

Clark County School District's Response to Assembly Bill 394

After extending the school construction program for the Clark County School District ("CCSD" or the "District") and providing for millions of dollars in targeted educational programs for CCSD, the State of Nevada enacted Assembly Bill 394 ("AB 394") to reorganize the District no later than the 2018-2019 school year. Many questions were raised and left unanswered upon the enacting of this law. For example, questions dealing with economies of scale, research supporting the concept, bonding capacity and sustainability, revenue structures and many more were answered with "we will address that later." Today is later.

With the uncertainty of the future of the District as a result of AB 394, the District faces many challenges in trying to continue to increase student achievement and to ensure our community that "all students progress in school and graduate prepared to succeed and contribute in a diverse global society." To address this uncertainty, the CCSD developed its response to AB 394. The CCSD's Response to AB 394 is provided below in Section IV. It is important to understand CCSD's Response in context of the requirements and considerations in AB 394, previous efforts to deconsolidate or reconfigure the CCSD and administrative reorganizations that CCSD has implemented since 2001. Sections I, II and III of CCSD's Response to AB 394 provide this context.

I. Clark County School District – Previous Legislative Deconsolidation and Reorganization Efforts

Understanding efforts underway to deconsolidate or reconfigure the CCSD require study of the major developments regarding deconsolidation and consolidation that have occurred in Nevada over the past 40 years. The initial efforts of the Nevada legislature to consolidate school districts in Nevada date back to the Peabody Report in 1956, which resulted in the Nevada legislature creating the present configuration of 17 school county school districts in Nevada. See NRS 386.

In addition to other legislative efforts regarding education in Nevada, since the mid-1970's, the Nevada legislature has had an interest in imposing greater accountability on school districts in Nevada. The efforts of the federal government signaled by the *Nation at Risk* report issued in 1983 reinforced Nevada lawmakers' interest in accountability. The Nevada legislature's initial efforts primarily took the form statewide reports and testing programs. This movement to impose legislative interest/control represented a departure from the provisions of NRS 385.005 (1), which makes clear that public education in Nevada is a matter of local control. Specifically, NRS 385.005 provides as follows:

NRS 385.005 Declaration of legislative intent; policies of integration or desegregation of public schools; recommendations to Legislature for equality of educational opportunity.

1. The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by local school districts. The provisions of this title are intended to reserve to the boards of trustees of local school districts within this state such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of law.

Despite the legislative reaffirmation in NRS 385.005 that public education in Nevada is “a matter for local control by local school districts,” the Nevada legislature passed Senate Concurrent Resolution 30 (“SCR 30”) in 1995. SCR 30 required the Legislative Commission to hire a consultant to study regarding the feasibility of reconfiguring school districts in Nevada.

The Legislative Commission contracted with Management Analysis and Planning Associates (“MAP”) to conduct the study. Dr. James W. Guthrie headed the MAP team. Other members of the team included individuals who were on the faculty of the University of California Berkley and Stanford and staff of the California Department of Education.

The Legislative Commission appointed a subcommittee of eight legislators to oversee the MAP study and assigned the Legislative Counsel Bureau staff to provide support to the subcommittee. The purpose of the subcommittee “was to review boundary issues involved with school districts statewide, examine alternatives, and ensure that the impact of proposals to realign district boundaries, if any, were analyzed properly.” Legislative Counsel Bureau Report (“LCB Report”) at 1. The subcommittee held eight meetings.

The MAP team’s work was in three phases – collecting data, analyzing and formulating alternatives and evaluating alternatives and presenting findings. As part of its work, the MAP team did site visits to school districts to identify issues for consideration by the legislative subcommittee and the full legislature.

MAP identified “five critical criteria” to be used to review school district boundary alternatives. See LCB Report at 61. These criteria were:

- Education Effectiveness – Relationship between organizational size and ability to provide appropriate curriculum choices and special education support.
- Racial and Ethnic Composition – The goal of promoting an integrated public school setting in which all students have equal access to an excellent education.
- Organizational Scale – The questions of optimum organization in size in terms of operating costs.
- Governmental Responsiveness and Community Interest – The drawing of boundaries that encourage identification, commitment, and participation in governance.
- Financing and Facilities – The Impact of redistricting on stable funding of the operation and construction of schools.

MAP presented its analysis and findings in a series of reports presented at the subcommittee's meetings. MAP presented a "final" report at the subcommittee's July 16, 1996 meeting and a "corrected copy" at the subcommittee's August 29, 1996 work session.

In its report, MAP made several general conclusions. See LCB Report at 60. One of the conclusions was that "Nevada's extremes of population sparsity, density, and rates of growth present intense challenges to any change in existing school district boundaries." There is nothing that has occurred over that 20 years since the MAP report was issued that would change this conclusion.

MAP also concluded that the Nevada Plan, which includes the "arrangements for generating and distributing school operating revenues . . . are among the most effective in the nation and act in concert with existing school district boundary arrangements to create conditions of remarkable interdistrict resource equity." The Nevada Plan is still in effect, and thus, this conclusion would still apply.

The MAP team developed and analyzed alternative school district boundaries for each of the school districts in Nevada. For Clark County, one of the alternatives developed by MAP was using municipal boundaries in Clark County to form school district boundaries. LCB Report at 166. In analyzing this scenario, MAP found that some of the proposed districts resulted in having boundaries that created large, sparsely-populated geographic areas, while others were landlocked. MAP concluded that, while creating a "community-cohesiveness dimension; but [the municipal boundary scenario] suffers from grossly unequal assessed value per pupil and creates heavily minority district(s) and "[a]s a standalone option, it seems to fail to adequately address the concerns raised about current district configuration."

Another alternative considered by MAP was to create school district boundaries using the seven trustee districts in effect in 1995. MAP found that this alternative "proved to be significantly unequal in assessed value per pupil, very different in terms of racial and ethnic population, and uneven in total student population." LCB Report at 168. As a result, MAP "conclude[d] that population patterns and location of property-wealth make it extremely difficult, if not impossible, to balance simultaneously assessed value and demographics in any reasonable number of smaller districts."

Still another scenario developed by MAP was to construct school districts that were "approximately equal in enrollment and where minority students did not exceed half of the student population." LCB Report at 172. According to MAP, "[t]he rationale for the racial criteria was that any official act that tended to isolate an identifiable ethnic group could be interpreted as de jure segregation." In developing this alternative, MAP's initial "goal was to create approximately 10 districts, each with 15 thousand to 20 thousand students" and "that were not extremely gerrymandered, that contained sufficient schools to house their populations, that were not divided by natural barriers, and had

student population comprised of at least 50 percent white students.” MAP concluded that “[w]hile minority students live throughout the county, there are a few areas of high concentration of African American and Hispanic students that make it all but impossible to create as many as 10 districts that are contiguous and reasonably compact.” Because of the issues created by trying to form 10 districts, MAP attempted to develop scenarios with fewer districts, but these alternatives had similar issues as the 10-district scenario.

As a result of its development and analysis of alternative school district boundaries for Clark County, MAP concluded that:

it was not possible to form school districts of optimum enrollment size while equalizing financing (property and scale taxes), without also creating districts with sizeable minority populations. Conversely when boundaries were drawn to avoid creating majority districts, great disparity in relative wealth were created within proposed districts. LCB Report at 18.

In addition, the MAP report states that:

Federal and state case law is replete with desegregation litigation. Some of these cases are specifically about district boundaries changes – instances of enhancing or inhibiting racial isolation. While no one can say with complete certainty what the legal ramifications of boundary change might be, there is sufficient precedent to assert with reasonable confidence that any redistricting that results in racial or ethnic segregation is likely to be subject to a legal challenge. LCB Report at 85.

II. Clark County School District – The Latest Legislation to Reorganize/Reconfigure the CCSD

The 2015 Nevada Legislature passed, and the Governor signed, AB 394, which, among other things, provides for a prescribed advisory committee, with the assistance of a technical advisory committee, to meet for the purpose of developing a plan and recommendations to reorganize or reconfigure the CCSD into local school precincts not later than the 2018-2019 school year. The legislation also provides for a consultant to be hired “to conduct a study to develop the plan and study the distribution of federal, state and local funds and the impact of the precincts on public school financing.”

AB 394 charges the advisory committee “with establishing benchmarks that must be met within the CCSD to ensure that the plan may be implemented not later than the 2018-19 school year. The legislation further provides that the “plan and study must be completed on or before January 2017.”

AB 394 requires the advisory committee to “[e]nsure equity in the reorganization of the Clark County School District with respect to the Nevada Plan” and to “take into consideration” a number of factors in the reorganization of CCSD. These factors include:

- (1) The contiguous boundaries of each proposed local school precinct.
- (2) The allocation, dedication and transfer of any revenue to a local school precinct that may be dedicated to capital projects and improvements for schools and school facilities, school programs, pupils or other costs directly incidental to the operation, management and administration of the local school precinct.
- (3) The authority to issue bonds or otherwise raise revenue.
- (4) The application for and receipt of any grant, gift or bequest.
- (5) The creation and administration of accounts to manage any money received by a local school precinct.
- (6) The transfer of any interest in real or personal property, including, without limitation, lease agreements.
- (7) Precinct planning and management, including, without limitation, financial planning for school programs, pupil funding and capital projects and improvements.
- (8) Administrative support, including, without limitation, accounting, data processing, payroll and purchasing agreements.
- (9) The liability of a local school precinct with respect to any duties and obligations of the Board of Trustees of the Clark County School District which will be assumed by the governing body of a precinct.
- (10) The civil and administrative liability of a local school precinct and its employees.
- (11) Interlocal agreements between a local school precinct and a state, county or regional planning authority.
- (12) Staffing, including, without limitation, the transfer, reassignment or hiring of personnel.
- (13) Employment contracts and collective bargaining.
- (14) Employee and pupil safety.
- (15) The maintenance of schools, school facilities and school grounds.
- (16) Transportation.
- (17) Interscholastic athletics and activities.
- (18) Curriculum.
- (19) The provision of services and education to pupils:
 - (a) Who have limited proficiency in the English language.
 - (b) Who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq.
 - (c) With disabilities.
- (20) The composition of the governing body for each local school precinct and the compensation, if any, of the members of a governing body.

III. Previous Administrative Reorganizations

A. Clark County School District – A Look Back

For decades, school districts, including CCSD, have done administrative reorganizations. The reasons given for administrative reorganizations often include increasing student achievement and providing a stronger voice for students, parents, teachers, administrators, support staff and the community.

Since 2001, CCSD has implemented three reorganizations that changed the overall structure of CCSD. The District developed and implemented the first of these reorganizations in 2001 when Carlos Garcia was superintendent. The 2001 reorganization divided the District into five Regions. The philosophy behind the Mr. Garcia's reorganization was that:

All students will be able to access, participate in, and benefit from a focused instructional program. Administrators will have the authority to plan, implement, and evaluate their instructional programs. Regional superintendents will be responsible for instructional and operations services to each school. K-12 regions will result in an improved curriculum transition from elementary to middle to high school.

