



**NEVADA LEGISLATURE**  
**LEGISLATIVE COMMITTEE ON EDUCATION**  
(*Nevada Revised Statutes [NRS] 218E.605*)

**SUMMARY MINUTES AND ACTION REPORT**

---

The second meeting of the Nevada Legislature's Committee on Education was held on Tuesday, February 25, 2014, at 9 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/77th2013/committee/>. In addition, copies of the audio or video record are available through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Senator Joyce Woodhouse, Chair  
Assemblyman Elliot T. Anderson, Vice Chair  
Senator Moises (Mo) Denis  
Senator Aaron D. Ford  
Senator Scott T. Hammond  
Assemblywoman Marilyn Dondero Loop  
Assemblyman Harvey J. Munford  
Assemblyman Lynn D. Stewart

**OTHER LEGISLATOR PRESENT:**

Senator Barbara K. Cegavske

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Todd M. Butterworth, Senior Research Analyst, Research Division  
Diane C. Thornton, Senior Research Analyst, Research Division  
Karly O'Krent, Deputy Legislative Counsel, Legal Division  
Andrea McCalla, Program Fiscal Analyst, Fiscal Division  
Tarron L. Collins, Senior Research Secretary, Research Division

## OPENING REMARKS

- Chair Woodhouse welcomed members, presenters, and the public to the second meeting of the Legislative Committee on Education (LCE). She presented general Committee reminders and called for public comment.

## PUBLIC COMMENT

- Jim Sallee, Clark County resident, provided a packet of information including a letter to the LCE, a DVD, articles, and a pamphlet in opposition to the Common Core State Standards (CCSS). (Please see [Exhibit B.](#))
- Niger Innis, Clark County resident, National Spokesperson for the Congress of Racial Equality, presented testimony regarding implementation of the CCSS. He expressed concern over the omission of the *United States Constitution* and the Bill of Rights education in the CCSS's curriculum. Mr. Innis opined that the authority to choose an educational path needs to be with the states, not the federal government. (Please see [Exhibit C.](#))
- Christina Leventis, Clark County resident, provided comments against the control the federal government is imposing on the states. She encouraged the LCE to take back State control concerning the education of Nevada's students. (Please see [Exhibit D.](#))
- Todd "Tax Payer" Bailey, Carson City resident, identified three areas of concern for the LCE's consideration: (1) robotic adaptive (RA) testing for students; (2) privacy issues related to the CCSS; and (3) the use of prescription medication for attention deficit hyperactivity disorder when administering RA testing.
- Gary Schmidt, Washoe County resident, opined that the Committee's restricting applause and the submission of summary minutes violate the Open Meeting Law (OML). He voiced opposition to the Legislature's exemption to the OML and to the CCSS. Mr. Schmidt encouraged the LCE to return control of education to the parents and the local districts. He requested the public comment from the minutes of the November, December, and January meetings of the State Board of Education and State Board for Career and Technical Education (SBE) be incorporated into the LCE's meeting minutes.
- Erika Whitmore, Moapa Valley resident, provided testimony opposing the CCSS with regard to curriculum, federal regulation of local government, and implementation without proper notification.
- Cindy McMurry, Moapa Valley resident, presented a "Letter to the Editor" that identified her major concerns with the CCSS: (1) financing; (2) lack of local control, input, and voice; (3) diminished honors and remedial course offerings; and (4) data mining and a document of discussion between the Community Education Advisory Board Task Force; State Board of Education; Chris Garvey, Clark County School District Board of Trustees; and CCSD Administration (Please see [Exhibit E](#) and [Exhibit E-1.](#))

- Amy Bauck, Clark County resident, testified in opposition to the CCSS. She provided a letter detailing her opposition and discussed problems with the curriculum being taught to her children. (Please see [Exhibit F.](#))
- Bob Clifford, Nevadans for Local Control of Education and Churchill County resident, submitted testimony opposing the data collection process associated with the CCSS. (Please see [Exhibit G.](#))
- Steve Coe, Lyon County resident, presented written testimony opposing the 2011 removal of parental prior written consent from the Family Educational Rights and Privacy Act (FERPA) of 1974 related to the CCSS. He encouraged further evaluation of the Smarter Balanced Assessment Consortium (SBAC) and withdrawal from the CCSS. (Please see [Exhibit H.](#))
- John Eppolito, President, Americans for Better Schools and Carson City resident, presented a packet of information opposing the CCSS that included information on curriculum, data collection, and the sharing of data. He offered to provide more information and encouraged the Committee to research the appropriateness of the curriculum for the students in kindergarten through 3rd grade and withdraw from the SBAC. (Please see [Exhibit I.](#))
- Craig M. Stevens, Director, Nevada State Education Association (NSEA), clarified that the NSEA supports the new content standards and the CCSS. He stated there were highly trained and qualified individuals on the committees to evaluate the standards for appropriateness for Nevada students and supported the adoption of these standards. Mr. Stevens informed the LCE of the numerous public notices and workshops held prior to adoption of the CCSS. He opined the problems with the CCSS are in its implementation and stated Nevada needs to acquire additional resources for: (1) teacher development; (2) improved curriculum; (3) increased technology; and (4) smaller class sizes.
- Elissa Wahl, Vice Chair, Nevada Homeschool Network, submitted a letter regarding the relationship between homeschool and the CCSS. She requested that the LCE clarify the purpose of data collection, limit it to children enrolled in public schools, and exclude homeschool students from testing mechanisms required by the public school system. (Please see [Exhibit J.](#))
- Debbie Neubecker, former CCSD teacher and parent, expressed her concern regarding the staggered implementation of curricula and the lack of support materials provided to students.
- Jim Falk, Chair, Nevadans for Local Control of Education and Churchill County resident, submitted testimony in opposition to the CCSS. He requested the LCE repeal the CCSS and reinstate the requirement for the Superintendent of Public Instruction, Nevada's Department of Education, to have a master's degree in education or administration. (Please see [Exhibit K.](#))

