interest to the Committee in 2005-2006.

a. *Teacher Induction*

The Committee had recommended the establishment of a mentoring and induction program for beginning teachers in 2005. That recommendation, introduced as Assembly Bill 5, was

concurrently referred to the Assembly Committee on Education and the Assembly Committee on Ways and Means, which held the bill. The concept of providing an option for a mentoring program was included in the teacher-pay-for-performance provisions of Assembly Bill 580 (Chapter 482, *Statutes of Nevada 2005*). In that measure, \$5 million was provided in grant money in each year of the biennium for any number of options to reward teachers. Six of the school districts sought grant funds for mentoring programs. Mentoring was mentioned in testimony before the Committee in conjunction with the State Board of Education's *State Improvement Plan*, grants awarded by the Commission on Educational Excellence, the report from WestEd titled *Student Achievement and Graduation Rates in Nevada: Urgent Need for Faster Improvement*, and reports from the Statewide Council for the Coordination of the Regional Training Programs.

To address the continuing interest in providing a state framework for a mentoring program, the Committee reserved a BDR at its work session on August 29, 2006. At the meeting on November 29, the Superintendent of Public Instruction outlined a pilot program. The Committee agreed to adopt the following recommendation to the 2007 Legislature:

- **Provide an appropriation in the amount of \$1 million for Fiscal Year 2008-2009 for the implementation of a pilot program for the induction and mentoring of beginning teachers. Provide a transitory section directing the Department of Education to establish the pilot program. Include a survey of retired teachers and long-term substitutes to determine if any would be interested in serving as mentors. Provide for a report to the 76<sup>th</sup> Session of the Nevada State Legislature. (BDR 34-423)**

b. *Professional Development*

In response to a series of regional workshops conducted by the Committee during the 1997-1998 interim, teachers, administrators, and others proposed a regional professional development model to help educators teach the new academic standards. The mission of the RPDPs was to provide professional training for administrators and teachers in order to implement Nevada's standards. As part of the Nevada Education Reform Act, the Legislature has provided funding over the past three sessions to establish and operate four regional training programs. Further, the Legislature also funded professional development to assist early elementary teachers to teach fundamental reading skills. The Nevada Early Literacy Intervention Program is coordinated through the RPDPs.

In 2003, the Legislature included previous funding for Project LEAD (Leadership in Educational Administration Development) in the budget of the Statewide Coordinating Council. In doing so, the Legislature requested that the Statewide Council provide comparable services to administrators that have been provided in the past by Project LEAD.

The Committee received reports from Hugh Rossolo, Chairman of the Statewide Coordinating Council of the RPDPs, about the kinds of professional development services provided to teachers and administrators. The Council submitted a report to the Committee on the

administrator training activities for which it contracted with the Nevada Association of School Administrators for the 2005-2006 school year.

To continue and strengthen the programs for the upcoming biennium, the Committee recommended that the 2007 Legislature:

- **Provide an appropriation in the amount of \$27,287,663 for the biennium to NDE from the Distributive School Account for transfer to the four school districts serving as fiscal agents for the continuation of the four Regional Professional Development Programs (RPDPs). Provide an appropriation in the amount of \$240,000 for the biennium to the RPDP Statewide Coordinating Council for statewide administrator training. Also provide an appropriation in the amount of \$100,000 in each year of the biennium for the Legislative Bureau of Educational Accountability and Program Evaluation to evaluate RPDPs. (BDR S-427)**

#### **G. Proposals Relating to the Commission on Educational Excellence**

The Commission on Educational Excellence was established by Senate Bill 404 for the purpose of awarding grants from the Account for Programs for Innovation and the Prevention of Remediation. It was authorized to distribute \$78 million from the Account principally for programs in grades K through 6 and an additional \$13.9 million transferred from the Distributive School Account to the Account for programs in grades 7 to 12.

##### *a. Grant Applications*

The Committee received a number of presentations from the Commission throughout the interim. Based upon Committee public discussion and comments received by the staff, the Committee voted to recommend that the 2007 Legislature:

- **Amend the statutes to require the Commission on Educational Excellence to develop guidelines for consideration of all applications for grants of funds from the Account for Programs for Innovation and the Prevention of Remediation. In the event that the Commission establishes a process of considering applications that includes authorizing application review teams, provide that the full Commission shall review all recommendations for grant awards prior to the allocation of funds. (BDR 34-426)**

##### *b. Eligible Projects*

As the Committee reviewed the awards funded by the Commission, members discussed the intent of the program, as provided in S.B. 404, that the programs to be funded were those that had proven effective in improving the academic achievement and proficiency of pupils. Questions and concerns were raised that some grants that received funding were not directly linked to student achievement. Therefore, the Committee voted to:

- **Send a letter of intent to the Commission on Educational Excellence informing the Commission that grant applications from school districts and schools that are acceptable for funding shall provide direct student services.**

**Applications to provide indirect student services must be denied with the exception that instructional support for guidance and counseling services provided directly to the benefit of students may be funded.**

*c. Funding Priorities*

*Nevada Revised Statutes* 385.3785 requires the NDE to provide information to the Commission on Educational Excellence ranking schools by their distance from achieving adequate yearly progress. Although the Commission received the rankings, it did not base grant awards on this list, according to testimony received by the Committee. The list did not include information on Title I-eligible schools that do not receive federal funds. To ensure that the most needy schools receive priority in funding, the Committee recommends that the 2007 Legislature:

- **Amend the statutes to revise the required list of priorities of schools to include a second tier of Title I-eligible schools. Further amend the statutes to require the Commission to use the lists of priorities of schools when awarding grant funds. (BDR 34-426)**

*d. Review and Evaluation*

Because the Commission was not authorized to use any of the funds in the Account for Programs for Innovation and the Prevention of Remediation, the Legislative Committee on Education provided the Commission with approximately \$47,000 over the 2005-2007 biennium for travel and best practices conferences. The Commission was not authorized to retain any of the Account funds for conducting an evaluation of programs funded. The school districts agreed to pool their evaluation funds to enable the NDE to contract for a statewide evaluation. To enable the Commission to review and evaluate the effectiveness of the grants funded, the Committee agreed to recommend to the 2007 Legislature that it:

- **Amend the statutes to require that the Commission on Educational Excellence must request from the Legislative Committee on Education an allocation of a portion of funds appropriated to the Account for Programs for Innovation and the Prevention of Remediation for:**
  - a. Travel and review—provide that no more than \$50,000 per biennium may be used by the Commission to fund travel to grant sites for the purpose of reviewing programs funded by the Commission and to fund conferences among grant recipients; and**

**b. Evaluation—provide that no more than \$250,000 may be retained by the Commission for the purpose of conducting an evaluation of programs funded by grants from the Account. (BDR 34-426)**

*e. Reporting*

*Nevada Revised Statutes* 385.3789 requires the Commission to submit a report by September 1 of each year that describes the distribution of money to school districts and public schools, as well as the programs for which the money was allocated. The Committee agreed that it wanted the grants information reported according to funds allocated by school districts and to schools; by direct student services for remediation and innovation; by indirect student services for professional development, administration, or student ancillary services; by type of program; and by list of priorities of schools based on adequate yearly progress status and Title I-eligible schools.

To ensure the Committee and the Legislature receive the information in a format that is useful to it, the Committee recommended that the 2007 Legislature:

- **Amend the statutes to require the Commission on Educational Excellence to report the distribution of the money and the programs for which the money was allocated according to specified categories. (BDR 34-426)**

**H. Proposals Relating to Vendors**

The Committee received several presentations from vendors who produce products targeted to assist specific groups of students.

*a. Early Childhood and Elementary Student Assessments*

The Committee received a presentation on personal digital assistant assessment technology at its May 10, 2006, meeting. Wireless Generation offers mCLASS: DIBELS and mCLASS: Math devices for assessment in the K-2 population. A teacher assesses student performance using a handheld computer loaded with software. The teacher gets results instantly on the handheld. The data can be loaded to a secure Web site for reports on the class and on individual students. Instruction can be individualized as a result. Administrators can also log into a Web site to view reports.

Based upon further refinement of the fiscal estimates provided by Wireless Generation, the Committee voted to recommend that the 2007 Legislature:

- **Provide an appropriation in the amount of approximately \$1,715,000 for the biennium from the State General Fund to NDE to fund through a competitive request for proposal process contractual services for a monitoring system that would include personal digital assistant assessment technology. The system would monitor progress and instructional improvement in early literacy and mathematics in kindergarten and**



**grades 1 and 2 that is consistent with the goals of the Nevada Education Reform Act. Provide that school districts could use federal funding sources, such as Reading First, Title I, and special education to match state funds. (BDR S-427)**

*b. Secondary Students Test Preparations*

Two secondary student populations may potentially benefit by study guides tailored to their particular needs. Personalized study guides, tied to each student's performance on statewide standardized tests, would provide tutorials for students and tools for families. Support for English language learners would also be available. The Committee was persuaded that additional study materials may prove useful in aiding students to pass examinations. Based on estimates from The Grow Network, the Committee recommends that the 2007 Legislature:

- **Provide an appropriation from the State General Fund to the Interim Finance Committee for transfer to the school districts to fund through a competitive request for proposal process contractual services for personalized study guides to assist students in the following areas:**
  - a. **In the amount of \$1,255,000 for the biennium for the transition from middle school to high school; and**
  - b. **In the amount of \$1,545,000 for the biennium for the successful completion of the high school proficiency examination in grades 11 and 12. (BDR S-427)**

Since passage of S.B. 1 in 2003, the Legislature has approved appropriations to provide brochures for the reporting of test scores of pupils and related services for teachers and administrators. The primary goal of providing brochures for the reporting of test scores is to supply useful information to teachers, school principals, parents, school district superintendents, the NDE, and other relevant departmental or school district employees so that they can improve student academic achievement and implement instructional interventional systems in a timely manner. To continue the brochures as a service to parents and teachers, the Committee recommends that the 2007 Legislature:

- **Provide an appropriation from the State General Fund to the Interim Finance Committee in the amount of \$2.8 million for the biennium for transfer to the school districts to fund through a competitive request for proposal process contractual services for the continuation of brochures for the reporting of test scores of pupils and related services for teachers, administrators, and parents. (BDR S-427)**

*c. Middle and High School Student Academic and Career Advising*

In conjunction with its interest throughout the interim in the move from high school to postsecondary education and employment, the Committee received presentations from the College Board and from ACT, Inc., on products to assist students at significant transition points.