Dr. Walt Rulffes developed and implemented the second reorganization in 2009. This changed the organization of the District from five Regions to four Area Service Centers. The philosophy behind this reorganization was as follows:

Area Service Center offices provide services to schools (administrators, teachers, support staff, students, and parents) and local school communities and serve as liaisons to central office departments and divisions as they work to ensure compliance with District, state, and federal procedures, regulations, and laws. Area Service Center offices broker resources, services, and support for schools as they fulfill expectations outlined in the Quality Assurance Framework in direct alignment to the educational needs of students being served.

In 2012, the District developed and implemented the third major reorganization under the leadership of then Superintendent Dwight Jones. This reorganization reduced the Area Service Centers from four to three and created 15 Performance Zones within the three Area Service Centers. The philosophy was that:

The Academic Managers would lead the Performance Zones within the areas of instruction and accountability, while the Associate Superintendent of the Area was responsible for all the operational support. The Academic Managers would be free from distractions to work directly with the principals of the schools to focus on increasing student achievement.

The driving force for the establishment of Performance Zones was to allow the Academic Managers to focus only on supervision of schools, instruction in the classroom and improvement of student achievement. The Academic Managers had operational concerns removed from their responsibilities in order to provide more time for them to support schools. In reality, it proved difficult for Academic Managers to ignore operational issues.

The purpose of each of the reorganizations was to increase student achievement and to allow for input on decisions to be given closer to the classroom. For each reorganization, the District developed and implemented plans for increasing student achievement. Each of these plans provided a roadmap to the changes outlined both in organization and focus. The District experienced various levels of success with each of these major structural and instructional changes and with each new superintendent, the look and feel of the District changed.

B. Clark County School District – Current

In June, 2013, the Board of Trustees appointed Pat Skorkowsky as superintendent. Superintendent Skorkowsky brought the history of working for five superintendents and under four reorganizations, all in CCSD. Based on this history and experience, Superintendent Skorkowsky determined to develop a slightly different approach than previous superintendents.

The new approach included areas identified by the community in the 33 community meetings held during the search for a new superintendent. In addition, the Board of Trustees weighed in on numerous occasions to provide direction for the approach. Superintendent Skorkowsky and his team compiled the information from the community and the direction from the Trustees into four Strategic Imperatives and seven Focus Areas. The Focus Areas are: proficiency; academic growth; achievement gaps; college and career readiness; value/return on investment; disproportionality; and family/community engagement and customer service. The Strategic Imperatives include:

- academic excellence – literacy across all subject areas from Pre-K through 12th grade;
- engagement – parent, student and employee engagement in learning;
- school support – focused support, preparation, training and resources for staff in schools; and
- clarity and focus – fiscal and data transparency, accountability and strategic oversight.

After receiving direction from the Trustees, the Superintendent and his team developed a Pledge of Achievement for the District, which was adopted by the Trustees in April of 2014. The Pledge of Achievement includes six goals and strategies to reach benchmarks of the six goals by 2018. The goals of the Pledge of Achievement are:

- increase Grade 3 proficiency rates in reading;

- reduce the overall achievement gap percentage points in elementary and middle school between the highest-performing and ethnic/racial subgroups;
- increase the percentage of students graduating each year;
- increase the percentage of parents reporting that they have been informed regarding their child's progress and that they feel welcome at school;
- increase the number of students who feel safe and happy at school; and
- increase the number of students completing Advanced Placement ("AP") and Career and Technical Education ("CTE") courses each year.

The District began implementing the Pledge of Achievement during the 2014-2015 school year. Significantly, in the first year of implementation of the Pledge of Achievement, the District had improvement on the indicators for which data are available. For example, the CCSD had increases in:

- graduation rates;
- percentages of parents reporting that they had been informed about the progress of their child and that they felt welcome at the school; and
- the number of students who felt safe and happy at school.

IV. CCSD Response to AB 394: Clark County School District – Future

The District has developed its Response to AB 394. The CCSD's Response is a plan for the future of CCSD with three important goals:

- improving achievement for all students in the District;
- ensuring that all students in the District have equitable access and opportunities to a high quality education without exception and without excuses; and
- moving communications and input from parents, the community, and employees regarding decisions closer to the school level.

The District's Response to AB 394:

- ensures, as required by AB 394, that there is "equity in the reorganization of the Clark County School District with respect to the Nevada Plan";
- takes into consideration the factors enumerated in AB 394;
- continues to require the District to meet laws regarding setting aside specific categorical funds for specific projects and programs;
- incorporates the CCSD Board of Trustees' Strategic Imperatives and the Pledge of Achievement;
- targets District resources toward improving student achievement for all students;
- includes an administrative structure that supports and encourages community, parental and staff involvement; and

- takes into account what research says about what administrative structures need to be in place in the District in order to improve student achievement for all students in the District and to provide equitable access and opportunities for all students in the District.

The District's Response addresses the requirement of AB 394 to take into consideration the structure and organization of the Clark County School District. In addition, during the 2015 Legislative Session, several categorically funded programs were identified and enacted. The Board of Trustees' Strategic Imperatives and the Pledge of Achievement directly aligned to many of the categorically funded programs. The District's Response includes the implementation of these programs, which are essential to the student achievement and the Governor's plan for a New Nevada.

The District's Response takes into account and builds upon the findings and recommendations of the MAP Report. See Attachment A. For example, the MAP Report stated that "what is needed [in CCSD] is a realignment of authority and accountability. The operating integrity of schools can be restored only by shifting authority to schools, holding them responsible for performance standards, and utilizing a central office to provide assistance, not to issues orders." The District's Response avoids the issues identified in the MAP study regarding breaking up the Clark County School District by drawing new school district boundaries.

The District's Response provides for restructuring of the District into smaller segments, while maintaining the existing boundaries and the legal status of the CCSD. The CCSD's Response is the best way to maintain the District's current bond rating. The District's bonding capacity is composed of multiple components – general obligation bonds, general obligation revenue bonds and medium term bonds that are secured from different sources, that include county-wide room tax, county real estate transfer tax, and the property tax. These county-wide revenues were described in detail when the bonds were sold and the buyers relied on these funds being collected from the entire county and used to repay the bond debt.

If the status of the District is changed, for example, into five or more smaller, separate entities or individual districts, it is unclear how that would affect both the outstanding bonds and the impact to the District's credit rating. If the District's credit rating is negatively affected, this would impair the ability to successfully sell bonds in the future and obtain a favorable interest rate.

For example, there are limits to the changes that the government can make to outstanding bonds. The U.S. and Nevada Constitutions prohibit the government from enacting any law that impairs an existing contract. The bondholders could conceivably resort to litigation to restore the changes made to the contracts they entered into when they bought the bonds.

Dividing the District into smaller districts could also impact prospective bond sales. The reorganization of the District will likely play into how credit rating agencies and investors value District bonds. Credit rating agencies assign credit ratings based not just off of credit quality but also based on financial operations, management and governance. Changes to any of these items

could impair the District's credit rating. This will make it difficult to market CCSD bonds and require complex disclosures. Any loss of confidence in the market that results in higher interest rates means that more of Nevada's tax money will be spent on interest payments instead of building schools.

For these and other reasons, a restructuring that leaves Clark County School District's ability to collect revenues and repay its bonds unchanged is the only certain way to maintain the District's high bond rating so that as much of taxpayer funds as possible are spent on school construction.

The District's Response has eight key components. These components include: Instructional Precincts; roles and responsibilities of the CCSD Board of Trustees; roles and responsibilities of the CCSD Superintendents; structure and administration of the Instructional Precincts; structures to facilitate communication and input; functions and services of the District and Instructional Precincts; fiscal support to Instructional Precincts and implementation. Each of these components are discussed below.

A. Instructional Precincts

The District's Response maintains CCSD as a county-wide district and creates a new administrative structure -- Instructional Precincts -- within the current boundaries of the CCSD. The new administrative structure avoids the issues discussed in the MAP Report of deconsolidation of the CCSD. The MAP Report concluded "that the population patterns and location of property wealth made it extremely difficult, if not impossible, to balance simultaneously assessed value and demographics in any reasonable number of smaller districts." See Attachment A.

The District's Response creates Instructional Precincts because the District has implemented the current administrative structure for three years, and based on that implementation, the District has determined that the structure has not accomplished its purposes. The District Response revises the current administrative structure and replaces it with seven Instructional Precincts to support the implementation of the Board of Trustees' Strategic Imperatives and the Pledge of Achievement and to ensure that all students have equitable access and opportunities.

In establishing the seven Instructional Precincts, the District used the boundaries for the seven election districts established by the Trustees in 2011. As required by NRS 386.165, using 2010 Census data, the Trustees approved seven election districts that were contiguous and that took into account the total population in each election district, including the racial/ethnic population in each election district and the number of English Language Learner students and students with disabilities in each election district. See Attachment B for boundaries for Trustee election districts and schools in each election district.

In establishing the seven election districts, the Trustees also reviewed the number of existing schools in each election district and the potential for new schools and for new development in

each election district. The election districts are appropriate boundaries for the seven Instructional Precincts. As the MAP Report cautioned:

Any possible reforms of school district organization and governmental arrangements, at a minimum, should give consideration to the risk of exacerbating existing racial and ethnic imbalances . . . While no can say with complete certainty what the legal ramifications of a boundary change might be, there is sufficient precedent to assert with reasonable confidence that any redistricting that results in racial or ethnic segregation is likely to be subject to a legal challenge. See Attachment A.

There is a wide variation in total student enrollment in the Instructional Precincts. There also are significant differences in the seven election districts regarding student demographic factors, such as race/ethnicity, eligibility for Free and Reduced Meals and for services for students with disabilities and for English Language Learners (“ELLs”).

For example, for the 2015-2016 school year, the K-12 student population in the CCSD is 318,592. The Trustee Districts range from 40,420 students in District A to 51,145 students in District D. See Attachment C. District A and District F have the highest potential for increased student growth.

For the 2015-2016 school year, the K-12 racial/ethnic composition of the student population in the District is approximately 10% African American, 47% Hispanic, 28% White, 7% Asian, 6% Multi-racial, 2% Pacific Islander and 1% Native American. See Attachment C. The percentage of students in each racial and ethnic group varies by Trustee District. For example, the Trustee District student enrollment ranges from approximately 53% White in District A to approximately 8% White in District D. For Hispanic students, the enrollment ranges from approximately 23% Hispanic in District A to approximately 78% Hispanic in District D. For African American students, the enrollment ranges from approximately 16% in District C to approximately 5% in District A.

For the 2015-2016 school year, approximately 55% of the students are eligible for Free and Reduced Meals, approximately 23% are eligible for English Language Learner (“ELL”) services and approximately 12 percent are eligible for special education services. See Attachment C. Like the other demographic factors, the number and percentage of students who are eligible for Free and Reduced Meals and for special education and ELL services also varies by Trustee District. For example, the percentage of students eligible for Free and Reduced Meals ranges from approximately 77% in District C to approximately 31% in District A. For ELL students, the percentages range from approximately 44% in District D to approximately 8% in District A. For special education students, the percentages range from approximately 13% in District C to 10% in District E.