- Jamie Jackson, Clark County resident, presented testimony opposing the CCSS and the issues surrounding the federal government's control of the curriculum. He voiced support to previous comments regarding the loss of local control.
- Bill Bruninga, Clark County resident and parent, stated his opposition to the CCSS and support of previously voiced concerns. He encouraged the LCE to schedule a meeting to allow parents and individuals opposed to the CCSS to testify with more time for comments.
- C. T. Wang, Clark County resident, agreed with previous testimony in opposition to the CCSS and encouraged the LCE to investigate and repeal them.
- Charles Greer, Clark County resident, presented testimony opposing the CCSS.
- Michele Anderson, Clark County resident, agreed with previous testimony opposing the CCSS and encouraged the LCE to research the standards to determine whether they are right for Nevada's children.
- Carol B. Wright, Washoe County resident, provided a packet of information opposing the CCSS. (Please see [Exhibit L.](#))
- JaNece Pinegar, Clark County resident, presented testimony opposing the CCSS and opined the standards have not been fully investigated.
- Mike Cook, Clark County resident, agreed with previous testimony opposing the CCSS. He commented that although Nevada teachers participated in the CCSS implementation, they did not authorize the standards.
- Natalie Oakley, Clark County resident and parent, testified in opposition of the CCSS. She noted the lack of textbooks available and detailed problems with the curriculum.

#### **APPROVAL OF MINUTES OF THE MEETING HELD ON JANUARY 22, 2014, IN LAS VEGAS, NEVADA**

- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR DENIS MADE A MOTION TO APPROVE THE MINUTES OF THE JANUARY 22, 2014, MEETING HELD IN LAS VEGAS, NEVADA. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN DONDERO LOOP AND PASSED UNANIMOUSLY.

## STATUS UPDATE ON NEVADA'S P-20W ADVISORY COUNCIL AND IMPLEMENTATION OF NEVADA'S STATEWIDE LONGITUDINAL DATA SYSTEM

- Chair Woodhouse offered background information regarding Nevada's P-20W Advisory Council and the Statewide Longitudinal Data System (SLDS).
- Dale A.R. Erquiaga, Superintendent of Public Instruction, Nevada's Department of Education (NDE), presented information regarding the System of Accountability Information in Nevada (SAIN) and the P-20W Advisory Council (the former P-16 Council). He noted that the term SLDS refers to the data collaboration of the Nevada System of Higher Education (NSHE), Department of Employment, Training and Rehabilitation (DETR), and NDE. Mr. Erquiaga clarified information regarding data privacy and commented NDE will review the State's data collection policies and will provide the findings.
- Glenn Meyer, Director, Technology and Innovative Programs, NDE, presented a Microsoft PowerPoint document titled "NV 2012 SLDS Project" and noted the project is a federally funded grant to create a data hub to connect certain data between NDE, DETR, and NSHE. The presentation included sections titled: (1) introduction and background; (2) goals and objectives; (3) SLDS project participation agencies; (4) SLDS implementation options; (5) hosting for the SLDS; (6) technology component view; (7) conclusion; and (8) the current status of the project. (Please see [Exhibit M.](#)) He described the SLDS as being a federated database, which enables each agency to retain full control of its own data system, while allowing the partner agencies only limited access to certain data elements that cannot be identified with an individual. Mr. Meyer also said the SLDS is forward-facing, so that no one is able to submit a customized query of the data.

Discussion ensued between Senator Denis and Mr. Erquiaga regarding the completion date of the program. Mr. Meyer replied the grant term expires in August of 2015 and the project is scheduled to conclude July 30, 2015, but the SLDS will continue beyond that date. Responding to Senator Denis' inquiry as to whether this program will improve matters for Nevada's students, Mr. Erquiaga presented an example of how this data will be used to track students, enabling the districts to develop an educational plan so students will be more career-ready.