Representatives of the WCSD testified to the Committee at its June 7, 2006, meeting that it has incorporated the College Board Preliminary SAT (PSAT) examination (formerly known as the Scholastic Aptitude Test and the Scholastic Assessment Test) into its curriculum. The WCSD Board of Trustees proposed that a statutory fund be created under the administrative control of the NDE. The Board proposed that a school district could apply for reimbursement for the costs associated with administering the PSAT.

Based on estimates provided by both ACT and the College Board and in the interest of fairness to districts that may prefer ACT products, the Committee voted to recommend to the 2007 Legislature that it:

- **Provide an appropriation from the State General Fund to the NDE in the amount of \$1.3 million for the biennium to fund through a competitive request for proposals process contractual services to provide career and academic planning and advising instruments for students in 8<sup>th</sup> and 10<sup>th</sup> grades. (BDR S-427)**

#### IV. SELECTED REFERENCES

Education Collaborative of Washoe County, Inc.

- <http://www.e-collaborative.org/>

Education Commission of the States

- <http://www.ecs.org/>

Nevada Annual Reports of Accountability

- <http://www.nevadareportcard.com/>

The Nevada Plan: “All Children Can Succeed”

- <http://www.doe.nv.gov/nclb/NCLBplan.doc>

Nevada *State Improvement Plan*

- <http://www.doe.nv.gov/schoolimprovement/STIP.html>

Senate Bill 1 (Chapter 1, *Statutes of Nevada 2003, 19<sup>th</sup> Special Session*)

- <http://www.leg.state.nv.us/19thSpecial/Reports/history.cfm?DocumentType=2&BillNo=1>

Senate Bill 404 (Chapter 437, *Statutes of Nevada 2005*)

- <http://www.leg.state.nv.us/73rd/Reports/history.cfm?DocumentType=2&BillNo=404>

*STARS: Nevada’s Blueprint for High School Improvement*

- <http://www.doe.nv.gov/schoolimprovement/blueprint.html>

## **V. ACKNOWLEDGEMENTS**

The Legislative Counsel Bureau would like to acknowledge the efforts of the following persons and entities for assisting the Committee during its deliberations, and for providing information included in this report:

- The Nevada Department of Education, with special thanks to Dr. Keith Rheault, Superintendent of Public Instruction; Gloria Dopf, Deputy Superintendent, Instructional, Research, and Evaluative Services; Dr. Paul LaMarca, Assistant Deputy Superintendent, Assessments, Program Accountability, and Curriculum;
- The Commission on Educational Excellence, with special thanks to Dr. George Ann Rice, Chairwoman; and
- The school districts and superintendents for their presentations to the Committee, for responses to polls and other requests for updates, and for permitting their staff members to testify before the Committee, with special thanks to Craig Kadlub, Ed.D., Director, Government Affairs, and Joyce Haldeman, Director, Community and Government Relations, Clark County School District, and to Kendyl Depoali, Superintendent for Public Policy, Special Projects and Legislation, and Anne Loring, Lobbyist, Washoe County School District, for providing information and assistance.

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## APPENDIX A

*Nevada Revised Statutes* 218.5352 and 218.5354





## APPENDIX A

### **NRS 218.5352 Legislative Committee on Education: Creation; membership; Chairman and Vice Chairman; vacancies.**

1. The Legislative Committee on Education, consisting of eight legislative members, is hereby created. The membership of the Committee consists of:

(a) Four members appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party.

(b) Four members appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. After the initial selection, the Legislative Commission shall select the Chairman and Vice Chairman of the Committee from among the members of the Committee. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. The Chairmanship of the Committee must alternate each biennium between the houses of the Legislature. If a vacancy occurs in the Chairmanship or Vice Chairmanship, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

3. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve until the convening of the next regular session of the Legislature.

4. A vacancy on the Committee must be filled in the same manner as the original appointment.

(Added to NRS by 1997, 1775)

### **NRS 218.5354 Legislative Committee on Education: Powers and duties.**

1. The Committee may:

(a) Evaluate, review and comment upon issues related to education within this State, including, but not limited to:

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

(3) The progress made by this State, the school districts and the public schools in this State in satisfying the goals and objectives of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable objectives established by the State Board of Education pursuant to [NRS 385.361](#);

(4) Methods of financing public education;

(5) The condition of public education in the elementary and secondary schools;

(6) The program to reduce the ratio of pupils per class per licensed teacher prescribed in [NRS 388.700](#), [388.710](#) and [388.720](#);

(7) The development of any programs to automate the receipt, storage and retrieval of the educational records of pupils; and

(8) Any other matters that, in the determination of the Committee, affect the education of pupils within this State.

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section.

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.

(d) Make recommendations to the Legislature concerning the manner in which public education may be improved.

2. The Committee shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, school districts and public schools pursuant to paragraph (a) of subsection 1 of [NRS 385.359](#).

(b) For the purposes set forth in [NRS 385.389](#), recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to [NRS 389.015](#). In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to [NRS 385.384](#). In recommending providers, the Committee shall consider providers with a demonstrated record of effectiveness in improving the academic achievement of pupils.

(d) For the purposes set forth in [NRS 385.3785](#), recommend to the Commission on Educational Excellence created by [NRS 385.3784](#) programs, practices and strategies that have proven effective in improving the academic achievement and proficiency of pupils.

(Added to NRS by 1997, 1776; A [2003, 19th Special Session, 82](#); [2005, 1982](#))

## APPENDIX B

### Calculating Dropout and Graduation Rates



# **CALCULATING DROPOUT AND GRADUATION RATES**

## **Prepared for the LEGISLATIVE COMMITTEE ON EDUCATION**

### **NEVADA'S DEFINITION OF DROPOUT**

The *Nevada Revised Statutes* (NRS) do not define high school dropout. Pursuant to the grant of authority in NRS 385.080, the State Board of Education has defined a dropout in *Nevada Administrative Code* (NAC) 387.048 as a pupil who withdrew from school in the previous year for one of the reasons provided. The NAC 387.281 provides that the school districts shall report the number of pupils who are dropouts in the manner prescribed by the Superintendent of Public Instruction.

The Superintendent has provided for the calculation to determine dropout rate in the *Nevada School and School District Annual Accountability Report Handbook*. The definition and a calculation to determine the rate are provided in the attachment.

### **NEVADA'S DEFINITION OF GRADUATION RATE**

A companion calculation is the graduation rate. Since the federal No Child Left Behind Act (NCLB) of 2001 requires that the graduation rate for public secondary schools be included in the definition of adequate yearly progress as an additional indicator, this calculation has gained in use. The NCLB defines graduation rate as "the percentage of students who graduate from secondary school with a regular diploma in the standard number of years." Nevada's formula to calculate graduation rate is also provided in the attachment.

### **METHODS OF CALCULATING GRADUATION RATE**

Various methods are employed by states to calculate graduation rates. Although NCLB defines graduation rate, the United States Department of Education allows states to develop their own definitions of terms in their calculations, which has resulted in a wide range of reported graduation rates.

According to WestEd, a nonprofit research, development, and service agency, based in San Francisco, California, three common methods of calculating graduation rates include the following:

- The National Center for Education Statistics formula divides the number of graduates by the number of students in the cohort, which includes the number of dropouts during the four years of high school. Since some states include students receiving alternative credentials, these counts tend to be higher. Nevada uses this method;
- The Manhattan Institute method compares the graduates with the cohort of 9th graders four years earlier. This method estimates the size of the 9th grade cohort by averaging the 8th, 9th, and 10th grade enrollments and adjusts for student mobility; and
- The Urban Institute calculation produces the cumulative promotion index (CPI), which uses projected promotion rates to forecast the probability that a student entering 9th grade will graduate on time.

The Education Trust published a paper, titled *Getting Honest About Grad Rates: How States Play the Numbers and Students Lose* (<http://www2.edtrust.org/NR/rdonlyres/C5A6974D-6C04-4FB1-A9FC-05938CB0744D/0/GettingHonest.pdf>), that discussed the various methods used by states to calculate graduation rates. It applied the Urban Institute's CPI calculation to all state data reported, determining a graduation rate that it terms more honest. For Nevada, the state-reported graduation rate for 2001-2002 was 72 percent while the CPI rate was 55 percent.

### **POLICY IMPLICATIONS**

Improving graduation rates and reforming high schools has become the focal point of several national organizations. The National Governors Association (NGA) convened the 2005 National Education Summit on High Schools in conjunction with Achieve, Inc. The NGA is awarding competitive grants to states to support high school redesign proposals with funding from the Bill and Melinda Gates Foundation. Its action agenda recommendations can be found in the attachment.

In addition, WestEd makes specific recommendations for Nevada in its recently released report, *Student Achievement and Graduation Rates in Nevada: Urgent Need for Faster Improvement*. It calls for the implementation of a statewide high school initiative. The components are listed in the attachment.

The Southern Regional Education Board, a 16-member compact of states in the southeastern United States, presented a report on the graduation rates in those member states, titled *Getting Serious About High School Graduation*. It offers four strategies which are presented in the attachment.

Finally, the National Association of Secondary School Principals suggested three recommendations for improving graduation rates in its publication, *What Counts: Defining and Improving High School Graduation Rates*. These recommendations are included in the attachment.

### **CONCLUDING REMARKS**

The dropout rate tends to be calculated on an annual basis to reflect the number of students who enroll in the fall of a school year and do not complete that year. An annual dropout rate is determined for each of the four grades in high school. These can be combined to produce a single dropout rate for a school, a district, or a state in any specific year.

A more informative figure might be the graduation rate, which reflects the number of students who enroll in 9th grade and who do not graduate within the standard four-year high school progression. Because no uniform national definitions of factors used in calculations exist, states have devised methods to calculate the rate that may include individuals who obtain other high school completion credentials in addition to the standard high school diploma.

Carol Stonefield  
Principal Research Analyst  
Legislative Counsel Bureau

## NEVADA SCHOOL AND SCHOOL DISTRICT ANNUAL ACCOUNTABILITY REPORT HANDBOOK

### 1. Dropout Rate

The *Handbook* defines a dropout as an individual who:

- a) was enrolled in school/program at some time during the reporting school year (or was expected to return to school during the reporting school year from summer);
- b) was not enrolled by December 1 of the current school year;
- c) has not graduated from high school or completed a state- or district-approved instructional program; and
- d) does not meet any of the following exclusionary conditions:
  - i) transfer to another public school district, private school, or state- or district-approved education program;
  - ii) temporary absence due to suspension or school-approved illness; or
  - iii) death.