The District designed the Instructional Precincts to provide the opportunity for communications

and input regarding decisions to be closer to the school level. This design allows for establishing and providing input for the priorities for the Instructional Precincts and for the District, in order to facilitate improvement in achievement for all students in the District, and to provide equitable access and opportunities for all students in the District. In addition, the facilitation of communications and input at the Instructional Precinct level will:

- address unique school communities;
- increase commitment for instructional programs;
- establish a more service-oriented philosophy; and
- provide more efficient and timely delivery of services and operations.

B. Role and Responsibilities of CCSD Board of Trustees

CCSD Board of Trustees operates under the provisions of NRS 386, et seq., and functions as a “political subdivision of the State of Nevada whose purpose is to administer the state system of public education in Clark County.” The Trustees of the District constitute a “board which is a body corporate” and have been given “reasonable and necessary powers” as required “to attain the ends for which public schools were established and to promote the welfare of school children.” See NRS 386.110 and NRS 386.350. The Board of Trustees has statutory authority to adopt policies and regulations governing the educational operation of schools; has the power to accept gifts of money and property on behalf of and for the school district; may divide public schools into different departments; may adopt attendance zones for schools; is required to maintain all schools for an equal length of time during the year with equal rights and privileges; and may require the administration of district-wide tests, examinations and assessments they deem necessary.

CCSD Board of Trustees also is required to manage and control school property within the District, as well as, maintain custody, safely keep, and insure all district buildings, furniture and school apparatus, under the provisions of NRS 393. All school property is held by the CCSD Board of Trustees as a corporation. See NRS 393.030. In addition, the CCSD Board of Trustees has the statutory authority to issue general obligation bonds; to establish a fund for capital projects and issue general obligations to construct new schools, enlarge, remodel, and repair existing schools; to acquire property for building schools and to pay expenses relating to the acquisition of school facilities; and to purchase motor vehicles and other equipment to transport pupils or furniture and equipment, as necessary. See NRS 350.020 and provisions of NRS 387.328 and .335.

The purpose of AB 394 is to reconfigure the structure of the Clark County School District. AB 394, however, does not specifically change any of the current provisions of NRS 386 that govern the operation and authority of the Board of Trustees of the Clark County School District. AB 394 also does not alter or repeal other related Nevada statutes that identify various duties and authority of the Board of Trustees. As a result, the District took into account Nevada law regarding the authority and roles and responsibilities of the CCSD Board of Trustees in

developing its Response to AB 394.

C. Role and Responsibilities of CCSD Superintendent

Under Nevada law, the CCSD Board of Trustees has the authority to employ a superintendent of schools, pursuant to NRS 391.100 and 391.110. Under this authority, the Board of Trustees may define the powers and fix the duties and salary of the superintendent. See NRS 391.110. Nevada law gives the superintendent authority to suspend, discipline, and dismiss licensed and non-licensed employees of the District. See NRS 391.305, et seq.

The Board of Trustees, through Policy Governance, has determined that the Superintendent's performance is identical to organizational performance. See Policy Governance B/SL-3. The Board of Trustees has instructed the Superintendent through written policies that prescribe the organizational Ends to be achieved and describe organizational situations and actions to be avoided and the Board has established a process for monitoring the Superintendent performance. See Policy Governance B/SL-4 and 5.

AB 394 does not change the statutory authority of the CCSD Board of Trustees to hire a superintendent or to define the duties of a superintendent. AB 394 also does not change the statutory authority of the Superintendent to suspend, discipline, and dismiss licensed and non-licensed employees of the District. As a result, under the District's Response, the CCSD Superintendent will continue to have the duties prescribed by the CCSD Board of Trustees, including the overall responsibility for the operation of the CCSD, and the statutory authority regarding suspending, disciplining and dismissing licensed and non-licensed employees of the District. In addition, as explained below, the CCSD Superintendent shall have responsibility for supervising and evaluating the Instructional Precinct Superintendents. The Superintendent also shall continue to have day-to-day responsibility for the Office of General Counsel, Office of the Chief of Staff, the Affirmative Action Office, the Internal Audit Department and the School Police and Security Department.

D. Structure/Administration of the Instructional Precincts

Another component of the District's Response is the structure/administration of the Instructional Precincts. Each Instructional Precinct will have an Instructional Precinct Superintendent. The District will provide each Instructional Precinct furnished office space, maintenance, and operational support.

The Instructional Precinct Superintendents will have responsibility for implementing instructional decisions and accountability for the academic success of the Instructional Precinct. In addition, the Instructional Precinct Superintendents will have responsibility for supervising the operations and academic programs in the schools in their Instructional Precincts and for evaluating the staff in the schools in their Instructional Precincts. The Instructional Precinct Superintendents also will have responsibility for developing and implementing the School

Improvement process, including the development of School Improvement Plans, in conjunction with the schools in their Instructional Precincts. The Instructional Precinct Superintendents shall submit the School Improvement Plans to the CCSD Superintendent for input and approval.

The CCSD Superintendent shall appoint or reassign each Instructional Superintendent and may recruit external candidates through a national search. Instructional Precinct Superintendent positions are at-will.

The CCSD Superintendent will supervise directly each Instructional Precinct Superintendent and will evaluate each Instructional Precinct Superintendent. The CCSD's Superintendent's evaluation will include assessing the Instructional Precinct Superintendent's performance in complying with CCSD policies and regulations, aligning decisions to CCSD's Strategic Imperatives and Focus Areas, and making progress toward achievement of benchmarks in the Pledge of Achievement. The required members of the Instructional Precinct Advisory Council will have input into the Instructional Precinct Superintendent's evaluation.

The CCSD Superintendent and his central office will provide timely and efficient services. As explained below, each Instructional Precinct may supplement or purchase services in addition to the services provided by the central office, subject to the District's non-negotiable functions. In addition, the central office and Instructional Precincts will ensure effective, continuous communication between the Instructional Precincts and the central office through regularly scheduled meetings and other communication methods.

E. Structures to Facilitate Communication

As explained below, the District's Response includes three structures to facilitate communication and input in each Instructional Precinct and in the District. These structures include Instructional Precinct Advisory Councils, Instructional Precinct Parent Advisory Groups and Instructional Precinct Administrative, Licensed and Support Staff Advisory Groups.

1. Instructional Precinct Advisory Councils

Each Instructional Precinct will have an Instructional Precinct Advisory Council. The purpose of each Instructional Precinct Advisory Council is to facilitate communication and input regarding decisions in each Instructional Precinct and in the CCSD. The Instructional Precinct Advisory Council's responsibilities will include providing input to the Instructional Precinct Superintendent for decisions impacting the Instructional Precinct and to the CCSD Superintendent regarding District-wide priorities and issues and the Instructional Precinct Superintendent's evaluation. The Instructional Precinct Superintendent will have authority to make decisions for those functions that are delegated to the Instructional Precinct.

The Instructional Precinct Advisory Council will follow the vision of the CCSD Trustees, all CCSD policies and regulations, the Board of Trustees' four Strategic Imperatives and seven

Focus Areas and the Pledge of Achievement. The Instructional Precinct Advisory Council may develop a mission and guiding principles, but any mission and guiding principles developed by the Instructional Precinct Advisory Council must be consistent with the vision of the CCSD Trustees, all CCSD policies and regulations, the four Strategic Imperatives and seven Focus Areas identified by the CCSD Trustees and the Pledge of Achievement.

Each Instructional Precinct Advisory Council will consist of the following members:

- Instructional Precinct Superintendent;
- CCSD Trustee who resides in the Instructional Precinct;
- County Commissioner within the Instructional Precinct;
- Elected Official(s) from the city entity/entities in Instructional Precinct, if applicable;
- Administrator representative;
- Licensed representative;
- Support Staff representative;
- Instructional Precinct Parent Advisory Council representative; and
- Community/Business Representative.

As explained below, each Instructional Precinct Parent Advisory Group will select its representative for the Instructional Precinct Advisory Council and each advisory group for administrative, licensed and support employees will select the representatives for the Instructional Precinct Advisory Council. The CCSD Superintendent – in consultation with each Instructional Precinct Superintendent -- will select the community/business representative from among applications submitted by potential community/business representatives.

The MAP Report endorsed the concept of such community-based citizen advisory councils as a way to provide parents and the community direct input into educational issues in a district and to improve responsiveness to parental and community concerns. See LCB Report at 37.

2. Instructional Precinct Parent Advisory Groups

The District will require that each Instructional Precinct establish an Instructional Precinct Parent Advisory Group. This is another tool for facilitating communication and input in the Instructional Precincts and in the District and is consistent with the concept of community-based advisory councils endorsed by the MAP Report.

Each Instructional Precinct Parent Advisory Group will consist of one representative from each school within the Instructional Precinct. If there is a Parent/Teacher Association, Parent/Teacher Organization, or Parent Advisory Committee at a school, that group will identify the representative to the Instructional Precinct Parent Advisory Group. If there is no organized school-based parent group in a school, the principal may select a parent to serve on the Instructional Precinct Parent Advisory Group. If there is no organized school-based parent group

in a school, the school must work toward the organization of a school-based advisory group.

Each Instructional Parent Advisory Group will conduct regularly-scheduled meetings. To ensure that the parent voice on the Advisory Council is determined by parents within an Instructional Precinct, members of the Instructional Precinct Parent Advisory Group will identify the required representative for the Instructional Precinct Advisory Council.

3. Instructional Precinct Administrator, Licensed and Support Staff Advisory Groups

The District also wants to ensure that administrators, licensed and support staff employees have a voice in each Instructional Precinct and the opportunity to provide input to the District. As a result, the Instructional Precinct Superintendent will establish three employee advisory groups in each Instructional Precinct -- an advisory group for administrative employees, an advisory group for licensed employees and an advisory group for support staff employees. Each group will consist of one representative from each school within the Instructional Precinct. The respective employee group at each school site will meet to select one representative to attend the Instructional Precinct meetings.

Each advisory group will conduct regularly-scheduled meetings. The members of each advisory group will identify the required representative for the Instructional Precinct Advisory Council. This will ensure that the employee voice on the each Instructional Advisory Council is determined by the employees for each employee group within each Instructional Precinct.

F. Functions and Services of the District and the Instructional Precincts

As outlined below, in order to provide support needed for each Instructional Precinct and to ensure that all students have equitable access and opportunities, the District will maintain certain functions and directives – non-negotiable functions and directives -- at the District or central level. The District will delegate other functions and services to the Instructional Precincts.

Board of Trustees' Strategic Imperatives and Pledge of Achievement. The implementation of the Board of Trustees' Strategic Imperatives and the Pledge of Achievement will continue to guide the District and District mandates. The District will hold all Instructional Precincts accountable for the Board of Trustees' Strategic Imperatives and the Pledge of Achievement. Each Instructional Precinct will have the flexibility to determine alignment with the Board of Trustees' Strategic Imperatives and for development and implementation of strategies to meet or exceed the benchmarks in the Pledge of Achievement.