In response to Assemblyman Stewart's inquiries regarding whether Nevada's students will be better prepared for the workforce, the type of data being collected, and whether it will enable Nevada to better serve students, Mr. Erquiaga replied that students will be more career-ready. He stated the State collects test scores and data related to English language learners (ELLs), recipients of free or reduced lunches, and racial and ethnic demographics in order to track graduation rates and the needs of certain population groups. Mr. Erquiaga noted medical information is collected at the district level and not provided to the State. He opined that the goal of data collection is to enable schools to better serve students by providing feedback regarding areas that need improvement, identifying teachers that need assistance, and cultivating career-readiness.

- Senator Hammond inquired whether the data collected for SBAC, that is not required at the State level, can be omitted from the testing application.
- Mr. Erquiaga stated he has instructed NDE staff to review the data exchange agreements with Nevada's testing vendors and the test developer and will report the findings. He continued that any information associated with the student record is part of the data exchange, and that exchange is not a new procedure.

Responding to a comment by Senator Hammond regarding the federal government having access to the information provided on Nevada students from the SBAC, Mr. Erquiaga confirmed Senator Hammond's assertion that the State will not be able to control what information is disseminated to the federal government through the vendors contracted with the SBAC.

- Senator Hammond inquired why DETR needs data collected on students from elementary school.
- Mr. Erquiaga responded that the data governance group will sort out what information is necessary and encouraged Senator Hammond to contact DETR to determine what information they want.
- Assemblyman Munford commented he did not see any minority parents testifying during the public comment period and inquired regarding the State's outreach program.
- Mr. Erquiaga replied that he shares concerns regarding the public awareness of information related to the CCSS and the new assessments. He stated the dissemination of information starts in the classroom and schools are working with the teacher associations to distribute information to the teachers.
- Chair Woodhouse inquired whether Mr. Erquiaga has attended any of the parent meetings that are conducted by the Clark County School Board members.
- Mr. Erquiaga replied that he has not attended any of the public meetings but that NDE staff has attended them.

Discussion ensued among Senator Hammond, Vice Chair Anderson, Mr. Erquiaga, and Mr. Meyer regarding FERPA and the regulations against releasing any identifiable student data. Mr. Erquiaga stated that FERPA and Nevada statutes prohibit the State from releasing personally identifiable student information. Replying to Senator Hammond's inquiry regarding the number of data points required to identify a particular student, Mr. Meyer stated it usually takes three reliable data points to make a student match. Senator Hammond inquired further regarding whether the federal government can disseminate the information it receives on Nevada's students. Mr. Meyer stated the data that reaches the federal government for current testing assessment is: (1) a unique student

identifier; (2) the attending school of the student; (3) the student's grade level; and (4) the student's date of birth. He added this information enables a test to be assigned to the correct student and the results calculated. Mr. Meyer stated the SBAC works in the same way.

Further discussion ensued between Senator Hammond and Mr. Erquiaga regarding what information will be shared with the testing vendors, the SBAC, and the federal government during the trial-testing period. Mr. Erquiaga stated NDE will evaluate the State's data policy and the policy of those vendors requiring information and will report. He noted the review will not be completed before the field testing that will take place in March and indicated the data required for the March testing will not be as detailed as in the future.

- Senator Denis inquired what information DETR has requested on Nevada students and what safeguards are in place to protect the data.
- Mr. Meyer replied DETR is interested in high school and higher education data that identifies the impact education has had on the future employment of the student, not specifically which student, but generally how many students.

In response to Vice Chair Anderson's inquiry on whether accountability is possible without student data, Mr. Erquiaga responded accountability is possible but test security would become an issue. Responding further, he noted it would be difficult to develop policy regarding education without student data.

- Senator Hammond clarified that data needs to be collected, but shared his concern about who receives the data and where it is disseminated. He wondered who is accountable for the storage of the data and noted his fear that the assessments may be too standardized for certain minority groups.

Discussion ensued among Chair Woodhouse, Mr. Erquiaga, and Mr. Meyer regarding the security of data and concerns related to the CCSS in Nevada. Mr. Erquiaga answered there have been no security breaches thus far and stated his concerns are on privacy and the chain of custody once the data has been collected. Mr. Meyer commented that in his three years with NDE, there has not been a security breach. He mentioned the firewalls in place to protect the collected data.

- Chair Woodhouse called for public comment on Agenda Item No. IV.
- John Eppolito, previously identified, commented regarding FERPA and the changes the federal government recently made to the act. He encouraged the LCE to create a clause for parents to opt out of data collection and withdraw from the SBAC.
- Gary Schmidt, previously identified, presented testimony opposing the government's collection of data and shared concerns regarding privacy matters.