The *Handbook* provides for the following formula to calculate overall dropout rate for grades 9-12 in the school/program or district:

$$\frac{\text{Total Dropouts} + \text{Total Non>Returns}}{\text{Total Enrollment} + \text{Total Non>Returns}} \times 100 = \text{Dropout rate}$$

### 2. Graduation Rate

The *Handbook* calculates the graduation rate for any graduating cohort using the following formula:

$$\frac{(\text{\#Standard Diplomas} + \text{\#Advanced Diplomas} + \text{\#Adult Diplomas})}{(\text{\#Completers} + \text{\# of cohort dropouts in grades 9, 10, 11, and 12})} \times 100$$

In this formula “Adult Diplomas” include only those recipients who are the traditional high school age. According to Kimberly Vidoni, Planning, Research, and Evaluation Consultant, Nevada Department of Education, (775) 687-9131, who calculates the dropout and graduation rates, the adult diploma recipients included in the high school graduation rate are those who earn the diploma within two years of the normal graduating year for that student’s 9th grade cohort.

In addition, “Completers” include recipients of standard, advanced, adult, and adjusted diplomas plus recipients of certificates of attendance.



## **POLICY IMPLICATIONS**

1. National Governors Association, *An Action Agenda for America's High Schools*, ([www.achieve.org/dstore.nsf/Lookup/actionagenda2005/\\$file/actionagenda2005.pdf](http://www.achieve.org/dstore.nsf/Lookup/actionagenda2005/$file/actionagenda2005.pdf)).

Action agenda:

- Restore value to the high school diploma by revising standards, upgrading curricula, and developing assessments that align with expectations for the workplace and postsecondary education;
  - Redesign the high school to provide a supportive learning environment;
  - Ensure that teachers and principals have necessary knowledge and skills and offer incentives to encourage the best to work in the neediest schools and subjects;
  - Hold high schools and colleges accountable by setting meaningful benchmarks, intervene in low-performing schools, and demand increased accountability from colleges and universities; and
  - Encourage elementary and secondary school systems to coordinate and align with postsecondary education.
2. WestEd, *Student Achievement and Graduation Rates in Nevada: Urgent Need for Faster Improvement*, <http://www.wested.org/cs/we/view/rs/783>

Implement a high school initiative:

- Use research on characteristics of effective dropout-prevention programs such as schools-within-schools, family involvement, student-centered instruction, combination of academic and work-based learning, and a culture of high standards for all students;
- Explore partnerships with higher education to improve communication about postsecondary academic requirements and create incentives for students to continue their education; and
- Provide a scholarship fund via community and business involvement for deserving students from low-income families.

3. Southern Regional Education Board, *Getting Serious About High School Graduation*, [http://www.sreb.org/main/Goals/Publications/Serious\\_About\\_Graduation.asp](http://www.sreb.org/main/Goals/Publications/Serious_About_Graduation.asp)

Strategies:

- Set ambitious high school graduation targets for all groups of students and make them a part of state accountability systems;
  - Focus attention on the 9th grade;
  - Reform high schools, particularly those with low performance, to make them more relevant to and effective for all students; and
  - Communicate key stay-in-school messages to students in danger of dropping out and to their families.
4. National Association of Secondary School Principals, *What Counts: Defining and Improving High School Graduation Rates*, [http://www.principals.org/s\\_nassp/bin.asp?TrackID=&SID=1&DID=50345&CID=29&VID=2&DOC=FILE.PDF](http://www.principals.org/s_nassp/bin.asp?TrackID=&SID=1&DID=50345&CID=29&VID=2&DOC=FILE.PDF)

Recommendations:

- Build high school capacity to address the academic needs of low-performing high school students by creating a new and separate funding stream similar to the funding for Title I funds provided to elementary schools;
- Fund and expand adolescent literacy initiatives; and
- Place priority on student mastery of subject rather than just completion of seat time by allowing states the flexibility to address grade level structures and high school completion options (including state exit exams and certificates).

## APPENDIX C

Letters sent to Entities at the Direction of the Legislative Committee on Education



WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

Chairman

Finance

Member

Government Affairs

Legislative Affairs and Operations



## State of Nevada Senate

October 16, 2006

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Fax No.: (775) 684-6522

Ruth Johnson, President  
Clark County Board of Trustees  
5100 West Sahara Avenue  
Las Vegas, Nevada 89146

Dear President Johnson:

The purpose of this letter is to advise the Clark County School District (CCSD) of the continuing interest of the Legislative Committee on Education (*Nevada Revised Statutes* 218.5352) in the pilot project to grant greater autonomy to the principals of certain schools, known as "empowerment schools."

As you may be aware, at its April 12, 2006 meeting, the Committee received testimony from Dr. William G. Ouchi, Anderson Graduate School of Management, University of California, Los Angeles, on local school autonomy. Subsequently, at its meeting on August 29, 2006, the Committee approved a request to the CCSD Board of Trustees that periodic status reports on the implementation of the pilot project in the empowerment schools be delivered to the Committee and to the 74<sup>th</sup> Legislature.

Another action of the Committee on August 29 was to approve a bill draft request to direct the Committee to conduct a study on the governance of public schools in the 2007-2008 interim. The charge to the Committee would include the investigation of alternatives for local school autonomy, giving consideration to a wide variety of issues including school leadership, teacher performance and compensation, student assessment, and community involvement. Most likely, by then the CCSD will have a body of information from which to draw recommendations for legislation in 2009.

Although I plan another meeting of the Committee in November 2006, a date has not yet been set. I do anticipate, however, that the Committee will be interested in a preliminary report. I expect that committees of the 2007 Legislature will also be interested in receiving information about the pilot project. In any event, staff of the various committees will contact Superintendent Rulffes about presentations as meeting dates approach.

Ruth Johnson, President

Page 2

October 16, 2006

On behalf of the Committee, I wish to commend the Board on its willingness to support this project and to evaluate its viability. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio  
Chairman, Legislative Committee on Education

WJR/me: W63872

Cc: Walt Rulffes, Superintendent, Clark County School District

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

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Fax No.: (775) 684-6522

Ruth Johnson, President  
Clark County Board of Trustees  
5100 West Sahara Avenue  
Las Vegas, Nevada 89146

Dear President Johnson:

The Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) has directed that the Clark County School District (CCSD) Board of Trustees be notified of the Committee's continuing interest in the Power Standards identified by the District as priorities for student learning. The Committee would like the Board to address a number of questions or concerns.

As you may be aware, the Committee received testimony on the Power Standards at its meeting on January 17, 2006. The Committee was told that the Power Standards focus instruction to enable all children to achieve. Further, we were told the Power Standards are the priorities set by the Council to Establish Academic Standards for Public Schools.

The Committee's concerns go directly to the breadth of the curriculum now in place in CCSD. If the school district's curriculum guidelines are designed around the Power Standards rather than the entire body of statewide standards adopted by the Council, will the resulting curriculum be so narrowly drawn that students will not be exposed to all of the standards? As you know, the purpose of the federal No Child Left Behind Act of 2001 is close the achievement gap among identifiable demographic groups. Given the unequal access to enrichment programs among the district's many at-risk schools, will the Power Standards enhance the gap by tracking some students to a targeted, and therefore limited, curriculum while other students will benefit from exposure to the full range of academic standards? Further, since different examinations administered as part of the Nevada Proficiency Examination Program are based directly on the academic standards, is CCSD adequately preparing students for the content of the criterion-referenced tests and the high school proficiency exam?

Ruth Johnson, President

Page 2

October 16, 2006

As Chairman, I think I speak for the members of the Committee when I state that we feel a sense of urgency about this issue. At its meeting on August 29, 2006, the Committee adopted a directive to the Board to review and assess the success of the Power Standards by measuring student performance on the high school proficiency examination required by NRS 389.015 and the criterion-referenced tests required by NRS 389.550. The Committee expects status reports of this continual monitoring when it meets in 2007 and in 2008.

As you consider the efficacy of your policy, keep in mind that the Council on Academic Standards acted in good faith to develop standards for all children. Even though some standards have been designated as enduring, important, or worthwhile, research suggests a challenging curriculum raises the performance of low performing and disadvantaged students. There is more to an education than simply achieving a passing score on an exam.

Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio

Chairman, Legislative Committee on Education

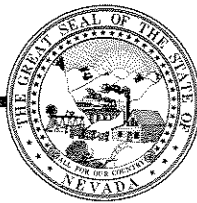
WJR/me:W64010

Cc: Walt Rulfes, Superintendent, Clark County School District



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LEGISLATIVE COUNSEL BUREAU

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CARSON CITY, NEVADA 89701-4747  
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LEGISLATIVE COMMISSION (775) 684-6800  
BARBARA E. BUCKLEY, *Assemblywoman, Chair*  
Lorne J. Malkiewicz, *Director, Secretary*

INTERIM FINANCE COMMITTEE (775) 684-6821  
WILLIAM J. RAGGIO, *Senator, Chairman*  
Gary L. Ghiggeri, *Fiscal Analyst*  
Mark W. Stevens, *Fiscal Analyst*

LORNE J. MALKIEWICH, *Director*  
(775) 684-6800

PAUL V. TOWNSEND, *Legislative Auditor* (775) 684-6815  
DONALD O. WILLIAMS, *Research Director* (775) 684-6825  
BRENDA J. ERDOES, *Legislative Counsel* (775) 684-6830

**MEMORANDUM**

DATE: September 15, 2006  
TO: Melinda M. Martini, Program Analyst, Legislative Bureau of Education  
Educational Accountability and Program Evaluation  
FROM: Carol M. Stonefield, Principal Research Analyst *cms*  
Research Division  
SUBJECT: Contract for Review and Analysis of the Accountability System

As you are aware, *Nevada Revised Statutes* (NRS) 385.359 requires the Legislative Bureau of Educational Accountability and Program Evaluation (Bureau) to contract with a person or entity to review and analyze the accountability system in the State of Nevada. As part of the review, the person or entity is required to review information submitted to the Bureau by the State Board of Education and the board of trustees of each school district, including information for each charter school in the State. The review must follow the criteria established by the Legislative Committee on Education (NRS 218.5352).