Each year, the District will measure each Instructional Precinct's progress in meeting the Trustees' Strategic Imperatives and benchmarks in the Pledge of Achievement. At the District level, the District will compile basic quantitative data points and each Instructional Precinct will provide the District qualitative information aligned to the Pledge of Achievement. Annually, the

CCSD Superintendent will provide this data and information to the Trustees in a publically-noticed meeting. This approach to determining progress in implementing the Pledge of Achievement will result in limited and manageable reports and will ensure compliance with federal and state laws, District policies and regulations and state curriculum standards.

Curriculum and Instructional Support. The CCSD will maintain certain functions of the Instructional Design and Professional Learning Division that will remain central, but will delegate other functions to the Instructional Precincts and will allocate the funds to be utilized as identified in the needs assessment that will be conducted by the Instructional Precinct Superintendents. Centralized functions will include ensuring compliance with state standards and developing and aligning standards, curriculum and resources.

Student Assignment. Functions and services related to student assignment will remain centralized, including the development, implementation and monitoring of CCSD policies and regulations related to student assignment. Student assignment includes the drawing and redrawing of attendance boundaries and assigning students to schools based on attendance boundaries. Student assignment also includes the development and implementation of magnet schools and programs and CTEs and the assignment of students to magnet schools and programs and CTEs. Finally, student assignment includes implementation of CCSD Regulation 7111 in order to ensure equitable access to schools and appropriate utilization of seats in schools throughout the District.

The Zoning and Demographics Office will continue to be part of central office in order to provide support to the CCSD Superintendent in carrying out the centralized student assignment functions and services. The Attendance Zone Advisory Committee (“AZAC”) also will continue to provide recommendations to the CCSD Superintendent regarding the drawing and redrawing of attendance zones, and the Superintendent will continue to take into account AZAC recommendations in making recommendations regarding attendance zones to the Board of Trustees for adoption by the Board of Trustees.

Innovative Learning Environments, Magnet Schools, and Career Academies. The functions of the Innovative Learning Environments, magnet schools/programs, select schools and career academies will remain centralized functions. In order to support schools regarding District-wide efforts, there will be a realignment of the Innovative Learning Environments to include:

- the seven district-wide choice high school academies;
- the Magnet and Choice Schools Department; and
- the Nevada Learning Academy.

Services for Special Education Students. Federal law requires that districts ensure that students with disabilities are provided a free and appropriate education, and the central office will continue to have responsibility for ensuring that state and federal mandates are met. The

District will provide Instructional Precincts with compliance and monitoring support. In addition, to ensure the both compliance with federal law and state requirements and that best practices are implemented for students with disabilities, the District will provide each Instructional Precinct with an initial administrative position. A needs assessment to be conducted by each Instructional Precinct Superintendent will be used to assist in the determination regarding the utilization of funding for support positions.

The individualized education program (“IEP”) defines the required support necessary for each student. Centralized expertise and support will work collaboratively with the Instructional Precincts to ensure that the needs of students with disabilities are met. Implementation of inclusive practices and consideration of the least restrictive environment is a requirement throughout CCSD, however, should an IEP team determine that a more restrictive placement is necessary, the District will make every effort to provide a placement within the Instructional Precinct that is in close proximity to the student's home school when available. The District will continue to have Special School placement be determined through the IEP process. Decentralized allocations of funds will be made available for additional supports. Instructional Precincts will have access to compliance and monitoring support.

Services for English Language Learners. Under federal and state law, districts must take appropriate steps to identify ELLs so they can receive appropriate instruction and to provide appropriate instruction so that ELLs have access to the regular curriculum. The central office will maintain responsibility for ensuring that state and federal mandates for ELLs are met. The District’s English Language Learner Master Plan will serve as the basis for instruction, support and compliance for providing services for ELLs. Based on legal mandates and the ELL Master Plan, the District will provide each Instructional Precinct with resources that meet the needs specific to each Instructional Precinct. The District will use the needs assessment to be conducted by the Instructional Precinct Superintendent to assist in the determination of appropriate levels of support for the ELLs enrolled in the schools in each Precinct.

Technology and Information System Services. The Technology and Information System Services Division will remain in place to support District-wide efforts. The District will realign the Student Record Services Department into this Division to merge with the Infinite Campus Team.

Assessment, Accountability and Research. The District will realign the Assessment, Accountability and Research Division to support schools regarding District-wide efforts. This will include realigning the Assessment Department, Data Services, Accountability, and Research Division within the Deputy Superintendent of Results.

Educational Services Division. The District will reorganize some functions in the Education Services Division. A number of the functions of the Division will remain central, such as the prison programs, court continuation programs, some behavior school components and adult education programs.

Equity and Diversity Education Department. The Equity and Diversity Education Department will remain in place to support schools regarding District-wide efforts. The District will realign the Safe and Drug Free Schools Department into the Equity and Diversity Education Department.

Human Resources. Human Resources will continue to be a centralized function to support recruiting and hiring employees and providing for induction and onboarding of new employees. The District will continue to make decisions regarding employees in accordance with the law and applicable collective bargaining agreements. The Instructional Precincts will have responsibility for supporting District-level efforts in the induction and onboarding of new employees.

Legal Services. The Office of the General Counsel will continue to be centralized and will provide support and advice to the Instructional Precincts and schools. This advice and support shall include providing advice and representation on all legal matters of the District. For example, it shall include providing advice and counsel to staff and administration on a broad variety of issues faced by schools and the central office. It also shall include providing advice and representation in state and federal courts on alleged civil rights violations, workers' compensation claims and appeals, unemployment hearings, disputes before Nevada's Employee-Management Relations Board and administrative arbitrations with various labor organizations that represent District employees. In addition, the Office of the General Counsel will continue to address areas and functions included in AB 394, such as: civil and administrative liability of the District and the Instructional Precincts; interlocal agreements; staffing, such as transfer, reassignment or hiring; and employment contracts and collective bargaining.

Government and Community Relations. These functions will remain centralized and will provide support at the District level and to the Instructional Precincts.

Facilities. Facilities planning, capital improvement projects and implementation and funding for facilities will continue to be a central function. For example, the District will continue to determine the need for new schools and the sites for new schools. In addition, the District will continue to be responsible for determining for an existing school whether an addition is necessary or whether renovation is needed. Finally, it will continue to be the District's responsibility to determine whether to close or repurpose an existing school.

School Police. These functions will remain centralized and will provide support at the District level and to the Instructional Precincts.

Business and Finance, Maintenance, Transportation and Food Services. The functions regarding business and finance, maintenance, transportation and food services will remain centralized and will provide support at the District level and to the Instructional Precincts.

Office of CCSD Board of Trustees. The CCSD Board of Trustees will continue to have an office at the central office to carry out the roles and responsibilities of the CCSD Board, as required by Nevada law. Each of the Trustees will have an office and secretarial support in the Instructional Precinct in which he or she resides. The purpose for each Trustee to have an office in her or her Instructional Precinct is to foster communications with parents and the community. Even though an individual Trustee will have an office in his or her Instructional Precinct, this does not change the authority of the CCSD Board of Trustees to make decisions, to function as a “body corporate and political subdivision of the State,” and to carry out the statutory duties of the CCSD Board of Trustees, as required by Nevada law.

Other Functions and Services. The District will develop a list of other areas that will remain centralized and other areas that will become the responsibility of the Instructional Precincts. The additional areas that will remain centralized are those that will impact the entire District. The District will allow other functions to be determined by the CCSD Superintendent in consultation with the Instructional Precinct Superintendents and Instructional Precinct Advisory Council.

G. Fiscal Support to Instructional Precincts

The District’s Response will allow resources to be more specifically targeted to each individual school. The District will develop and refine “return on investment” models to ensure fiscally responsible decisions for CCSD and the Instructional Precincts. The District will implement the tenet of “the money follows the student” to align with the funding formula shift of the 2015 Legislative Session. This will ensure that the funds intended for special education students, English Language Learners, and free/reduced lunch students will follow the students to the schools in which they enroll.

1. General Budget Support

The District will provide each Instructional Precinct with a per pupil guaranteed level of support from the General Fund. Each Instructional Precinct will utilize this money to support the CCSD Trustees’ Strategic Imperatives, Focus Areas and the Pledge of Achievement.

2. Title I Support

The District will realign Title I services to support the Instructional Precincts. Only essential functions will remain centrally at the District level to support District-wide efforts. The central office support will include per pupil allocations, compliance, and monitoring/auditing. The District will allocate the remainder of the central office allocations to the Instructional Precincts. This includes allocating the funds utilized for Instructional Coaches to the Instructional Precincts, and as a result, the District will reassign the Instructional Coaches to the Instructional Precincts.

3. Title II Support

The District will realign Title II services to support the Instructional Precincts. Only essential functions will remain centrally at the District level to support schools regarding District-wide efforts.

4. State Categorical Fund Support

Certain state laws require the District to set aside specific funds for specific projects. These categorical funds have a specific use and may not be utilized in areas outside the identified need. These funds will either flow directly to the population or to the school for which they are intended. For example, the District will provide Victory School funds directly to the school with oversight provided by the Instructional Precinct and at the District level. Central office will verify that the funds are used as required, but the District will not make decisions on how the funds are to be utilized. Zoom Schools are categorical funds that are identified for specific populations within schools and Instructional Precincts. The use of these funds in the schools is prescribed by law and therefore, must be utilized as such. Zoom School funds will receive oversight by the Instructional Precincts as well as CCSD.

H. Implementation

The District will implement its Response to AB 394 for the 2016-2017 school year. In order to implement the Response in the 2016-2017 school year, the District has developed a three-phase implementation plan that it will begin implementing in October of 2015. For example:

- Phase I will occur between October 2015 and December 2015 and will include the appointment/reassignment of Instructional Superintendents by the CCSD Superintendent, creation of Instructional Precinct Superintendents and implementation of the needs assessment for each Instructional Precinct;
- Phase 2 will take place between December 2015 and February 2016 and will include appointment/reassignment of key staff for each Instructional Precinct, development of plans for Instructional Precincts based on needs assessments; and
- Phase 3 will be implemented between February 2016 and August 2016 and will include development and implementation of operational plans for each Instructional Precinct and for the central office.

Summary

The overarching goals of the District's Response are to increase student achievement and to allow for communications and input into decisions closer to the schools and families. The District's Response provides Instructional Precincts the freedom and the support to develop and implement strategies and plans that will impact their schools and classrooms, based on identified needs. The CCSD Superintendent will hold the Instructional Precinct Superintendents accountable for implementing the Board of Trustees' Strategic Imperatives, the Seven Focus Areas, the Pledge of Achievement and for complying with District policies and regulations and with state and federal law.