## **EFFECTIVE DATA USE IN IMPROVING STUDENT OUTCOMES: OVERVIEW OF THE LANDSCAPE AND RECOMMENDATIONS TO ENSURE STUDENT PRIVACY**

- Paige Kowalski, Director, State Policy and Advocacy, Data Quality Campaign (DQC), presented a Microsoft PowerPoint document titled “Safeguarding Data to Ensure Effective Data Use” ([Exhibit N](#)) and commented on the folder of information ([Exhibit N-1](#)) submitted to the LCE. She discussed:
  - Data collection;
  - Data use and privacy protection;
  - Legislation related to data use;
  - FERPA information;
  - Data storage;
  - Data awareness regarding purpose and privacy;
  - Concerns with Internet use in schools;
  - Safeguarding students; and
  - Myths of data collection.

Discussion ensued among Senator Hammond, Vice Chair Anderson, and Ms. Kowalski regarding data collection laws, regulations related to the storage of data, and the dissemination of collected data. Ms. Kowalski stated FERPA is a good basis for regulations but states can and should create more stringent laws regarding the collection and use of data. She added in the eight years she has been with DQC there have been no data breaches at the state level. Ms. Kowalski stated the federal government does not access the data collected unless the contracted assessment vendor provides the state’s data to the government or other entity. She noted there can be regulations in place to prohibit the transfer of data, and the data collected by the vendor cannot be disseminated if Nevada has regulations prohibiting the data from being shared. Ms. Kowalski stated once the assessment data has been provided to an entity, FERPA restricts the data associated with the assessments from being further shared. She reported the 2013 changes in FERPA enabled limited additional data sharing and noted that the 2008 and 2011 changes were for clarification of existing law. Ms. Kowalski cautioned that stakeholders include: (1) parents; (2) teachers; (3) principals; (4) school boards; (5) businesses; and (6) superintendents, and they all need timely, concise, and clear information.

In response to Senator Denis’ inquiry regarding breach myths and whether there have been any data breaches, Ms. Kowalski replied that there have not been any breaches at the state level but there have been some minor breaches at the district level, for example a locker combination breach. Senator Denis inquired what type of legislation Nevada could pass to prevent a breach of data and how effective the current laws for preventing a breach of data are. Ms. Kowalski stated there needs to be more information regarding what is available before she can recommend legislation.

- Senator Hammond requested information regarding whether the CCSS data is being sold.



- Ms. Kowalski indicated FERPA prohibits the selling of student data and encouraged the LCE to investigate penalties for violations of the FERPA regulations. She commented Nevada can reiterate what is already stated in federal law in its State regulations. Ms. Kowalski stated that a gap in protection of student data occurs in the online cloud storage of information and indicated FERPA does not regulate online storage.
- Chair Woodhouse called for public comment on Agenda Item No. V.
- John Eppolito, previously identified, pointed out a breach of data that occurred in Long Island, New York, and discussed the changes that were made to FERPA in 2011. (Please see [Exhibit I.](#))
- Bob Clifford, previously identified, commented on the need for enforcement of FERPA and encouraged a clause requesting parental permission for data collection.

## **UPDATE ON IMPLEMENTATION OF THE NEVADA EDUCATOR PERFORMANCE FRAMEWORK (NEPF) AND THE NEPF VALIDATION STUDY OF THE FRAMEWORK**

### ***Overview and Status Update of the NEPF***

- Dale A.R. Erquiaga, previously identified, commented on the development of the educator performance framework and indicated NDE has adopted the framework, the regulations have been added to the *Nevada Administrative Code*, and administration of the regulations is taking place. Mr. Erquiaga explained there is an implementation component to the framework that needs consideration from the Legislature and will be presented before the Interim Finance Committee this summer. He noted that a federal flexibility waiver has been granted to Nevada allowing a delay of full implementation.
- Dena Durish, Director, Educator Effectiveness, NDE, presented a Microsoft PowerPoint document titled “Implementation of Nevada’s Educator Performance Framework (NEPF) and the Validation Study of the Framework.” Her presentation included sections titled: (1) an overview; (2) implementation details; (3) future plans; and (4) a validation study. (Please see [Exhibit O.](#))
- Vice Chair Anderson inquired how the anticipated drop in test scores will be perceived and what is being done to prepare for those results.
- Mr. Erquiaga commented this will be a major challenge moving forward. He stated the current data assesses student achievement gaps and the new data will need to be adjusted to measure the new achievement gaps.
- Pamela Salazar, Ed.D., Chair, Teachers and Leaders Council of Nevada (TLC), responded to Vice Chair Anderson’s question regarding a new education evaluation system and noted the focus is on learning and improving educational practice at all levels, which will result in improved student performance.

Responding to Assemblyman Stewart's comment that there needs to be flexibility and ways to measure good teacher qualities that are difficult to quantify, and his inquiry regarding whether there is a separate assessment for coaches, counselors, librarians, and fine arts teachers, Dr. Salazar stated the assessments are meant for teachers who spend more than 50 percent of their time in classrooms. She indicated a different kind of assessment will have to be developed for the other types of employees. Dr. Salazar responded to further inquiry from Assemblyman Stewart regarding whether the administration will be trained in proper assessment of teachers, informing him that training for the assessors is critical and part of professional development.