At its meeting on August 29, 2006, the Legislative Committee on Education agreed to direct the Bureau to modify its next contract for the review of the State's accountability system. It wishes the Bureau to include an analysis of the data elements required pursuant to NRS 385.347 for accountability reporting. The analysis should include recommendations concerning the continued efficacy of each required data element.

Recommendations concerning the review of the accountability report data elements should be communicated in writing to the Chair of the Legislative Committee on Education during the 2007-09 interim. In addition to written correspondence, please be prepared to present findings and recommendations to the full committee, as requested by the Chair.

As you know, the Legislative Committee on Education is always interested in maintaining an efficient and effective accountability system for the State of Nevada. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

cc: Bob Atkinson, Senior Program Analyst  
Joi Davis, Program Analyst  
cms/me:

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

*Chairman*

Finance

*Member*

Government Affairs

Legislative Affairs and Operations



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Fax No.: (775) 684-6522

Keith W. Rheault  
Superintendent of Public Instruction  
Nevada Department of Education  
700 East Fifth Street  
Carson City, Nevada 89701

Dear Dr. Rheault:

The purpose of this letter is to request a report on behalf of the Legislative Committee on Education (*Nevada Revised Statutes* 218.5352) from the Nevada Department of Education on the status of the following positions on your staff: the consultant to serve the special needs of American Indian children and the consultant to serve the special needs of culturally diverse children, including children whose native language is not English.

At its meeting on April 12, 2006, the Committee received a presentation from representatives on the Nevada Indian Commission relating to recommendations to improve the education of American Indian and Alaska Native children in Nevada public schools. At that time, the Committee was told that other assigned activities of the Indian Education Consultant were consuming more of the consultant's time to the detriment of the Indian children and inter-governmental cooperation on Indian education.

As you are aware, these two consultant positions were originally approved in 1997 with the enactment of Assembly Bill 266 (Chapter 502, *Statutes of Nevada*). Specifically, the money appropriated pursuant to the measure was to be used to employ these consultants and provide for clerical support, travel, equipment and operational expenses. These positions were subsequently included in the Department's budget by the 1999 Legislature.

At its meeting on August 29, 2006, the Committee adopted a recommendation to request a status report, describing the duties assigned to these consultants initially and the evolution of their duties to the present. In addition, please include the frequency of vacancies in these positions, efforts at recruitment to fill such vacancies, and information indicating any location

Keith W. Rheault  
Page 2  
October 16, 2006

of these positions within the Department's team or management structure since 1997. Please prepare this report for submission to the Committee at its meeting in November 2006.

Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Melinda Martini, Program Analyst, Fiscal Analysis Division of the Legislative Counsel Bureau, at (775) 684-6821.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio  
Chairman, Legislative Committee on Education

WJR/me: W64013  
CC: Sherry L. Rupert, Executive Director, Nevada Indian Commission

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

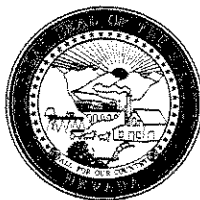
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Keith W. Rheault  
Superintendent of Public Instruction  
Nevada Department of Education  
700 East Fifth Street  
Carson City, Nevada 89701

Dear Dr. Rheault:

The purpose of this letter is to inform you of a concern of the Legislative Committee on Education (*Nevada Revised Statutes* 218.5352), regarding integration of technology into the delivery of instruction in the public elementary and secondary schools. Specifically, the Committee has not received any information to support a correlation between the availability of educational technology in our public schools and student achievement.

The Committee is aware that the Commission on Educational Technology has adopted the Nevada State Educational Technology Plan. Dated August 12, 2005, the plan includes goals, a framework for technology integration, and coordination with academic standards development. The Committee is also aware that the Council to Establish Academic Standards for Public Schools has adopted computer and technology content and performance standards. The Committee is not aware of any teacher or administrator initial or recertification requirements to demonstrate proficiency in the use of technology. Further, a cursory review of the agendas of the Council to Establish Academic Standards and of the Commission on Professional Standards, since the adoption of the current technology plan, does not yield any scheduled agenda items indicating a presentation or discussion of the technology plan.

Moreover, Technology Counts 2006, a publication of *Education Week*, ranks Nevada as the lowest state in the nation with regard to the use of technology in the public schools. The ratio of computers to students is much higher in Nevada than the national average. In spite of academic standards in technology, little other integration of technology into assessments or instruction appears to exist at the state level.

The publication grades Nevada as failing in the area of capacity to use technology; apparently no state-level technology standards for teachers or administrators nor any certification or recertification requirements exist.

At its June 7, 2006 meeting, the Committee received testimony that the Commission on Educational Technology was planning to request approximately \$12 million for technology in the next biennium. According to that testimony, this amount is intended to "increase the exposure in the classroom as far as the impact that funding from the Technology Commission has had." Because the appropriation has remained at \$9.95 million for the past several biennia, such an amount represents an increase of approximately 20 percent.

As Chairman, I think I speak for the members of the Committee when I state that we are not averse to considering the funding proposal. I wonder, however, what will be the effect on student achievement and teacher capacity if the Legislature were to provide this level of funding. Members of the Legislature have asked this question previously. We have urged that the commissions and council having an interest in educational technology and its uses in our public schools develop an integrated plan that all will implement. According to testimony on June 7, no such meeting has been held and no such plan has been developed. We continue to wonder why representatives from the various levels of public education would request funding for educational technology, when there does not appear to be a coordination of the policy goals and there are not any data about the impact of technology on student achievement.

For this reason, Dr. Rheault, the Committee has voted to request that you coordinate a meeting among the Commission on Educational Technology, the Council to Establish Academic Standards, and the Commission on Professional Standards, for the purpose of developing a statewide plan for the integration of technology into the delivery of instruction. In addition, such a plan should link student achievement to the use of technology and should incorporate measurable data indicators. The Committee believes that possible topics of mutual interest to these commissions and council might include planning and delivering instruction, data-driven decision making, student assessments, individualized student learning, preparation for postsecondary workforce and education in a global economy, and teacher and administrator education and licensing, including recertification.

Please provide the Committee with a copy of your proposed work plan to carry out this request, along with the meeting minutes and the resulting plan. The members would be most interested in any recommendations for legislation that might arise from these discussions as the plan unfolds.

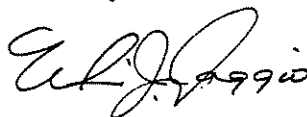
Keith W. Rheault

Page 3

October 16, 2006

Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio

Chairman, Legislative Committee on Education

WJR/me: W64014

Cc: Scott Craigie, Chair, Council to Establish Academic Standards for Public Schools  
Patricia Cassem, President, Commission on Professional Standards in Education  
Bart Mangino, Chair, Commission on Educational Technology

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

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Fax No.: (775) 684-6522

Keith W. Rheault  
Superintendent of Public Instruction  
Nevada Department of Education  
700 East Fifth Street  
Carson City, Nevada 89701

Dear Dr. Rheault:

The purpose of this letter is to convey to you a recommendation from the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352), regarding the sharing of student records and information between the public elementary and secondary schools and the Nevada System of Higher Education. A similar letter has been sent to James E. Rogers, Chancellor of the Nevada System of Higher Education (NSHE), and Terry Savage, Director of the Nevada Department of Information Technology (DOIT).

In 2003, the Legislature amended NRS 386.650 relating to the automated System of Accountability Information for Nevada (SAIN) to require that the system would include a unique identification number for each student. Further, this section requires that, to the extent practicable, the unique student identifier may be used by both the public schools and the NSHE, if a student enrolls in a system institution upon graduation from high school.

At its meeting on January 17, 2006, the Committee received a status report on the SAIN system; a Web-based unique student identifier has been implemented for both intra-district and inter-district tracking of students. The Committee was also informed that NSHE has not yet modified its student information system to enable the use of the SAIN identifier. At its March 6, 2006 meeting, the Committee heard testimony on Goal 5 of the State Improvement Plan, produced by the Nevada State Board of Education. Goal 5 proposes to increase the postsecondary program enrollment and success rate. To accomplish this, the Plan calls for enhancement of the statewide data system to incorporate a monitoring component between high school and postsecondary degree completion.

Keith W. Rheault

Page 2


October 16, 2006

Although NRS 386.650 does not require the use of the SAIN identifier, undoubtedly a bridge between the two systems was contemplated when the provisions were enacted. The use of the unique identifier will provide a framework for electronic transcript transfer among public elementary and secondary schools and between high schools and higher education institutions. In addition, it will also allow efficient development and collection of accurate student indicators for data analysis and subsequent decision-making.

The Committee was mindful of the technical issues involved, when it voted at its meeting on August 29, 2006, to urge you to work together to link the two information systems. It is our understanding that the information contained in SAIN is housed in the State's system of secure zones. The assistance of DOIT is necessary to accomplish this linkage.

As you consider the efficacy of this recommendation, be assured that the Committee will continue to direct attention to the sharing of student records and information. The members would be most interested in any recommendations for legislation that might arise from discussions on implementation of this recommendation. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio", with a date "10/16/06" written below it.

William J. Raggio

Chairman, Legislative Committee on Education

WJR/me: W64015

Cc: James E. Rogers, Chancellor, Nevada System of Higher Education

Terry Savage, Director, Nevada Department of Information Technology



WILLIAM J. RAGGIO

SENATOR

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Office: (775) 684-1419 or 684-1401

Fax No.: (775) 684-6522

Dr. George Ann Rice, Chair  
Commission on Educational Excellence  
2832 East Flamingo Road  
Las Vegas, Nevada 89021

Dear Dr. Rice:

The purpose of this letter is to advise the Commission on Educational Excellence of the intent of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) with regard to funding of grant applications proposed by public schools and school districts pursuant to the provisions of Senate Bill 404 (Chapter 437, *Statutes of Nevada* 2005).

During the 2005-2006 Interim, the Committee received a number of presentations on the work of the Commission. Even though section 6 of S.B. 404, codified as NRS 385.3785, provides that "[g]rants of money must be made for programs designed for the achievement of pupils that are linked to the plan to improve the achievement of pupils or for innovative programs, or both," the Committee was informed that grants were approved for human resources personnel, a professional development center, and administrators, as well as professional support personnel such as social workers and psychologists and parent involvement or community liaison facilitators.

While the Committee recognizes that the individual school and school district plans for improvement contain many factors which may contribute to increasing student performance and the overall effectiveness of instructional programs, the Committee believes the intent of the Legislature in funding the Account for Programs for Innovation and the Prevention of Remediation was to provide services directly to students.