Attachment A

*Reconfiguring the Structure
of School Districts*



*Legislative Counsel
Bureau*

*Bulletin No.
97-4*

January 1997

CLARK COUNTY SCHOOL DISTRICT

Statistics

County Population⁵²

1996 1,013,960

2000 1,177,190

School District Enrollment

1996 166,788

2000 229,672⁵³

Ethnicity of Students⁵⁴

	<u>1994</u>	<u>1983</u>
White	65.1%	75.5%
Black	13.8%	15.4%
Hispanic	15.6%	5.7%
Asian/P.I.	4.7%	2.9%
American Indian	0.8%	0.5%

Schools

High	24
Middle	27
Elementary	127
Alternative and special education	6

Licensed Employees (full time equivalent) 9,399.1

Student Achievement⁵⁵(Grade 4 percentile scores)

	Reading	Math	Language
State Average	51	53	57
Clark	53	54	58

Student Achievement(Secondary)

	Gr. 8 Read	Gr.8 Math	ACT	SAT V	SAT M
State Average	58	56	21.2	429	484
Clark	55	61	21.0	432	494

Drop Out Rate

State Average	9.6%
Clark	10.8%

⁵² Nevada State Demographer, Nevada Population Information, June 1994: Medium estimates

⁵³ Clark County School District, Enrollment and Projection Data, December 18, 1995. Represents district's estimate of most likely enrollment. The district's low estimate was 220,763 and high was 238,861.

⁵⁴ Nevada Department of Administration, "Nevada Statistical Abstract 1994 Edition".

⁵⁵ Smith, David L. Analysis of Nevada School Accountability System School Year 1993-94, January 1996.

Sources of funding ⁵⁶		
Local	69.5%	
State	30.1%	
Federal/other	0.3%	
Wealth and debt ⁵⁷		
Assessed Valuation per student		\$113,367
Net Proceeds of mines per student		\$41
Total Outstanding Debt		\$827,140,900
Debt per student		\$4,959
Unused Debt Capacity		\$1,674,333,714
Tax rates ⁵⁸		
Debt and/or pay-as-you-go	0.4435	
Combined school taxes	1.1935	
Highest rate in county	3.2329	

Fueled by gaming and entertainment, Clark County is by far the largest and, in absolute numbers, the fastest-growing county in Nevada. While the general perception of many outsiders may be that Las Vegas is all of Clark County, there are, in reality, medium-sized cities such as Henderson (95,000), and North Las Vegas (61,000), smaller cities such as Boulder City (13,500) and Laughlin (7,500), and rural areas such as Moapa, Searchlight, and Goodsprings. Still with a population of approximately 700,000 and the majority of the casinos and hotels, Las Vegas sets the agenda for Clark County. Approximately 57 percent of the county population resides in the cities of Las Vegas, North Las Vegas, Henderson, Boulder City, and Mesquite. The remaining 43 percent live in the unincorporated County.

In the 1980's, 35,000 hotel rooms were constructed in Clark County and as many as 40,000 more may open during the remainder of the 1990s. Mirage Resorts, Inc. and MGM Grand, Inc. are scheduled to open 3000 room and 2119 room hotel/casinos this year. Bally Grand, Inc.'s Paris Casino Resort is scheduled to open in 1997. Tourists keep coming; in 1994 more than 28,200,000 people visited Clark County.⁵⁹ With the added hotel rooms needed to accommodate these visitors come jobs, and with jobs come children to be educated.

⁵⁶ Deloitte & Touche LLP, Clark County School District Financial Report, June 30, 1995

⁵⁶ Thunder, D., Clark County School District Financial Report, June 30, 1995

⁵⁷ Thunder, D., Nevada Department of Education, Preliminary report based on district survey, April 16, 1996.

⁵⁸ Ibid.

⁵⁹ Clark County School District, Comprehensive Annual Financial Report, June 30, 1995.

Notwithstanding any dramatic changes in the County economy, Clark's population will grow another 100,000 to 150,000 or more in the next four years. Addressing this unprecedented growth seems to dominate the attention of educators, parents, and other citizens concerned about the public schools. In 1992, 136,188 students attended school in Clark County. Only three years later, that number had swelled to 166,788. Continued growth is projected well into the next decade.

Finding ways to house and teach 10,000 additional children each year presents a formidable challenge. In an effort to cope with the rapid growth in enrollment, many of the District's schools are on year-round schedules. Since 1986—87 the District has built and opened 66 new schools. Staffing District classrooms, and hiring approximately 1,000 new teachers each year, requires an extensive national recruiting effort. Facilities are an issue as well. Based on a somewhat limited tour of Clark County schools, MAP observed significant disparity between the quality of facilities in many of the older areas and the schools being built in the newer communities.

The genesis of this study and the central question which frames MAP's analysis is whether the current configuration of the Clark County School District is the most effective to address the twin challenges of growth and size and still provide a high-quality education for all of its students. Would some number of smaller districts be better able to adapt and accommodate growth? Are there economic, equity, or pedagogical advantages of a large district that outweigh any real or perceived increases in responsiveness or representation attributable to smaller districts? Will the balance tip in another direction if Clark County School District grows, as projected, to 320,000 students in 2005⁶⁰? Are there ways to construct new district boundaries that will not isolate or otherwise disadvantage one or more groups of students or taxpayers? Are there alternatives to changing district boundaries that address the concerns of critics of the current organization?

MAP encountered several individuals and groups who passionately argued for dividing the school district into some number of smaller units. They voiced concern about a central office bureaucracy preoccupied with standardization and control. Many complained about overcrowded schools, ever-changing bus schedules, and inadequate attention to academic excellence. Copious examples of each were presented. But underlying almost every complaint was a concern that ordinary parents, concerned primarily about their own children, do not count for much; that their voices just are not heard. Anecdotes frequently referred to "one size that does not fit all" and not-always-flattering comparisons of the school district to the Postal Service. For these citizens, too many decisions affecting them and their

⁶⁰ Clark County School District, Enrollment and Projected Data, Op Cit.

children are made distantly, in a manner difficult for them to fathom. The issue for this segment of the population boils down to self-determination—the ability locally to influence educational programs and policies.

Equally fervent were those who oppose changing the current school district organization. They argue that only a district of substantial size can accommodate the incredible growth and diversity of Las Vegas in a way that provides equity among the many disparate citizens. Serious reservations were expressed about creating a number of smaller districts which would further isolate particular groups, exacerbate existing inequalities in school facilities and instructional resources, and lead to severe inequities in fiscal resources, especially in generating capital outlay funds necessary to accommodate growth. Employees expressed grave concern about the effect of their rights on dividing the District. Advocates for special education programs expressed alarm that their programs, which draw upon a large cross-section of the County, would be placed in jeopardy. Finally, opponents of change asserted that breaking into a large number of smaller units inevitably would increase the cost of doing business by duplicating existing administrative functions, thus siphoning money away from the instructional program.

To be sure, proponents and opponents of District breakup argue both from philosophical and self-interested perspectives. Proponents of District division hold to the view that small is better—more accessible, responsive, and efficient—and, within reason, they are willing to pay for what they perceive to be the advantage. Their interest is in securing for their children a more tailor-made education.

Opponents of District-division argue from the vantage point of historical struggles to achieve a kind of broad-based educational equity. Additionally, for a significant segment of opponents, self-interest in preserving a larger base from which to yield influence is key.

As the Legislature grapples with these competing points of view, it is important to underscore that the Legislature (and the Governor) are uniquely empowered to tailor a response. Many of the important issues which have been raised can be resolved by the manner in which change, including reorganization, takes place. Parental concerns about enhancing involvement in school site decision-making can be addressed by a wide variety of options, which we discuss in subsequent sections. Employees' concerns about their status can be resolved statutorily. Special education programs can continue to operate on a county wide basis through interdistrict attendance agreements, even if the existing district is split into multiple subparts. School operating revenues can be equalized throughout a county to ensure that wealth-based inequities do not creep back into the system. The state can assist in equalizing districts' abilities to raise capital outlay funds, a suggestion MAP pursues

elsewhere. In sum, there are many techniques available to the Legislature to fairly implement whichever policy priorities gain precedence.

In the section that follows and elsewhere, MAP describes a number of options that Nevada policy-makers could consider to address many of the concerns raised about the Clark County School District. These include more empowerment of local communities through greater representation on the governing board, establishing charter schools, encouraging school-based management, or creating some number of new school districts from the existing single district. We invite the Legislature to mix and match these policy tools to create the combination of laws and regulations that are most consistent with the unique culture and environment of Nevada and, more specifically, Clark County.

Assuming that the Legislature decides to change from the status quo, its next major decision should regard the relative balance of state and local control over the various procedures and policies they choose to employ. For example, at one extreme it could mandate school site management, the timetable for implementing it and the amount and nature of assistance to be provided local schools as they assumed more autonomy. Alternatively, it could authorize creation of the policies and procedures described below, and then provide incentives for the central office to devolve currently centralized authority to individual schools. Similarly, the Legislature could exercise its constitutional authority to create smaller school districts along lines that it chooses, or it could adopt laws that specify the conditions under which local communities could initiate boundary changes. The latter approach would afford communities which would rather not remain part of the larger district an opportunity to create their own school district, if they met certain conditions specified in law. Those that are not dissatisfied could endorse the status quo and remain in the larger district.

Finally, it is essential to keep in mind that none of these options operates in a vacuum. Most of them require supportive or enabling legislation if they are to become viable. School-based management is unlikely to become a reality without the enhanced assessment, reporting, accounting and other changes described below. The promise of charter schools is unlikely to be realized if they face unreasonable barriers to formation and excessive bureaucratic constraints on operation. The prospects for forming smaller districts in Clark County are almost nil without some manner of county-wide equalization of operating revenues and state wide equalization of funding for capital outlay.

Options

The advantages and disadvantages of the current school district are well known and opinions well formed. Change is fraught with uncertainty and

significant change will exact a financial and psychological toll. For some the status quo is so intolerable or the potential improvement so great that, change is worth the risk and cost. Whether to change is a political decision. The discussion that follows will provide some insight into the implications of various alternatives to the status quo. The options are organized into two categories. Options that do not involve any alteration to district boundaries are followed by analyses of possible boundary reconfigurations.

One strategy that early reports from other states indicate offers significant promise is charter schools. These are discussed elsewhere in this report (see Chapter 5) and could be employed in conjunction with any of the options, including being a variant of the status quo. The two remaining options for consideration are changing the way in which the District is managed and increasing the number of trustees.

Management System Alterations

Critics of the existing Clark County school district performance sometimes attribute to boundary circumstances operating weaknesses that might more probably flow from management matters, or at least which quite possibly could be addressed effectively with management changes rather than boundary changes.

For example, Clark County currently depends heavily on a central office "command and control" model. Budgeting, personnel, recruitment, utility and maintenance matters, substitute teachers, supply and equipment purchasing and distribution, transportation, and school facility planning are among the functions planned and controlled from the District's central office. Principals and teachers have little knowledge of, and less discretion over, the overwhelming proportion of resources spent to operate their schools.

This highly centralized management approach flies in the face of progressive private sector management techniques and is even at odds with what are conventionally regarded as centralized agencies such as the U.S. military.

However, before becoming too critical of this existing operating model, one must take results into account. Clark County is the nation's tenth-largest school district. If one had to select randomly among attending any one of Clark County's public schools or a modal school in New York City, Chicago, Miami, Buffalo, and so on for a large number of the other heavily urban districts in the nation, one might well select Clark County. Whereas dropout rates are high and student achievement has too many valleys and too few peaks, the District has nevertheless managed, in the face of virtually unparalleled growth, to recruit an able teacher work force, select a large number of dynamic principals, and maintain a tone of civility and orderliness which should not be underrated.