In response to Assemblywoman Dondero Loop's inquiry regarding the National Center for Research on Evaluation, Standards, and Student Testing (CRESST), University of California, Los Angeles, Dr. Salazar stated CRESST is a technology based group that is best known for its work with ELL and low-income students; the TLC worked with CRESST in developing the Five High-Leverage Instructional Standards for teachers. Once the model was developed, CRESST contracted with Nevada to support the implementation of the assessment standards.

- Senator Hammond inquired whether new teachers and administrators are receiving any training in their college education to prepare them for the new standards they will have to teach.
- Mr. Erquiaga responded that with guidance from the TLC, the University of Nevada, Las Vegas, provides training on the new standards to its students studying education.
- Assemblyman Munford commented that with the adoption of the new standards, there may not be enough considerations for staff personalities and differences.
- Chair Woodhouse inquired what NDE would do if there are material weaknesses found in the validation study.
- Mr. Erquiaga stated the TLC will be able to make adjustments and recommendations based upon the validation study, and opined that implementation would be more effective if administrators are the first staff to be assessed.

***Presentation on the Teacher Evaluation Experiences of the Washoe County School District (WCSD)***

- Lindsay Anderson, Director, Government Affairs, WCSD, informed that WCSD is ahead of other school districts in teacher evaluation implementation and hopes to share lessons learned as the State moves forward.

- Sabrina Pellett, Director, Professional Growth Systems, WCSD, provided a Microsoft PowerPoint presentation titled “Legislative Committee on Education - Teacher Incentive Fund Grants.” She presented background information regarding the Teacher Incentive Fund (TIF) 3 grant, and how TIF 3 aligns with NEPF. Ms. Pellett stated it is the intent of the WCSD to align with State requirements and added it is important to work within the 2011 Framework for Teaching by the Danielson Group and with NEPF staff to bring best practices forward. (Please see [Exhibit P.](#))

Responding to Assemblywoman Dondero Loop’s inquiry regarding the Pay for Performance payout figures, Ms. Pellett replied that a group of people worked together to develop the criteria, which was mostly based upon teacher attendance, but also considered teacher effectiveness, school wide performance data, and student learning objectives. She continued that data show teachers receive greater performance motivation from the availability of a career lattice than from a financial incentive only.

***Presentation on the Teacher Evaluation Experiences of the Lyon County School District (LCSD)***

- Wayne L. Workman, Deputy Superintendent, LCSD, provided information regarding the Marzano Teacher Evaluation Model (MTEM) for teacher evaluation and timelines for implementation. He presented the LCSD’s philosophy and what went into selecting the MTEM. (Please see [Exhibit Q.](#))
- Alan Reeder, Ed.D., Director, Human Resources, LCSD, introduced tools and resources available to teachers and identified methods used to assess teachers in the LCSD. (Please see [Exhibit Q.](#))

Discussion ensued among Assemblyman Munford, Dr. Reeder, and Ms. Pellett regarding the qualification and stipend given to master teachers. Dr. Reeder related his experiences using a master teacher; Ms. Pellett noted it is a position for which one applies and is interviewed. She stated there are established criteria set forth by the WCSD and teachers unions, and a master teacher receives \$10,000 in additional pay and a mentor teacher receives \$7,000.

- Chair Woodhouse called for public comment on Agenda Item No VI.
- Chelli Smith, Project Facilitator, Southern Nevada Regional Professional Development Program (SNRPDP), commented that they would like to continue reporting to their governing boards. She gave background information regarding the program and noted that trainers were provided through the NEPF budget. Ms. Smith indicated that timing for the future NEPF budget does not coincide with the need for additional funding and noted the current content trainers have attended three times as many trainings already this year compared to last year.

- Senator Hammond inquired whether the required training will be accomplished considering the budget and staffing constraints.
- Bart Mangino, Administrative Trainer, SNRPDP, indicated that contact for trainings has occurred with all the validation schools, but there have been multiple requests for trainings outside the CCSD.

In response to Assemblyman Munford's inquiry regarding whether the SNRPDP coordinates with the turnaround schools, Mr. Mangino replied that overviews have been provided to the Prime 6 schools and they have had contact with many of the turnaround schools.

Responding to Assemblyman Stewart's request for the percentage of teachers and administrators that have been trained, Mr. Mangino indicated he did not know the percentage but detailed a recent training he provided. He opined that a high number of teachers have been trained.