In the event that the 74<sup>th</sup> Legislature appropriates funds to the Account for the next biennium in a manner similar to the appropriation for the current biennium, it is the intent of the Committee that only proposals funding direct student services would be acceptable. By this, the Committee means only those services that would meet the definition provided for the Nevada Annual Reports of Accountability, to include instructional teachers, substitute teachers,

George Ann Rice, Chair

Page 2

October 16, 2006

instructional paraprofessionals, pupil-use technology, software, instructional materials, trips and supplies. The one exception to this limitation would be to include guidance counseling services provided directly to students, although this is categorized as instructional support.

It is be the intent of the Committee that no other indirect student services such as instructional support, operations, or leadership, as those are defined for the Reports of Accountability, would be acceptable for funding.

Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio

Chairman, Legislative Committee on Education

WJR/me: W64012

Cc: The Honorable Kenny C. Guinn, Governor of Nevada  
Keith W. Rheault, Superintendent of Public Instruction

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

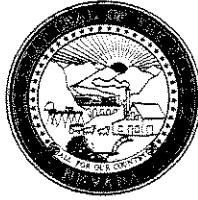
*Chairman*

Finance

*Member*

Government Affairs

Legislative Affairs and Operations



## State of Nevada Senate

October 16, 2006

DISTRICT OFFICE:

P.O. Box 281

Reno, Nevada 89504-0281

Office: (775) 786-5000

Fax No.: (775) 786-1177

LEGISLATIVE BUILDING:

401 S. Carson Street

Carson City, Nevada 89701-4747

Office: (775) 684-1419 or 684-1401

Fax No.: (775) 684-6522

James E. Rogers  
Chancellor  
Nevada System of Higher Education  
2601 Enterprise Road  
Reno, Nevada 89512

Dear Chancellor Rogers:

The purpose of this letter is to convey to you a recommendation from the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352), regarding the sharing of student records and information between the public elementary and secondary schools and the Nevada System of Higher Education (NSHE). A similar letter has been sent to Keith W. Rheault, Superintendent of Public Instruction, and Terry Savage, Director of the Nevada Department of Information Technology (DOIT).

In 2003, the Legislature amended NRS 386.650 relating to the automated System of Accountability Information for Nevada (SAIN) to require that the system would include a unique identification number for each student. Further, this section requires that, to the extent practicable, the unique student identifier may be used by both the public schools and the NSHE, if a student enrolls in a system institution upon graduation from high school.

At its meeting on January 17, 2006, the Committee received a status report on the SAIN system; a Web-based unique student identifier has been implemented for both intra-district and inter-district tracking of students. The Committee was also informed that NSHE has not yet modified its student information system to enable the use of the SAIN identifier. At its March 6, 2006 meeting, the Committee heard testimony on Goal 5 of the State Improvement Plan, produced by the Nevada State Board of Education. Goal 5 proposes to increase the postsecondary program enrollment and success rate. To accomplish this, the Plan calls for enhancement of the statewide data system to incorporate a monitoring component between high school and postsecondary degree completion.

James E. Rogers  
Page 2  
October 16, 2006

Although NRS 386.650 does not require the use of the SAIN identifier, undoubtedly a bridge between the two systems was contemplated when the provisions were enacted. The use of the unique identifier will provide a framework for electronic transcript transfer among public elementary and secondary schools and between high schools and higher education institutions. In addition, it will also allow efficient development and collection of accurate student indicators for data analysis and subsequent decision-making.

The Committee was mindful of the technical issues involved, when it voted at its meeting on August 29, 2006, to urge you to work together to link the two information systems. It is our understanding that the information contained in SAIN is housed in the State's system of secure zones. The assistance of DOIT is necessary to accomplish this linkage.

As you consider the efficacy of this recommendation, be assured that the Committee will continue to direct attention to the sharing of student records and information. The members would be most interested in any recommendations for legislation that might arise from discussions on implementation of this recommendation. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. J. Raggio', with a stylized flourish at the end.

William J. Raggio  
Chairman, Legislative Committee on Education

WJR/me: W64015-1  
Cc: Keith W. Rheault, Superintendent of Public Instruction  
Terry Savage, Director, Nevada Department of Information Technology

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

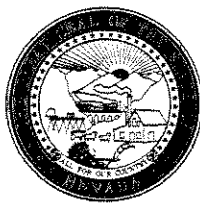
Chairman

Finance

Member

Government Affairs

Legislative Affairs and Operations



## State of Nevada Senate

October 16, 2006

DISTRICT OFFICE:

P.O. Box 281

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401 S. Carson Street

Carson City, Nevada 89701-4747

Office: (775) 684-1419 or 684-1401

Fax No.: (775) 684-6522

Terry Savage

Director

Nevada Department of Information Technology

400 West King Street

Carson City, Nevada 89703

Dear Mr. Savage:

The purpose of this letter is to convey to you a recommendation from the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352), regarding the sharing of student records and information between the public elementary and secondary schools and the Nevada System of Higher Education (NSHE). A similar letter has been sent to Keith W. Rheault, Superintendent of Public Instruction, and James E. Rogers, Chancellor, NSHE.

In 2003, the Legislature amended NRS 386.650 relating to the automated System of Accountability Information for Nevada (SAIN) to require that the system would include a unique identification number for each student. Further, this section requires that, to the extent practicable, the unique student identifier may be used by both the public schools and the NSHE, if a student enrolls in a system institution upon graduation from high school.

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Although NRS 386.650 does not require the use of the SAIN identifier, undoubtedly a bridge between the two systems was contemplated when the provisions were enacted. The use of the

Terry Savage  
Page 2  
October 16, 2006

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The Committee was mindful of the technical issues involved, when it voted at its meeting on August 29, 2006, to urge you to work together to link the two information systems. It is our understanding that the information contained in SAIN is housed in the State's system of secure zones. The assistance of the Department of Information Technology is necessary to accomplish this linkage.

As you consider the efficacy of this recommendation, be assured that the Committee will continue to direct attention to the sharing of student records and information. The members would be most interested in any recommendations for legislation that might arise from discussions on implementation of this recommendation. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

William J. Raggio  
Chairman, Legislative Committee on Education

WJR/me: W64015-2  
Cc: Keith W. Rheault, Superintendent of Public Instruction  
James E. Rogers, Chancellor, Nevada System of Higher Education

WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

Chairman

Finance

Member

Government Affairs

Legislative Affairs and Operations



# State of Nevada Senate

DISTRICT OFFICE:

P.O. Box 281

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Fax No.: (775) 684-6522

January 9, 2007

Bret Whipple, Chairman  
Board of Regents of the University of Nevada  
5550 W. Flamingo Rd., Suite C-1  
Las Vegas, NV 89103

Dear Mr. Whipple:

The purpose of this letter is to convey to the Board of Regents of the University of Nevada a recommendation from the Legislative Committee on Education (*Nevada Revised Statutes* 218.5352), regarding educational opportunities and services available to teachers and interpreters for elementary and secondary students who are deaf or hard of hearing.

During the 2005-2006 Interim, the Committee received testimony that current educational opportunities for these students in Nevada public schools are not satisfactory. Specifically, the Committee was informed that insufficient numbers of individuals are licensed as teachers of the deaf. The Committee also learned the number of interpreters, who are certified at appropriate skill levels to meet the requirements of Chapter 656A of the *Nevada Revised Statutes*, is not adequate to meet the needs of students.

Because of the Committee's continuing concern that children with disabilities be provided highly effective teachers and supplemental services that enable them to achieve academic proficiency, the Committee voted at its meeting on November 29, 2006, to recommend that the Board consider developing or expanding training programs for teachers and interpreters.

The Committee approved a request to the Board that it determine the costs and structure of expanded training program opportunities for teachers of the deaf. The opportunities to be explored by the Board might include, but need not be limited to, (1) the development of an articulated 2 + 2 model to build on the Associate of Arts in Deaf Studies currently available at community colleges in Nevada; or (2) affiliation with the deaf studies program offered at Idaho State University or another accredited institution offering a program leading to a baccalaureate degree and eligibility for Nevada teacher licensure in special education with endorsement as teacher of the deaf. The Committee also voted to urge the Board of Regents to determine the

Bret Whipple, Chairman

Page 2

January 9, 2007

costs associated with expanding the availability of courses to enhance the skills of interpreters, even if the number of students enrolling is less than the specified minimum class size.

The Committee is aware Board policy requires that, before any new degree or major may be added, such proposal must be approved by the Board of Regents. We understand the process is a lengthy one, which includes the development of a detailed curriculum, the calculation of a budget, an estimation of required facilities and faculty, and a projection of the contribution of the proposed program to the overall plan of the Nevada System of Higher Education. We also recognize that a request from the Legislature through the Regents to an academic department to develop a proposal for a new program is out of the ordinary. For these reasons, we ask that you work with the Legislative Committee on Education during the 2007-2008 Interim as you respond to this recommendation.

I speak for the Committee when I assure you that the members would be most interested in any recommendations for legislation that might arise from your deliberations. Moreover, the Committee will continue to seek programs and services to assist our disabled students. Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio  
Chairman, Legislative Committee on Education

WJR/me: W70711  
cc: James Rogers, Chancellor



WILLIAM J. RAGGIO

SENATOR

Washoe No. 3

MAJORITY FLOOR LEADER

COMMITTEES:

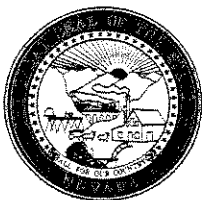
*Chairman*

Finance

*Member*

Government Affairs

Legislative Affairs and Operations



## State of Nevada Senate

October 16, 2006

DISTRICT OFFICE:

P.O. Box 281

Reno, Nevada 89504-0281

Office: (775) 786-5000

Fax No.: (775) 786-1177

LEGISLATIVE BUILDING:

401 S. Carson Street

Carson City, Nevada 89701-4747

Office: (775) 684-1419 or 684-1401

Fax No.: (775) 684-6522

Bret Whipple, Chairman  
Board of Regents, University of Nevada  
6155 Coley Avenue  
Las Vegas, Nevada 89146

Dear Mr. Whipple:

The Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) has directed that the Board of Regents of the University of Nevada be advised the Committee supports a change in the policy governing eligibility requirements for the Governor Guinn Millennium Scholarship. The Committee recognizes the authority of the Board, pursuant to NRS 396.930, to define the core high school curriculum for scholarship eligibility. Further, the Committee commends the Board for increasing the mathematics requirements from three credits to four credits as part of the core curriculum.