In effect, the existing management model has enabled Clark County to cope with substantial change and has maintained certain standards in the process. The difficulty, claim critics, is that however good the District has been, it is no longer good enough. The 21st century will call for higher levels of learning for many students, and Clark County schools will need to overcome a culture of complacency and mount a major effort for excellence. If that is to be done, then an alternative management model may be necessary.

What is the Problem?

A "command and control" management model can sustain the status quo. However, it is severely challenged to achieve excellence because of a crucial disjuncture in authority and accountability that it imposes. Currently in Clark County, accountability for performance is concentrated in the school board and Superintendent. If there is dissatisfaction with the District, if performance is low or if malfeasance is seen to be high, these eight individuals can be replaced with relative ease. The Superintendent can be fired or his contract bought out, and school board members can be opposed at the polls and unelected. In this sense these individuals are all accountable to the general public.

However, these accountable individuals are the furthest removed from the day-to-day operation of schools. Whereas the school board and superintendent are empowered, they are not positioned. Those who are appropriately positioned, principals and teachers, are seldom empowered. They are placed in the awkward position of operating schools and classrooms with only minimal formal authority. To hold them accountable for results under these arrangements would not be fair.

Thus, what is needed is a realignment of authority and accountability. The operating integrity of schools can be restored only by shifting authority to schools, holding them responsible for performance standards, and utilizing a central office to provide assistance, not to issue orders.

Such a site-based system would budget around schools, would keep its accounts school-by-school, would empower principals and teachers, and possibly parents, to make decisions regarding budget and resource allocation matters such as use of substitute teachers, textbook selection, utility use, staff development, and tradeoffs regarding class size and special program provisions.

These school-based management arrangements would need to occur within a context of state, or county, performance appraisal. Each individual school would have to be held accountable by, among other measures, the student performance standards agreed to by the district and the state. If an individual

school, in some sustained manner, failed to meet threshold performance expectations, then the district would be expected to initiate remedial action of an appropriate nature.

Such a site-based system might still need to engage in district-wide activities for functions such as facility planning and providing special education services. However, activities such as maintenance and repair, custodial services, food service, and possibly even transportation could be purchased from the central office by schools, if they chose to. Or, they might be given an option to purchase such service from providers other than the central office. In effect, such a model renders much of the central office a service agency whose offerings are available to schools to purchase, if they deem them valuable. Under such a site-based system, schools are empowered as customers for central office services.

Alterations such as the above described would require little or no approval from the state and would not necessarily require that school district boundaries be altered. In fact, if Clark County were divided into multiple smaller districts, deconsolidated into, for example, four or eight districts, each of the resulting organizations would almost assuredly need management changes of the kind described above, even if they were smaller than what now exists.

Possible State-Level Enabling Actions

If the state in its wisdom chooses consciously to alter the Clark County management strategy, or the management strategy for any other Nevada county, there are several policy levers that can be pulled from the state level. These levers would by no means guarantee the success of a school-based management approach. However, they would take large strides toward ensuring that the district actually attempted the new strategy. State action to induce school based management should be constructed around three principal activities or conditions: (1) Autonomy, (2) Accountability, and (3) Assistance.

- *Revenue Pass Through Provisions*

The state could mandate that the Clark County School District, or all school districts, for that matter, pass some minimum threshold (e.g., 90 percent) of all school district revenues to individual school sites based upon a formula basis. The formula would ensure that each similarly situated student be treated equally regarding financing, much as is done for school districts under the current Nevada Plan.

- *School-By-School Accounting Provision*

The state could mandate that school districts keep records of spending school-by-individual-school. It is essential that these records be maintained and reported consistent with uniform format and procedures.

- *Annual School-by-School Performance Reports*

The state could mandate publication annually of performance reports in which each school described, in language understandable to lay persons, its individual performance on dimensions such as statewide student achievement tests, drop-out rates, levels of parent satisfaction, teacher qualifications and grievance levels, and, where appropriate, numbers of households choosing to apply for admission to the school. The major differences between the kinds of reports which commonly exist and these is that the school would report its performance relative to specific standards and would be held accountable for producing specified outcomes.

Precision and reliability of these reports could be enhanced if each student were uniquely identified (e.g., social security number) regardless of school or school district of attendance. This would allow much more accurate measurement of achievement over time, drop-out rates and similar measures of school performance.

- *Site Accountability in the Context of State Testing*

Clark County, or other school districts implementing school-based management, would be expected to adhere scrupulously to any Nevada statewide testing program. Even without moves toward more decentralization, schools should be required to test some minimum portion (e.g., 95%) of the eligible student population. Exceptions for language proficiency or some special education students should be minimal and should be clearly delineated for all schools statewide. Otherwise, aggregated scores tend to be inflated and valid comparisons among schools (or school districts) are difficult to make.

Assessment experts refer to the acronym WYTIWYG, which stands for "What You Test Is What You Get." By this they mean that high stakes testing tends to shape the curriculum. Narrowly constructed assessments tend to narrow the focus of instruction. Test only reading and writing and in many schools mathematics, science, history and art will get short shrift. All things being equal, one would want to test the complete breadth and depth of a high quality curriculum. This would provide an incentive for schools to offer a full and rich instructional program for all students. Of

course not all things are equal, and in the real world there are cost-quality trade-offs. In the extreme, such assessments would be prohibitively costly to develop and administer and could take too much time from instruction. At the other extreme, inexpensive tests may have a deleterious effect on instruction. Unfortunately, this tension is rarely fully resolved. However, if schools are to be held more accountable for student achievement, it is essential that the Legislature make conscious choices between these trade-offs and pitch their expectations accordingly.

- *Value-Added Testing*

In time, where possible, such performance measurement should be “value added.” It should endeavor to discern what a student knew at the beginning of an assessment period and what a particular grade or school added by way of learning value. On its face, this is a straightforward and appealing concept. One would test a student at the beginning of the term and again at the end. The differences between the scores would represent the “value added.” In practice, it is quite complex to isolate how much the school influenced the change in score and how much of it was caused by other factors over which the school has little control. How much was a student’s score influenced by parental tutoring, or other family resources, or family problems, or a chronic illness? These problems become particularly acute when schools or teachers are being evaluated or compared on the basis of the value they add. Some states are piloting value added assessment; but it is likely that it will be some time before procedures that are fully accepted by professional psychometricians are developed.

- *Public School Parent Choice Provision*

The Legislature could authorize households to select among public schools, regardless of residence. The State should institute safeguards to prohibit racial segregation or discrimination against special education students. It could also consider provisions to minimize or avoid “skimming” the best athletes or scholars. These provisions should be as minimal as feasible in order to preserve the benefits of choice and competition. Over specification of such rules would tend to obviate the advantages of choice.

- *School-Based Purchasing Power*

The Legislature could authorize individual public schools to purchase supplies and services from competitive vendors. This would change the relationship between the school and the central administration and

provide incentives for the central administration to be more cost effective and service-oriented.

- *Provisions to ensure Parent Access to information*

Parents often have a substantial interest in their child's well being. However, this does not always translate into knowledge about the most efficacious means for achieving desired educational ends. In a nutshell, not all households are well informed and equally prepared to take advantage of the opportunity of choosing a school for their child. Hence, legislation intended to further household choice of public schooling, and render school-based management more successful, must contemplate a mechanism for ensuring that parents have adequate and equal access to information.

- *Parent and Community Participation*

Provisions should be made to ensure that parents and other community members are afforded an opportunity to participate in important decisions at the school. The perspectives of these groups are essential to making decisions that result in educational programs that are most responsive to the needs and aspirations of the students served by the school and their parents. They are important sources of advice and feedback on past or proposed actions. Such participation is essential to making sound decisions and maintaining good community relations, and it is hard to imagine a principal succeeding for long without regularly consulting these groups. However, parents and community representatives are not held accountable for results; the principal and other educators at the school are. Therefore, the role of parents and community groups in school-based decision-making is appropriately advisory.

While many successful principals will find *ad hoc* mechanisms for obtaining advice, more formal arrangements, with clearly delineated roles, may be more effective and may avoid the conflict that inevitably accompanies ill defined decision making relationships. There are numerous models for the composition and methods of selecting membership. The advisory body could be comprised solely of parents, or it could be comprised of some mix of parents, community representatives, and educators. Members could be appointed by the governing board, principal, teachers' union, some other entity, or members could be appointed by the groups they represent. They could be elected by parents, faculty, or community at large.

More important than the particular model chosen is the specificity of the range and limits of issues on which this entity is expected to provide advice and the forum in which it is provided. Do they advise on the

annual budget, staffing decisions, curriculum, class schedules, test book selection, discipline standards, grading policies? Or are there some decisions about which they will not be consulted? Is consultation only informal meetings with the principal? Or is it a more formal, more public process with "hearings" and formal reports? Or is it some combination?

One model could be prescribed for the state or the district, or the Legislature could provide a limited menu from which schools could choose. The range of choices is quite large and no single model stands out as being without problems. Ultimately, the choices narrow to those that are most comfortable to the citizens of Nevada; but advance, careful specification of roles, procedures, and expectations will help minimize acrimonious disputes when local educators initiate the process.

- *Assistance to Schools*

Principals and teachers are sometimes anxious regarding school-based management because of a long history of dependence upon a central office for decision-making. New-found school-level empowerment may itself be frustrating in the absence of assistance in learning to manage a school. Hence, legislation intended to further school-based management should anticipate a mechanism, perhaps centrally provided, by which principals, teachers, and parents can gain assistance in making such a transition.

- *Sanctions*

More autonomy will not guarantee that all schools will improve. Indeed poor decisions are no less likely locally than centrally; although the impact tends to be more contained and the corrections more dictated by local context. Implicit in the structure outlined above is that schools are accountable for results and that there are consequences if they cannot or will not deliver those results.

One approach to consider could be based a series of steps of progressively more aggressive interventions. The first step could occur if the school failed to meet certain standards within some specified period, say two years. At that time, the district would offer various forms of assistance appropriate to the context. If the school demonstrated no improvement the next year, the district could mandate indicated corrective action. If this did not produce satisfactory results, the district could take more extreme measures, such as replacing some or all personnel. If the district were unable or unwilling to change the performance of a persistently failing school, the State could, as a last resort, declare the school (or the entire district) "educationally bankrupt" and appoint a trustee or take some similar action until the program began to meet the state-established

standards. Specification of the exact nature of these provisions are beyond the scope of this study, but several states have adopted similar laws and could serve as models for Nevada to consider.

The purpose of these illustrative statutory changes is to alter the locus of school decision making and render it far more responsive to client preferences. However, the illustrative actions attempt to achieve such purposes in a manner which preserves economies of operational scale and protects the broader interests of the state. Such powerful alterations are unlikely to succeed solely via state legislative fiat. The transformation is most likely to succeed if incentives orient a school system toward gaining and sustaining client satisfaction. Those who are best informed and most likely to have the clients' interests at heart should have control of the resources. While this is true, one continues to need a measure of state and district participation and oversight in order to protect the interests of the larger public.