## **DISCUSSION ABOUT THE CHALLENGES IN SUCCESSFULLY IMPLEMENTING A NEW EDUCATOR PERFORMANCE FRAMEWORK**

- Dale A.R. Erquiaga, previously identified, presented the following challenges:
  - Data gathering and analysis;
  - Training and professional development;
  - Legal issues;
  - Completion of the remaining assessment tools by the TLC; and
  - Assessing "group three" teachers for which no student performance data is available.
- Tonette Salazar, Esq., State Relations Director, Education Commission of the States (ECS), presented background information regarding the ECS.
- Kathy Christie, Vice President, Knowledge/Information Management and Dissemination, ECS, identified the items concerning most districts when implementing teacher evaluation, which include: (1) not enough time to assess; (2) accuracy and reliability; (3) teachers in non-tested grades and subjects; (4) expenses; (5) training and skills needed for post-observation intervention; (6) the nature of high stakes evaluations; and (7) value added measurements. She provided notes that detailed solutions to these and other concerns. (Please see [Exhibit R.](#))

## DISCUSSION ABOUT EDUCATOR PEER REVIEW SYSTEMS

### *Presentation on the Educator Peer Assistance and Review (PAR) Program*

- Mike Paul, PAR Coordinator, WCSD, provided a Microsoft PowerPoint presentation titled “Peer Assistance and Review – Washoe County School District – Teachers Helping Teachers to Improve Practice” and described the PAR program in the WCSD. He explained the program’s implementation and lessons learned through presentation sections titled: (1) the client teacher; (2) the consulting teacher; (3) the panel; (4) role of the panel; (5) support and assistance; (6) implementation; (7) lessons learned; (8) administrator PAR; and (9) funding details. Mr. Paul acknowledged the helpful support provided to the PAR program by the Washoe Education Association (WEA). (Please see [Exhibit S](#).)

Responding to Chair Woodhouse’s inquiry whether the evaluating teachers were current teachers in or out of the classroom, Mr. Paul stated the teachers conducting the evaluation are no longer teaching in classrooms and have been hired to evaluate full time.

- David Wilson, Principal, Chaparral High School, CCSD, described the background and development of the PAR program in the CCSD and opined that quality teachers are the most important factor in learning. He posed two questions: (1) how does Nevada develop quality teachers; and (2) how can Nevada remove ineffective teachers?
- Theo Small, Vice President, Clark County Education Association, member TLC, provided details of educator violations and indicated there were approximately 700 pending disciplinary cases. He stated these cases are the driving force behind the PAR program and noted the caseload has been reduced to 500.
- Mr. Wilson commented that the purpose of the PAR program is to develop quality teachers but, if that does not happen, there needs to be a remedy for dismissal. He detailed what is being done at the Montgomery County Public Schools (MCPS), Rockville, Maryland, to develop quality teachers and dismiss teachers who do not meet quality standards through a PAR program. Mr. Wilson noted there is an appeal process for dismissals.
- Mr. Small stated the area of teacher instruction needs further development and presented improvement examples. He commented on the need for standardized professional development and to have a statewide focus on goal setting.
- Mr. Wilson shared how the PAR program works at Chaparral High School.
- Mr. Small encouraged the use of evaluation systems that support the NEFP and expressed a need for funding.

Responding to Assemblyman Munford's inquiry regarding the demographics at Chaparral High School, Mr. Wilson replied the student body is made up of approximately 50 percent Hispanic, 20 percent African American, 20 percent Caucasian and 10 percent Asian and other ethnicities. He noted over 80 percent of the school's students are eligible for free and reduced lunch. Assemblyman Munford expressed gratitude to Mr. Wilson for the job he has done improving Chaparral High School.

Discussion ensued among Chair Woodhouse, Mr. Paul, Mr. Wilson, and Chuck Fletcher, UniServ Director, WEA, regarding the collection of data to determine whether the PAR program is working in Nevada. Mr. Paul stated the data will be collected in the WCSD and will be available for review. Mr. Fletcher clarified that all the teachers in the WCSD are evaluated in some manner throughout the year, and Mr. Wilson stated the data will be collected in the CCSD for future evaluation of program effectiveness.

## **PRESENTATIONS REGARDING CURRENT PROGRAMS AND DISCUSSION REGARDING POLICIES AND STRATEGIES FOR IMPROVING PERSISTENTLY UNDERPERFORMING SCHOOLS**

- Dale A.R. Erquiaga, previously identified, informed the LCE: (1) one of the first goals for NDE is to improve persistently underperforming schools; (2) financial data for these schools is not reported to NDE and an analysis needs to be done; and (3) through future legislation, NDE is working to close policy gaps.
- Jeffrey Geihs, Ed.D., Academic Manager, Turnaround Zone, CCSD, stated the motto of the CCSD for underperforming schools is, "Believe in building effective schools by design, and leave nothing to chance."
- Brenda Larsen-Mitchell, Ed.D., Executive Director, Curriculum and Instruction, CCSD, provided information on Valley High School and Del Sol priority schools. She detailed the aid the CCSD provides these schools.
- Dr. Geihs presented information regarding how schools qualify as persistently underperforming. He commented that teachers are the most important people in the classroom, and principals are the most important people in the school. Dr. Geihs opined without strong leadership from the principal, schools will underperform and students will suffer. He discussed how the staff assigned to improve performance in the schools is selected.
- Dr. Larsen-Mitchell announced the retirement of the principals at Valley High School and Del Sol High School and presented a Microsoft PowerPoint presentation titled "Improving Persistently Underperforming Schools – Clark County School District: Building Effective Schools by Design, Not by Chance." She detailed the strategies that the CCSD uses for improving underperforming schools including: (1) leadership; (2) structures, functions, and processes of highly effective schools; and (3) curriculum and instruction. (Please see [Exhibit T.](#))

Continuing the presentation, Dr. Geihs and Dr. Larsen-Michell presented information regarding: (1) assessment; (2) school initiatives; (3) professional development; and (4) results.