As you may know, at its meeting on August 29, 2006, the Committee adopted a bill draft request for the 74<sup>th</sup> Legislature that would amend the NRS to require a high school course of study to include four years of mathematics. At the same meeting, the Committee acted to urge the Board to apply to the Class of 2008, rather than the Class of 2010, the increased requirement of a fourth mathematics credit to be eligible for the Millennium Scholarship.

In its study of high school during this interim, the Committee determined that students would benefit from greater engagement through a more challenging curriculum, especially in grades 11 and 12. The significant number of freshman Millennium Scholars who enroll in remedial math courses would support our conclusion. Because, we fail to see the reason that this requirement cannot be implemented earlier than anticipated, the Committee recommends the Board reconsider its policy.

Brett Whipple, Chairman

Page 2

October 16, 2006

Should you have any questions or concerns with regard to this matter, please let me know, or contact the Committee staff person, Carol M. Stonefield, Principal Research Analyst, Research Division of the Legislative Counsel Bureau, at (775) 684-6825.

Sincerely,

A handwritten signature in black ink, appearing to read "W. J. Raggio".

Senator William J. Raggio

Chairman, Legislative Committee on Education

WJR/me: W64011

Cc: The Honorable Kenny C. Guinn, Governor of Nevada

James E. Rogers, Chancellor, Nevada System of Higher Education

Jane A. Nichols, Vice Chancellor, Nevada System of Higher Education

Brian K. Krolicki, State Treasurer

Keith W. Rheault, Superintendent of Public Instruction

## APPENDIX D

### Correspondence Addressing the Requests from the Legislative Committee on Education



# Nevada System of Higher Education

## System Administration

5550 West Flamingo Road, Suite C-1  
Las Vegas, NV 89103-0137  
Phone: 702-889-8426  
Fax: 702-889-8492



## System Administration

2601 Enterprise Road  
Reno, NV 89512-1666  
Phone: 775-784-4901  
Fax: 775-784-1127

November 27, 2006

Senator William J. Raggio  
Chairman, Legislative Committee on Education  
P.O. Box 281  
Reno, Nevada 89504-0281

Dear Senator Raggio:

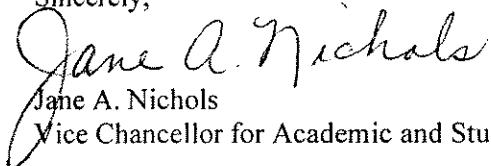
In response to your letter dated October 16, 2006, regarding a unique state student identifier, I wanted to take the opportunity to provide you with an update regarding the establishment of a statewide longitudinal data sharing project between the Nevada Department of Education (NDE) and the Nevada System of Higher Education (NSHE).

Although the unique state identifier to be used by the public schools is not the same student identifier used at NSHE institutions, the NSHE is in the process of incorporating the student identification number from Nevada high school students on its application forms and within the Student Information System (SIS), thus enabling us to track Nevada students longitudinally with their high school record through higher education. In addition, the NDE recently transmitted the first set of data to the NSHE that includes student identifiers and demographic data. Those data are now stored in the NSHE data warehouse. We have further requested by December 31, 2006, an additional transmission to include transcript level data for the purposes of longitudinal research on the performance of Nevada high school graduates at NSHE institutions. The inclusion of the high school student identification numbers in our SIS will facilitate the matching process of these records.

We have long recognized the benefits of statewide longitudinal analysis in terms of policy considerations and improving student performance. We believe that the data will underscore the fact that success in college depends, in a large part, on the course selection and performance of Nevada students while in high school. Analysis of course-taking patterns in high school as compared to performance in college courses provides a valuable tool in setting admissions standards, course placement policies, and advising. The performance of students at the college level, as measured by performance in individual courses, retention, and graduation rates, while influenced by many factors, is clearly related to the courses taken in high school. We hope to begin producing reports by spring that will provide evidence of this clear link.

I trust this information is useful. If you have any questions or need additional information, please contact me directly at 775-784-4901.

Sincerely,

  
Jane A. Nichols  
Vice Chancellor for Academic and Student Affairs

cc: Bret Whipple, Chair, Board of Regents  
James E. Rogers, Chancellor  
Daniel Klaich, Executive Vice Chancellor  
Keith Rheault, NDE

Brian Burke, LCB Fiscal  
Carol Stonefield, LCB Research  
Terry Savage, Director, DOIT  
Dave Miller, DOIT



**Nevada System of Higher Education  
Board of Regents**

5550 W. Flamingo Rd., Suite C-1  
Las Vegas, Nevada 89103  
(702) 889-8426  
FAX (702) 889-8492

December 15, 2006

**Bret Whipple**  
**Board Chair**  
6155 Coley Avenue  
Las Vegas, Nevada 89146  
(702) 257-9500  
FAX (702) 543-3505  
bret@bretwhipple.com

Senator William J. Raggio, Chairman  
Legislative Committee on Education  
P.O. Box 281  
Reno, Nevada 89504-0281

Dear Senator Raggio,

On behalf of the Board of Regents, let me thank you for the opportunity to work together on addressing the timeline for Nevada high school students to meet the course requirements for Millennium Scholarship eligibility. At the November 30-December 1, 2006 meeting of the Board, in response to your request, the Board moved the effective date of the course requirements, including four years of mathematics, to 2009, rather than 2010.

The Board agreed with you that any action taken to encourage more students to take a rigorous high school curriculum in order to increase their chance of success in college and in the workplace was the right one. They expressed concern, however, about whether some students would be unable to access the fourth year of mathematics due to its unavailability at their high school, based on the letter of November 14, 2006, from the Nevada Association of School Superintendents. Therefore, the action taken by the Board was to implement the new eligibility requirements in 2009 with an exception to be granted for the fourth year of mathematics if a student demonstrably could not get the fourth year of mathematics through their high school or through courses offered by our colleges and universities. Our NSHE presidents all expressed a commitment to make sure that the higher level mathematics courses were available to every Nevada high school senior who needed them in the 2008-09 school year.

Finally, in order to help the school districts find the mathematics teachers whom they need, the Board has submitted a bill draft asking for scholarship support for low income students who major in mathematics, science, engineering or technology. That request includes a bonus for these majors who teach in Nevada schools for two years after graduation.

We look forward to working with you in the 2007 legislative session and appreciate your continued support for education in Nevada.

Sincerely,

Bret Whipple  
Chairman, NSHE Board of Regents



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5100 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89146 • TELEPHONE (702) 799-5000

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**CLARK COUNTY  
SCHOOL DISTRICT**

## BOARD OF SCHOOL TRUSTEES

Mrs. Ruth Johnson, President  
Mrs. Sheila Moulton, Vice President  
Mrs. Susan Brager, Clerk  
Mr. Larry P. Mason, Member  
Mrs. Mary Beth Scow, Member  
Mrs. Shirley Barber, Member  
Mrs. Terri Janison, Member

Dr. Walr Rulffes, Superintendent

November 16, 2006

The Honorable William J. Raggio  
The Nevada Senate  
Legislative Committee on Education  
401 South Carson Street  
Carson City, Nevada 89701-4747

Dear Senator Raggio:

Thank you for the letter you recently sent to Ruth Johnson, President, Clark County School District (CCSD) Board of Trustees, regarding the Legislative Committee on Education's interest in the Clark County School District Power Standards. I appreciate the opportunity to address the inquiries posed in your communication, and am providing the following explanations for your information.

*1. Do the Power Standards narrow the curriculum to the point that students will not be exposed to all of the standards?*

No.

It should be clarified that the Nevada Standards developed by the Council to Establish Academic Standards for Public Schools, serve as the basis of instruction for all courses in the CCSD. District curriculum resources intended to support and enhance the teaching of the Nevada Standards have been developed or selected based on input from CCSD teachers and administrators, Southern Nevada Regional Professional Development Program (RPDP) staff, the Nevada System of Higher Education representatives, and national educational experts. These include the following:

- Textbooks adopted by the Nevada Board of Education
- CCSD Curriculum Essentials Framework (CEF) for K-5 and Course Syllabi for 6-12
- Power Standards, K-12, for Language Arts and Mathematics
- Instructional Pacing Guides

The Power Standards help teachers pace instruction so that standards can be taught within the time available. To address the goal of curriculum alignment, the district initiated an external curriculum audit process in June 2003. During the past several years, ETS/Pulliam provided support to the CCSD's accountability plan. As part of the process, representatives collaborated with staff in reviewing the district alignment of K-12 Nevada Standards, CCSD K-12 Language Arts and Mathematics curriculum, and the objectives included on the required state and district student assessments. Based on this review, Power Standards for K-12 Language Arts and Mathematics were identified by CCSD teachers and administrators as one tool to support instructional priorities.

Senator William J. Raggio  
Page 2  
November 16, 2006

*2. Will the Power Standards increase the achievement gap as a result of some students not being exposed to all of the standards?*

No.

The district has sought assistance from the Center for Performance Assessment and from Kati Haycock of the Education Trust. A common theme which emerges from these organizations regarding "closing the achievement gap" is the need for states and large urban districts to provide focus for instruction and alignment of standards with assessments. CCSD Power Standards are intended to help address this need and help close the achievement gap. They are revised on an ongoing basis in an effort to provide additional support for teachers in core curricular areas. Additionally, as previously referenced, teachers are required to use CCSD curriculum documents that include the Nevada Standards as the basis of instruction. This expectation is also addressed in the CCSD Teacher Appraisal System.

*3. If the Power Standards are the basis of instruction, are we adequately preparing students for the Nevada High School Proficiency Exam and the Criterion Reference Test?*

As noted previously, the Curriculum Essentials Framework and the course syllabi serve as the basis for instruction, and the State standards are clearly embedded in these documents. Power standards serve as a gauge in terms of assessing student mastery of those important concepts or skills as identified in the State standards that are contained in our curriculum documents.

The CCSD Research, Accountability, and Innovation Division staff members are closely monitoring the Nevada High School Proficiency Exam and the Criterion Reference Test results as well as the correlations between these assessments and the Power Standards. Based on this data, the Power Standards are reviewed and revised as needed. Also, the district's staff and RPDP staff are working closely in developing and implementing training programs for teachers in support of improved achievement.