While this discussion of school-based management is offered in the context of concerns about Clark County, the basic premise would be valid in any district in which there is considerable organizational or even geographic distance between the central office and parents and students, the schools' clients.

Expanding the Number of School Board Members

A second option that does not contemplate boundary changes and that may address the feeling of alienation expressed by some residents of Clark County School District is increasing the size of the governing board. Those who are critical of the governmental responsiveness of Clark County contend that there are two related problems. First, there is a shortfall of representativeness. Clark County's populace has far greater access to state government, and state-elected officials, than it does to school officials. Critics point to the fact that there are 13 state Senators and 26 members of the Assembly representing Clark County. This is a total of 39 elected positions for a million constituents. By contrast, there are only seven Clark County school board members, each one of whom by the same arithmetic must represent almost 150,000 citizens.

A second critical contention is that the current system of election by ward or district may facilitate added representation from historically underrepresented minority groups. However, they assert, there is a "cost." District elections encourage a kind of parochialism by which each school board member may be encouraged to speak for his or her immediate constituents first and the welfare of the entire school district second. Such a political dynamic, arguably, fuels a brokering, rather than an administrative, role for the Superintendent and contributes to a "Christmas tree" mentality

by which the board builds a voting majority by accreting something favorable to each ward.

Numeric parity with state elected officials seems unreasonable in the instance of school board members, who, after all, meet throughout the year every year and who, presumably, represent students and their parents somewhat more than citizens in general. Nevertheless, a case for a larger school board can be made. For example, expanding the board to a total of 11 or 13 positions, all additional positions of which were elected at-large, might both expand responsiveness and overcome the criticism of parochialism.

Analytic Methods

When considering the analyses that follow, it is important for the reader to keep in mind certain limitations on the data used. The analyses were conducted using data from three sources—school district student data files, census data files and Clark County Assessor property files. The school district data and assessor data are current. The census data are from the 1990 census. Subsequent to the previous report, school trustee area boundaries were provided and the MAP consultant intersected these with the census block group polygons. This new set of polygons allowed a more precise definition of both the Trustee Area Model and the Metropolitan based plans. The MAP consultant, with the cooperation and assistance of the School District, was able to reconstruct the student database to account for virtually all students. Current Assessor parcel data and the reconstructed student data were intersected with the new polygon base.

The maps used in the analyses were constructed by merging the three data bases into a single database organized by census block groups within trustee area boundaries. Census block groups are clusters of blocks, within the same census tract, having the same first digit of their three digit block number. While this convention was necessary and useful for some analyses, it does introduce a level of imprecision. Census block groups vary in geographic size, more or less by the amount of population they contain. Typically, a census block group in an urban area with dense population will cover a much smaller geographic area than will a census tract in a more sparsely populated rural area. In fact, the vast majority of census block groups in Clark County are located in or nearby Las Vegas and cover only a few city blocks each. Census block groups in the sparsely populated areas often cover many square miles.

Unfortunately, other governmental and operational jurisdictions often do not coincide with census tracts. For example, there may be more than one

voter precinct in a census block groups or more than one census block group in a voter precinct. This is particularly problematic in the regions outside of the Las Vegas Metropolitan area where very large census block groups are intersected by two or more trustee area boundaries. Since there is little population and relatively little assessed value in these outlying areas, this loss of precision should not materially affect conclusions drawn from the analysis.

It is important for the reader to understand how various analytic and illustrative scenarios were constructed. Even though very powerful, state-of-the-art computer software and hardware were employed in these analysis, it was not possible to automatically draw alternative districts that balance on any of the important variables such as assessed value or racial balance. Each plan was constructed by a trial-and-error process of combining census block groups, block group by block group, to form alternative districts and then analyzing the impact of each move on each of the important variables. There are several hundred census block groups in Clark County. It should be apparent that the potential number of combinations is huge.

Alternative Boundary Reconfigurations

The size, diversity, and complexity of Clark County imply that the number and shape of possible school districts is large. In earlier progress reports, MAP discussed the process of narrowing the analysis to a manageable number and the reasons for rejecting some options. For example, splitting the existing school district into two, three or even four seemed to hold little promise of offering sufficient improvement on any of the evaluative criteria to warrant the associated effort. At its April 1996 meeting, the Subcommittee agreed that the three following models for changing district boundaries be analyzed. These are: 1) configuring school district boundaries to be more congruent with municipal boundaries; 2) dividing the district among trustee areas; and 3) creating school districts from high schools and their feeder schools. These options do not represent the universe of possible changes, but are illustrative of possible approaches. It is important for the reader to keep in mind that the specifics of enrollment, relative wealth, and even the demographic characteristics of various populations can shift rather quickly and would need to be reconsidered by the time any change could be initiated.

In our June 11, 1996 report to the Legislature, MAP examined each of the three boundary-change models. All were found wanting on one or more evaluative dimension; however, Plan B, a variant of the Trustee Area Model, appeared to offer the most promise. This model was an attempt to create some number of districts which, to the extent possible, would be racially balanced, and none of which would have a population of students that were more than half minority. That is to say, there would be no districts where minority students would form a majority of the student population. Because

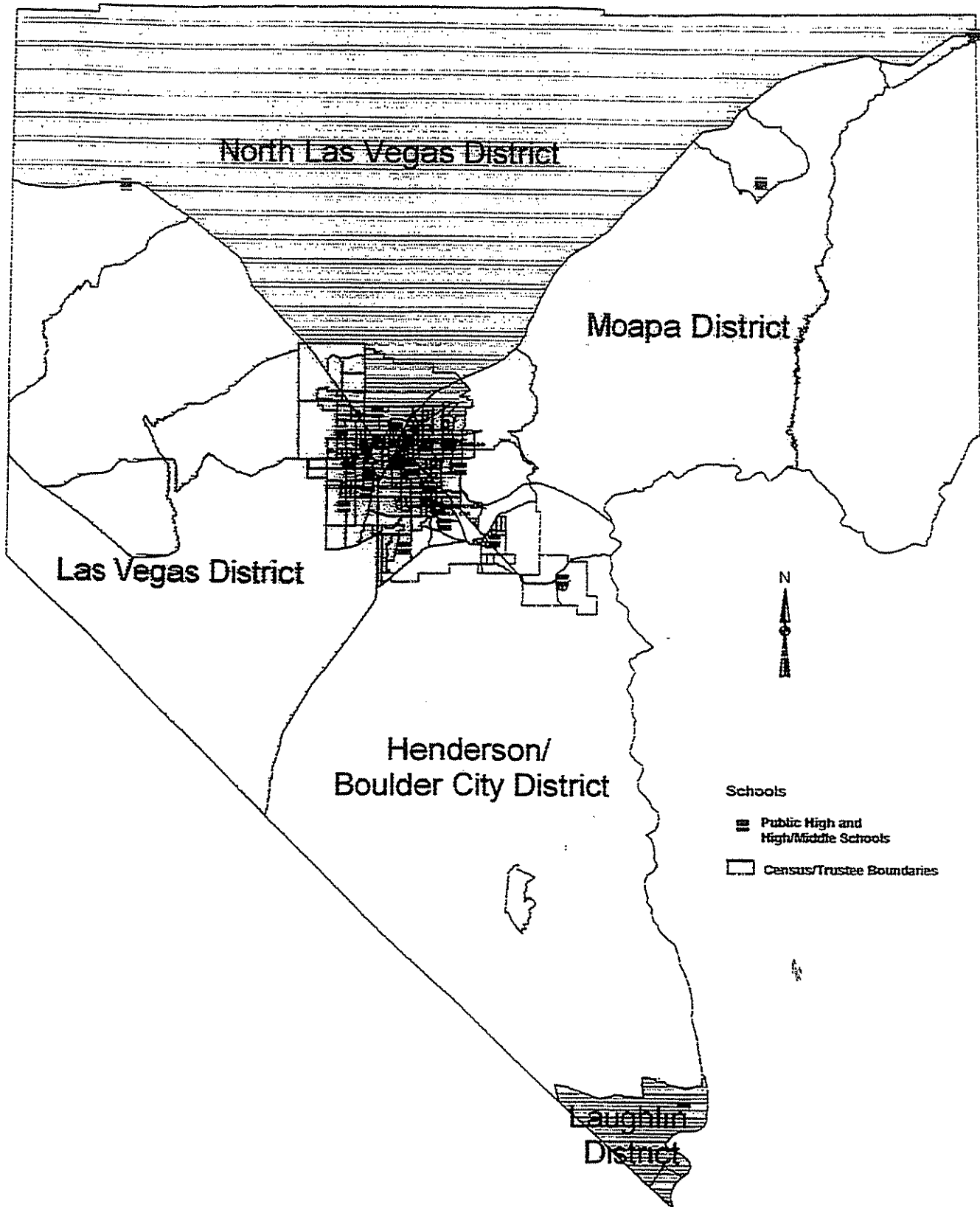
of the uneven distribution of assessed value and sources of sales tax revenue, this model would be viable only if these taxes continue to be collected county wide and allocated to the newly formed districts on a pro-rata basis.

In the process of creating and analyzing the Plan B districts, MAP reconstructed the databases to allow a more fine grained analysis. The Municipal Boundary Model and the Trustee Area Model were analyzed using these improved data. They are described below. The revised data did not change the conclusions reached previously. The Secondary School model showed little promise and will be only briefly described in this report.

Municipal Boundary Model for Clark County

Under this alternative boundary scenario, each municipality within Clark County with more than 10,000 residents would have an option of becoming a separate, fully autonomous school district. Cities such as Las Vegas and North Las Vegas, and combinations of cities such as Henderson and Boulder City, would be the communities currently meeting such a criterion. Because it is so remote from the next city of comparable size, Laughlin was established as a separate school district. Unincorporated areas were consolidated with adjacent municipal districts. This does create some districts that encompass very large geographic areas; but, for the most part, the large land mass is sparsely populated. In some other cases, unincorporated areas are land locked by incorporated cities. In all cases it seemed more reasonable to form the districts as we have than to create some sort of county-wide intermediate agency for the unincorporated areas. Either choice would have little effect on conclusions drawn from the analysis.

This model tends to score highly on the community-cohesiveness dimension; but suffers from grossly unequal assessed value per pupil, creates a heavily minority district, and leaves Las Vegas with over 100,000 students. As a stand-alone option, it seems to fail to adequately address the concerns raised about the current district configuration. See map displaying Plan C.



Plan C

Trustee Area Boundary Model for Clark County

Clark County currently has seven school board trustee districts. The boundaries of these districts are adjusted periodically to comply with criteria regarding student enrollment and overall population characteristics. Thus, MAP undertook a simulation of the consequences of dividing Clark County into seven districts, along existing Trustee Area lines.

The principal purpose of this analysis was to attempt to construct seven viable school districts, rather than to preserve trustee boundaries, per se. Existing trustee boundaries proved to be significantly unequal in assessed value per pupil, very different in terms of racial and ethnic population, and uneven in total student population. This analysis led MAP to conclude that population patterns and location of property-wealth make it extremely difficult, if not impossible, to balance simultaneously assessed value and demographics in any reasonable number of smaller districts.