Discussion ensued between Senator Hammond, Dr. Geihs, and Dr. Larsen-Mitchell regarding statistics that show improvements in persistently underperforming schools. Dr. Geihs responded that teachers who hold kids accountable for their own successes and provide constant encouragement are the most successful. Dr. Larsen-Mitchell commented that services and support given to students at priority schools are making a difference. Dr. Geihs opined the ownership of responsibility for meeting the graduation goal has to become the focus.

- Assemblyman Munford commented it is the state of mind of the students that fosters success. He agreed that teachers are the most important persons in the classroom.
- Lindsay Anderson, Director, Government Affairs, WCSD, provided a Microsoft PowerPoint document titled “Acceleration Zone: Strategy for our Persistently Underperforming Schools,” and presented a document titled, “Washoe County School District – 2013-2014 Acceleration Zone of Schools.” She commented that the WCSD has a similar program to the CCSD, and since the program has only been in existence for one year, there is not enough data to share. (Please see Exhibits U and U-1.)
- Mary Pierczynski, Ed.D., Legislative Representative, Nevada Association of School Superintendents, presented information on the 1- and 2-star schools in the rural districts. She noted what districts are doing to improve the ratings and provided information on the interventions that have occurred. Dr. Pierczynski outlined the policies, strategies, and challenges facing the rural districts. (Please see [Exhibit V.](#))
- Kathy Christie, previously identified, presented information other states use in their empowerment zones. She encouraged Nevada to keep working at school turnaround and opined the authority to implement improvements is the key to success. (Please see [Exhibit W.](#))

Reflecting back to the earlier agenda item on teacher evaluation, discussion ensued between Chair Woodhouse and Ms. Christie regarding how the assessment of teachers in non-academic subject areas is possible and how the districts can encourage teachers to adopt the improvement strategies set forth. Ms. Christie replied there are several states that have developed rubrics or portfolios, and use approved vendor assessments to measure improvement in non-academic subject areas. Chair Woodhouse inquired whether student surveys are an effective tool in assessing teacher performance. Ms. Christie advised that other states are using student and parent surveys to assess teacher and school performance. She cautioned that it should only be one part of the full assessment but noted it can be a valuable tool. Responding to Chair Woodhouse’s inquiry regarding time issues related to evaluations, Ms. Christie identified ways to reduce the time needed for teacher reviews including: (1) technology; (2) simplifying

the assessments, (3) staggering the reviews; and (4) screening information from student assessment data.

## **PUBLIC COMMENT**

- John Eppolito, previously identified, provided testimony opposing the CCSS and presented information regarding New York's teachers union requesting a delay in implementation. He identified benefactors of the CCSS and questioned the motives behind the standards. Mr. Eppolito noted his concerns with the CCSS and encouraged the LCE to re-evaluate these standards for Nevada's children. (Please see [Exhibit I.](#))
- The following documents were provided for the record:
  1. Written testimony provided by Karen Biske, Parent Led Reform. (Please see [Exhibit X.](#))
  2. A letter to the Assembly Committee on Education – Senate Committee on Education dated February 25, 2014 from Peter Hennessey, Ph.D., Carson City resident. (Please see [Exhibit Y.](#))
- The following document was referenced during public comment:
  1. The minutes of the December 12, 2013, SBE meeting. *Note:* The SBE did not meet in November and the minutes of January 30, 2014, are not yet available. (Please see [Exhibit Z.](#))
- Chair Woodhouse noted that the next Committee meeting is scheduled for Wednesday, March 26, 2014, at 9 a.m.



## **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 4:25 p.m.

Respectfully submitted,

---

Tarron L. Collins  
Senior Research Secretary

---

Todd M. Butterworth  
Senior Research Analyst

APPROVED BY:

---

Senator Joyce Woodhouse, Chair

Date: \_\_\_\_\_

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda,” provided by Todd M. Butterworth, Senior Research Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit B](#) is a packet of information regarding CCSS that includes a letter dated February 25, 2014, to the 2013-2014 Interim Legislative Committee on Education (LCE) from Jim Sallee, Clark County resident, that included:

- A DVD titled *Dangers and Threats to American Liberty and Education–Common Core*;
- An article titled “NEA Blasts Implementation of ‘Common Core’ Standards,” from *The New American* magazine’s website, dated February 20, 2014;
- A pamphlet titled *Common Core – A Scheme to Rewrite Education*, with a collection of articles from the August 19, 2013, issue of *The New American*.