In closing, I want to assure you that we are respectful of the Nevada Standards and the comprehensive educational goals they represent. The district staff continues to participate in revisions of the state standards, and we strongly communicate to teachers and administrators that these standards serve as the basis of curriculum and instruction in the Clark County School District.

We welcome your suggestions. Thank you again for sharing your concerns.

Sincerely,



Walt Rulffes  
Superintendent

- c: Clark County School District Board of Trustees  
Lauren Kohut-Rost, Deputy Superintendent of Instruction, Clark County School District  
Carol M. Stonefield, Principal Research Analyst, Research Division, Legislative Council Bureau



## APPENDIX E

### Results of the Poll of School Districts Regarding Attendance Advisory Boards and Truancy Prevention and Enforcement Programs



**QUICK POLL RESULTS**  
**Attendance Advisory Boards – NRS 392.126**  
**July 2006**

District	Attendance Advisory Board Meetings/Funding (NRS 392.126)	Attendance Advisory Board Members	Truancy Programs Identified by Board	Evaluation of Truancy Programs by Board	Reporting Habitual Truants	Parent Notification	Suggestions for enforcing truancy laws	In-school Suspension
<b>Carson</b>								
<b>Churchill</b>	Yes Meets Quarterly General Funds	Incomplete, working on it	None	Lack accurate data but working to change that	Attendance Clerks, and board policy adopted in 2005	Letters, handbooks, counseling, news articles	None	No
<b>Clark</b>	No <sup>(1)</sup>	N/A	N/A	N/A	Attendance Enforcement office processes all referrals <sup>(2)</sup>	Newsletters, handbooks, personal visits, attendance contracts, parent conferences, student success advocate contacts, social worker contacts, truancy letters	-Designated attendance personnel at every school -Adequate funding for Truancy Court -Parent accountability, including mandatory parenting classes, enforcing fines, and citations for contributing to delinquency of a minor -Stiffer penalties for minors, tied to driver's license, work permit -mandatory drug testing of truants -establish Truancy Intake Center to provide community-based assistance to truant students/families -require parents to pick-up student at Truancy Intake Centers	Yes, middle schools have ISS for behavior guideline infractions. A limited number of high schools provide ISS, but there is a lack of space & personnel. Suspension not used for attendance, but student may be in Required Parent Conference for maximum of 2 days
<b>Douglas</b>	Yes Meets bi-annually No expenses	Membership is complete	The Board reviewed the district truancy procedures, and the data on how monthly truancy meetings with parents, students and counselors are working. Grades and attendance are also monitored.	Review # of students truant by category (1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> ) and # of students cited by law enforcement each year	District reports to the Attendance Advisory Board and to the state through the Accountability Report	Handbooks, truancy notification letters that explain laws/appeal process. Info is also available on the district website.	More community resources would be helpful to address the reasons behind truancy.	Each school has a progressive discipline plan, and each site does some form of in-school suspension.
<b>Elko</b>	Yes Meets annually No funds; members serve voluntarily	Membership is complete	-Parent liaison in West Wendover -School Police Officer -Citations/home visits from law enforcement -Truancy Court -Absentee tracking through School Police	Truancy data is reviewed annually and effectiveness is discussed	Students are tracked through PowerSchool, a student management system, and by Truancy Court	PowerSchool, handbooks, letters, district website, district policy manual, district attendance policy explanation brochure	-citations -truancy court, and other programs sanctioned through court, ie., counseling, community service, fines	Yes. Suspension policies also include detention, transfer, long-term suspension and expulsion.

District	Advisory Board Meetings and Funding	Advisory Board Members	Truancy Programs Identified by Board	Evaluation of Truancy Programs by Board	Reporting Habitual Truants	Parent Notification	Suggestions for enforcing truancy laws	In-school Suspension
Esmeralda								
Eureka	Yes Meet as needed		Truancy not a problem No new programs identified	Review attendance reports of each school	No habitual truants	In writing	None	Yes
Humboldt	No. Committee was formed then slowly disbanded. HCSD will work to re-establish.	N/A	Overall attendance rate is 94.8 percent	N/A	N/A	N/A	None	Yes. A progressive discipline plan has also been implemented. Specific behaviors require mandatory suspension.
Lander	No, although local level teams have been established; these teams meet quarterly and no funds are used	N/A; although various community members and district employees serve on local teams	None	None	Policy is confusing with law enforcement, court system and internal record-keeping. Statutory language and enforcement sometimes conflict. Truancies are rarely labeled as habitual.	Phone calls are made to parents when student is not in attendance. A letter is sent to parents of students with excessive absences. <sup>(3)</sup>	-stricter consequences -policy must be linked to juvenile probation system -Pennsylvania, and other states, have tied parental fines for missing days regardless of the manufactured excuses for children under the age of 13, with fines directly to the child over that age	Yes, for grades 4 and up; however space & supervision is limited. Secretarial staff are supervisors. No funds are available to hire/maintain a paraprofessional for this purpose.
Lincoln	Yes Met every other month during organizing phase; will meet monthly, or quarterly if no students are referred to the Board	Membership complete	Board is new, no programs identified yet	N/A	Principals notify parents and advisory board in writing. Law enforcement is notified also.	Handbooks, personal visits, phone calls from principals and counselors	We respond very quickly – I believe that is a key strategy	Yes, in-school suspension is used at the elementary schools for behavioral issues; do not suspend for truancy.
Lyon	Yes Meets bi-annually	Membership complete	The board recently addressed the "tone" of the parental letters re attendance, making the first notification a reminder and the latter letters more harsh.	School admin compiles attendance reports each spring, which includes truancy issues.	Reported in PowerSchool, which is sent to juvenile probation. After the third report, a packet is sent to the district judge.	Attendance and truancy letters, as well as discipline brochure provided at the beginning of each school year.	None	Yes, in-school suspension (AEP) Alternate Placement Education Program, is used for anywhere from 1-10 days but not longer than 20 days at which time student is deemed habitual. Each school uses this based on their progressive discipline plan.

District	Advisory Board Meetings and Funding	Advisory Board Members	Truancy Programs Identified by Board	Evaluation of Truancy Programs by Board	Reporting Habitual Truants	Parent Notification	Suggestions for enforcing truancy laws	In-school Suspension
<b>Mineral</b>	Yes Meets annually, more if needed	Membership complete	None	Advisory Board reviews attendance with principals; truancy officer available through local JPO	Written letters mailed to parents of habitual truants	Handbooks at the beginning of each school year; also run ads in local newspapers	None	Yes, but not for non-attendance.
<b>Nye</b>	Yes Meets every 6 weeks	Membership complete	None	By the number of trancies per ADA period	Through the juvenile court system	Parent/student handbook; phone master; letter; citations	None	No, but in-school detention program is used.
<b>Pershing</b>	Yes Meets annually Uses district funds	Membership complete	Prompt notification of parents and the district attorney's office	Compares #of trancies from year to year	Notification to the District Attorney; records in the district accountability report	Student handbook, letters to parents	-provide each school with a law enforcement resource officer to run an after-school or weekend study hall and make it mandatory for truant students to attend. The state should provide adequate funds to pay for the resource officer	Yes, and each school has a progressive discipline plan specifying a range of consequences.
<b>Storey</b>	Yes Meets bi-annually; more as needed	Membership complete	School rewards perfect attendance with a special award and lunch	Compare attendance records of the past four years to determine if attendance is improving or not	No one to report to unless the student is on probation, then school calls the probation officer	Student handbook which is provided to every parent; the policy is also on school's website	None	No, but school suspensions occur for a variety of reasons occasionally.
<b>Washoe</b>	Yes, (SAAB) Student Attendance Advisory Board Meets once per month Sept-June Grant funds & WCSD funds are used	Membership is complete	See (4) below	WCSD reports to SAAB the status of attendance officers' caseloads, # of truancy sweep interventions, open cases, etc.	Third truancy letter identifying student as habitual is sent certified to parent. First year ninth grader or younger student is referred to SARB for intervention or possible citation. Older students can be cited by school police without appearing before SARB. Reports are included in the district accountability report, and SAAB makes recommendations based on this data. Annual report regarding habitual truants is presented to SAAB.	School registration packets, district website, newsletters	-additional language to further define the accountability of parents with children ages 7-11 years old. -early intervention with the family; shifting focus from the student to the parent will have a greater impact on the student's attendance and education. -early intervention -strong collaboration among law enforcement agencies, social services and juvenile justice system allows for the greatest impact to students	Yes, each school determines individual needs and devises in-school suspension program. <sup>(5)</sup>

District	Advisory Board Meetings and Funding	Advisory Board Members	Truancy Programs Identified by Board	Evaluation of Truancy Programs by Board	Reporting Habitual Truants	Parent Notification	Suggestions for enforcing truancy laws	In-school Suspension
White Pine	No, but the district plans to establish one in 2006-07.	Schools have used review boards to give on-site suggestions	None	N/A	School Attendance Review Boards (ARB) reviews habitual truants and refers students to the courts as per ARB recommendations	Student/Parent handbook, each parent/student must submit a signed statement that they have received this information.	None	Yes, for discipline reasons. More severe discipline problems result in out-of-school suspensions, which are longer than ISS.

(1) Clark County School District Coordinator of Attendance Enforcement/Dropout Prevention contacted the District Attorney's office two years ago to re-establish the SARB. The office investigated the request, but did not move forward with the establishment of the SARB, as requested by law. The school district could not proceed without the involvement of the District Attorney.

(2) 7-11 year olds are referred to child protective services for educational neglect. 12-16 year olds are cited by school police and processed by juvenile justice services. They will not process citations for 17 year olds. Blatant cases are seen in truancy court after a subsequent truancy citation has been issued. Initial truancy citations are handled with a "warn & release" letter from juvenile probation. The Attendance Enforcement Office maintains a data base on all educational neglect and truancy referrals. When truancy court closes a case, the office notifies the student's school in case a subsequent citation is needed. Schools are also able to call the office to check on the status of a particular student at any time.

(3) Support documents used by the district are attached.

(4) Four regional attendance officers are used. SAAB makes the policy/procedures for officers to follow. Officers are responsible for educating the schools, students and parents regarding truancy, and providing interventions and community agency support for schools. Officers open truancy cases on students and track progress. Officers prepare info packets for review panel of students in non-compliance. SARB, Student Attendance Review Board, meets once per week to review cases provided by attendance officers, evaluating the students' academic, emotional, social and community needs. SARB makes recommendations and establishes policy as well as provides case management to ensure requests are followed by all parties. If a student is cited by the SARB, the board works closely with the juvenile justice system and may place the student on a diversion program for further case management before going to court. WCSD has implemented truancy sweeps using law enforcement, community agencies and the district. In school year 2005-06 there were six truancy sweeps. The sweeps identify truants, set interventions to keep them in school and identify and make contact with at-risk families to help stabilize the family environment through community resources. WCSD has planned the Community Resource Summit in August 2006; designed to educate school employees about available community agencies to aid families in need.