[Exhibit C](#) is a letter regarding Common Core dated February 25, 2014, to Legislative Hearing from Niger Innis, Clark County resident, National Spokesperson for the Congress of Racial Equality.

[Exhibit D](#) is the prepared testimony of Christina Leventis, Clark County resident.

[Exhibit E](#) is the prepared testimony from Cindy McMurry, Moapa Valley resident, dated February 12, 2014.

[Exhibit E-1](#) is a document of discussion between the Community Education Advisory Board Task Force; State Board of Education (SBE); Chris Garvey, a Clark County School District (CCSD) Board of Trustees; and CCSD Administration.

[Exhibit F](#) is a letter dated February 25, 2014, to the LCE from Amy Bauck, Clark County resident.

[Exhibit G](#) is the written testimony dated February 25, 2014, of Bob Clifford, Nevadans for Local Control of Education and Churchill County resident.

[Exhibit H](#) is the prepared testimony of Steve Coe, Lyon County resident.

[Exhibit I](#) is a packet of information submitted by John Eppolito, President, Americans for Better Schools and Carson City resident.

[Exhibit J](#) is a letter dated February 25, 2014, to Nevada State Legislature, 2014 Interim Education Committee from Elissa Wahl, Vice Chair, Nevada Homeschool Network.

[Exhibit K](#) is the prepared testimony dated February 25, 2014, of Jim Falk, Chair, Nevadans for Local Control of Education and Churchill County resident.

[Exhibit L](#) is a packet of information presented by Carol B. Wright, Washoe County resident.

[Exhibit M](#) is a Microsoft PowerPoint presentation titled “NV 2012 SLDS Project,” provided by Glenn Meyer, Director, Technology and Innovative Programs, Nevada’s Department of Education (NDE).

[Exhibit N](#) is a Microsoft PowerPoint presentation titled “Safeguarding Data to Ensure Effective Data Use,” offered by Paige Kowalski, Director, State Policy and Advocacy, Data Quality Campaign (DQC).

[Exhibit N-1](#) is a folder of information submitted by Paige Kowalski, Director, State Policy and Advocacy, DQC.

[Exhibit O](#) is a Microsoft PowerPoint document titled “Implementation of Nevada’s Educator Performance Framework (NEPF) and the Validation Study of the Framework,” provided by Dena Durish, Director, Educator Effectiveness, NDE.

[Exhibit P](#) is a Microsoft PowerPoint presentation titled “Legislative Committee on Education - Teacher Incentive Fund Grants,” offered by Sabrina Pellett, Director, Professional Growth Systems, Washoe County School District (WCSD).

[Exhibit Q](#) is a packet of information submitted by Wayne L. Workman, Deputy Superintendent, Lyon County School District (LCSD) and Alan Reeder, Ed.D., Director, Human Resources, LCSD, that included: (1) LCSD implementation information; (2) Assessment Result Charts; (3) Marzano Evaluation Models.

[Exhibit R](#) is a document submitted in response to the LCE dated February 25, 2014, by Kathy Christie, Vice President, Knowledge/Information Management and Dissemination, Education Commission of the States (ECS), regarding teacher and administrator evaluation systems.

[Exhibit S](#) is a Microsoft PowerPoint presentation titled “Peer Assistance and Review – Washoe County School District – Teachers Helping Teachers to Improve Practice,” provided by Mike Paul, Peer Assistance and Review Coordinator, WCSD.

[Exhibit T](#) is a Microsoft PowerPoint presentation titled “Improving Persistently Underperforming Schools – Clark County School District: Building Effective Schools by Design, Not by Chance,” offered by Brenda Larsen-Mitchell, Ed.D., Executive Director, Curriculum and Instruction, CCSD.

[Exhibit U](#) is a Microsoft PowerPoint presentation dated February 25, 2014 and titled “Acceleration Zone: Strategy for our Persistently Underperforming Schools,” provided by Lindsay Anderson, Director, Government Affairs, WCSD.

[Exhibit U-1](#) is a document titled “Washoe County School District – 2013-2014 Acceleration Zone of Schools,” presented by Lindsay Anderson, Director, Government Affairs, WCSD.

[Exhibit V](#) is the prepared testimony of Mary Pierczynski, Ed.D., Legislative Representative, Nevada Association of School Superintendents, dated February 25, 2014.

[Exhibit W](#) is a document submitted in response to the LCE dated February 25, 2014, by Kathy Christie, Vice President, Knowledge/Information Management and Dissemination, ECS, regarding low performing schools.

[Exhibit X](#) is the written testimony dated February 25, 2014, of Karen Briske, Parent Led Reform.

[Exhibit Y](#) a letter dated February 25, 2014, to the Assembly Committee on Education – Senate Committee on Education from Peter Hennessey, Ph.D., Carson City resident.

[Exhibit Z](#) is the minutes of the State Board of Education and State Board for Career and Technical Education’s December 12, 2013, meeting as referenced by Gary Schmidt.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits and other materials distributed at the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at [www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.