(5) Attendance policy attached.

## APPENDIX F

Report from the Nevada Department of Education  
Regarding the Indian Education Consultant





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January 3, 2007

**MEMORANDUM**

TO: Senator William Raggio, Chairman  
Legislative Committee on Education

FROM: Keith Rheault, Superintendent of Public Instruction  
Nevada Department of Education

SUBJECT: Requested Report Regarding Indian Education and Cultural Diversity Positions

Attached with this Memorandum is the Department's response to your letter dated October 16, 2006 on behalf of the Legislative Committee on Education. Specifically, the Committee requested that a status report be provided by the Department regarding the Indian Education and Cultural Diversity Consultant positions authorized by the 1997 Legislative Session.

I believe all of the requested information regarding the positions has been addressed in the report. The Department just recently hired a new Indian Education Consultant which is the fourth person to fill the position since 1997. I can also say, as evidenced by the current work performance standards, that the intended duties of the positions agreed upon in 1997 have not been altered to any meaningful degree.

If the Committee has any questions regarding the information provided in the status report, please feel free to contact me with the questions.

Attachment

Copy: Carol Stonefield  
Melinda Martini



STATUS REPORT  
NEVADA DEPARTMENT OF EDUCATION

REGARDING THE AMERICAN INDIAN  
AND CULTURAL DIVERSITY POSITIONS  
APPROVED BY THE NEVADA  
LEGISLATURE IN 1997

Submitted By  
Keith W. Rheault  
Superintendent of Public Instruction

## **Status of Indian Education Consultant Position**

### **Staffing**

Since the creation of the Indian Education Consultant Position by the Legislature in 1997, there have been four different individuals who have held the position within the Department of Education. The first individual hired to fill the Indian Education consultant position in 1998 transferred to a different position within the Department of Education in September, 2000. The second individual was hired in June, 2001 and remained in the position until August, 2004 when he accepted another job offer out-of-state. The third individual to fill the position was hired in February, 2005 and voluntarily resigned from the position in February 2006. The current Indian Education Consultant was hired to fill the vacant position on October 9, 2006.

The recruitment of qualified candidates for the position has been a challenge each time the position has been vacant. The Department of Education has worked closely with the State Personnel Office to advertise the vacant position during each recruitment cycle. For each of the first three recruitment cycles, a minimum of at least five applicants was achieved prior to the interview process. The delay in hiring the current consultant was due to the fact that two separate recruitment cycles were needed to get a sufficient number of qualified candidates to apply for the position. The first recruitment cycle did not yield any viable candidates.

Since the creation of the position in 1997, the position has been assigned to and supervised by the Director of the Office of Special Education, Elementary and Secondary Education and School Improvement in the Carson City office. The position has always been housed in the Carson City office of the Department of Education for two reasons: a majority of the American Indian students are located in schools in rural Nevada and school districts in the northern part of the state which makes it easier for the consultant to work with the school districts and the second reason is that the Nevada Indian Commission office is located in Carson City again allowing easier access to the Commission. It is noted that the Cultural Diversity consultant position approved by the Legislature in 1997 is also assigned to and supervised within the School Improvement team of the Department. The Department's rationale for locating both positions within the school improvement team was based on the Legislative intent of the positions. The primary work to be accomplished by the consultants is directly related to providing technical assistance to schools and teachers to improve the achievement of American Indian and culturally diverse students.

### **Work Performance Assignments**

The duties that have been assigned to the position have not had any significant changes from 1997 to date. The initial job description developed for the Indian Education Consultant position was jointly developed between the Department of Education staff and representatives of the Legislative Counsel Bureau. Copies of the original duties that were developed in 1997 for the Indian Education Consultant position are available at the Department of Education for comparison purposes with the current Indian Education Consultant's work performance assignments for any one who would like a copy.

It has been the Department's philosophy that both the Indian Education and Cultural Diversity positions' primary purpose is to address increased student performance and to provide technical assistance to teachers, schools and school districts on methods and programs to increase student performance in the under achieving student groups in the state. For that reason, both positions are assigned to work in the school improvement unit of the Department.

The only additional duty that has been assigned as part of the work performance expectations of the last two Indian Education consultants, that was not specifically mentioned in duties described in 1997, is their participation in "School Support Team" activities for schools that have been designated as "In Need of Improvement" under the No Child Left Behind Act. The consultants have been assigned to work with School Support Team's based on the need to have one Department representative identified for each team. In all cases when assigned to work with a school designated as "In Need of Improvement", the Indian Education Consultant has been assigned to a school that has a significant number of American Indian students compared to other schools "In Need of Improvement". The Department of Education Administration strongly believes that the assignment as well as the information learned from the School Support Teams in addressing increased student achievement can be used/applied by the Indian Education Consultant to provide technical assistance to all schools and teachers serving American Indian students in the state.

A concern that has been raised by the Nevada Indian Commission is that the position duties previously have not included enough dedicated time to coordinate with Tribal Councils and the Commission concerning the educational needs of American Indian students in the state. This concern hopefully has been addressed with the current consultant, in that she is available to meet weekly, as needed, with the Nevada Indian Commission staff as part of the expectations of the position.

In summary, regarding the status report on the Indian Education Consultant position: there has been considerable turn-over in the position since 1997; recruitment of qualified candidates has been difficult at times to fill the vacancies that have occurred; the current consultant is new to the position but brings a wealth of knowledge and skills regarding Indian Education programs; the work performance standards for the position have not significantly changed since 1997 when the position was initially established; the position is housed within the school improvement unit of the Department which is the best fit for the intended outcome of the position; and the new consultant will be expected to work closely with the Nevada Indian Commission but will spend a majority of her time working with schools and school districts to address the needs of American Indian students within the state.

## **Status of Cultural Diversity Consultant Position**

### **Staffing**

Since the creation of the Cultural Diversity Consultant Position by the Legislature in 1997, there have been three different individuals who have held the position within the Department of Education. The first individual hired to fill the Cultural Diversity consultant position in 1998 transferred to a different position within the Department of Education in April 1999. The second individual was hired in April, 2000 and remained in the position until March, 2006 when he accepted another job offer from a private business. The current Cultural Diversity Consultant was hired to fill the vacant position in October, 2006.

The recruitment of qualified candidates for the position has not been as big a challenge as it has been with the Indian Education Consultant recruitments. The Department of Education has worked closely with the State Personnel Office to advertise the vacant position during each recruitment cycle. For each of the recruitment cycles, a minimum of at least five applicants was achieved prior to the interview process.

Since the creation of the position in 1997, the position has been assigned to and supervised by the Director of the Office of Special Education, Elementary and Secondary Education and School Improvement in the Carson City office. The position has always been housed in the Las Vegas office of the Department of Education primarily because a majority of the culturally diverse students are located in schools in the Las Vegas area which makes it easier for the consultant to work with the school district although the position does serve all culturally diverse students in the state. The Department's rationale for locating the position within the school improvement team was based on the Legislative intent of the position. The primary work to be accomplished by the consultant is directly related to providing technical assistance to schools and teachers to improve the achievement of culturally diverse students.

### **Work Performance Assignments**

The duties that have been assigned to the position have not had any significant changes from 1997 to date. The initial job description developed for the Cultural Diversity Consultant position was jointly developed between the Department of Education staff and representatives of the Legislative Counsel Bureau. The duties of the current Cultural Diversity Consultant's work performance assignments are available upon request of the Department.

It has been the Department's philosophy that the Cultural Diversity positions' primary purpose is to address increased student performance and to provide technical assistance to teachers, schools and school districts on methods and programs to increase student performance in the under achieving student groups in the state. For that reason, the position has been assigned to work in the school improvement unit of the Department.

The only additional duty that has been assigned as part of the work performance expectations of the consultant, that was not specifically mentioned in duties described in 1997, is his participation in “School Support Team” activities for schools that have been designated as “In Need of Improvement” under the No Child Left Behind Act. The consultant has been assigned to work with School Support Team’s based on the need to have one Department representative identified for each team. In all cases when assigned to work with a school designated as “In Need of Improvement”, the Cultural Diversity Consultant has been assigned to a school that has a significant number of culturally diverse students compared to other schools “In Need of Improvement”. The Department of Education Administration strongly believes that the assignment as well as the information learned from the School Support Teams in addressing increased student achievement can be used/applied by the Consultant to provide technical assistance to all schools and teachers serving culturally divers students in the state.

The position has worked closely with all culturally diverse communities and organizations, including Latinos, Asians and African Americans, that are concerned about the educational needs of culturally diverse students in the state. Since the positions inception there have been no significant issues with the work of the position in the culturally diverse communities.

In summary, regarding the status report on the Cultural Diversity Consultant position: there has been moderate turn-over in the position since 1997; recruitment of qualified candidates has provided a reasonable number of applicants each time a vacancy in the position has occurred; the current consultant is new to the position but brings extensive experience, knowledge and skills regarding cultural diversity programs to the position; the work performance standards for the position have not significantly changed since 1997 when the position was initially established; and the position is housed within the school improvement unit of the Department which is the best fit for the intended outcome of the position.





## APPENDIX G

### Suggested Legislation



## Suggested Legislation

The following Bill Draft Requests will be available during the 2007 Legislative Session, or can be accessed after “Introduction” at the following Web site: <http://www.leg.state.nv.us/74th/BDRList/page.cfm?showAll=1>

- BDR 34-415**   Revises provisions relating to parental involvement in education.
- BDR 34-416**   Creates council to assist in coordination between elementary, secondary and higher education.
- BDR 34-417**   Revises provisions relating to Legislative Committee on Education.
- BDR 34-418**   Revises provisions relating to truancy of pupils.
- BDR 34-419**   Revises provisions relating to education.
- BDR 34-423**   Provides for mentor teacher program.
- BDR 34-426**   Revises provisions relating to Commission on Educational Excellence.
- BDR S-427**    Makes appropriations relating to education.
- BDR 34-433**   Revises provisions relating to pupils who are deaf or hearing impaired.