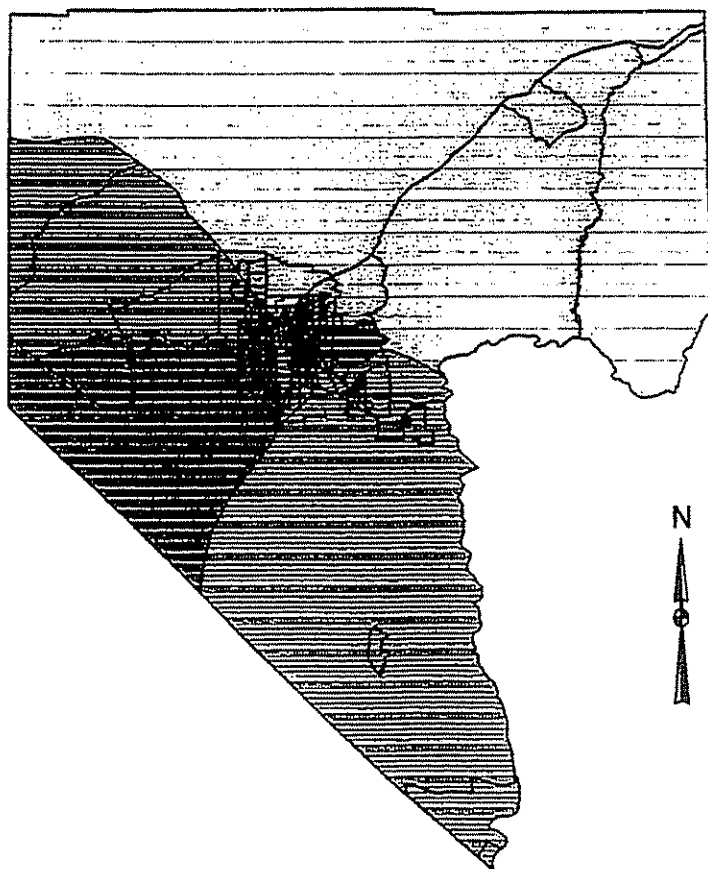
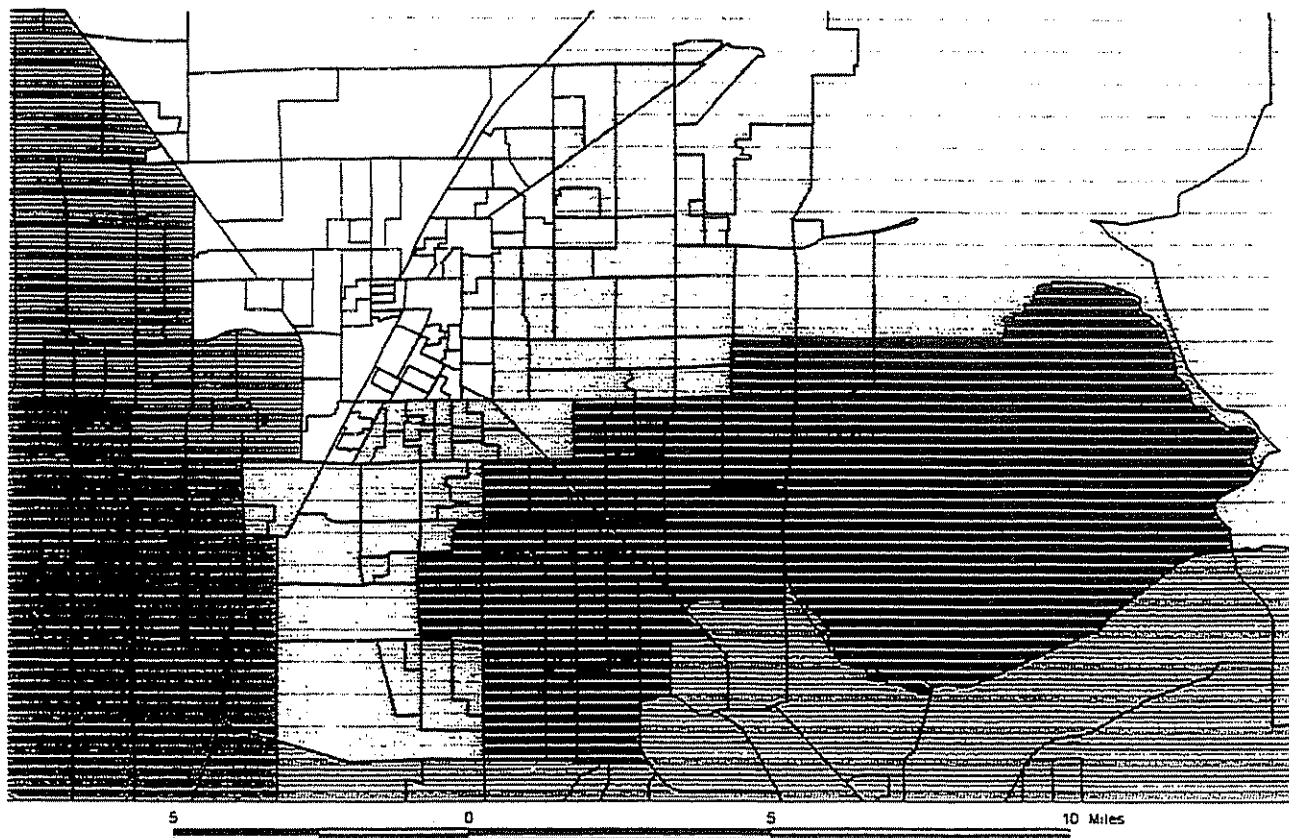
This model, without modifications, features serious impediments similar to the Municipality Model. Assessed value is unequally distributed among the areas, they are not racially balanced, and, for the most part, the trustee boundaries do not seem to correspond to identifiable communities of interest. See map displaying Plan D.

Plan D Modified Trustee Areas

District	Pupils	Assessed Valuation	AV/Pupil
A	30,058	\$3,503,070,794	\$116,544
B	29,737	\$1,605,092,724	\$53,976
C	23,918	\$1,893,846,540	\$79,181
D	14,431	\$3,836,931,286	\$265,881
E	29,295	\$3,665,877,275	\$125,137
F	21,175	\$3,074,459,059	\$145,193
G	18,195	\$1,860,771,715	\$102,268

Plan D Modified Trustee Areas

District	Pupils	% Min	White	Black	Hispanic	Asian	Am. Ind.
A	30,058	19%	81%	4%	10%	4%	1%
B	29,737	43%	57%	17%	19%	5%	1%
C	23,918	76%	24%	36%	36%	3%	1%
D	14,431	61%	39%	14%	39%	7%	1%
E	29,295	25%	75%	9%	11%	5%	1%
F	21,175	27%	73%	7%	12%	7%	1%
G	18,195	34%	66%	10%	17%	7%	1%



 **Census/Trustee
Boundaries**

Trustee Districts

-  **A**
-  **B**
-  **C**
-  **D**
-  **E**
-  **F**
-  **G**

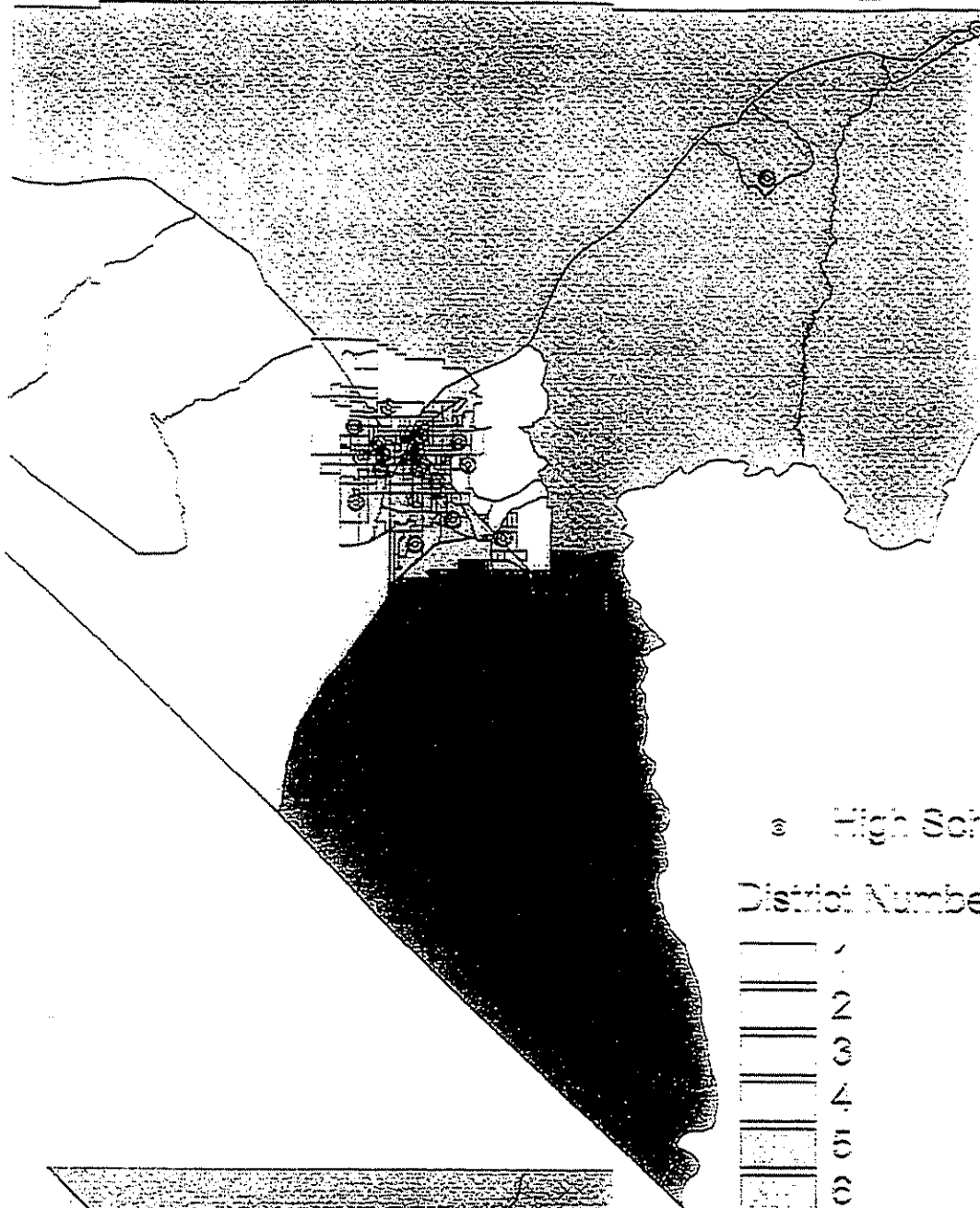
Plan D

Secondary School(s) Cluster Boundary Model for Clark County

Each secondary school, and its attendant elementary and middle "feeder" schools, might comprise a logical grouping. This pattern coincides with at least one definition of "community of interests," namely all of those who rely upon a common high school. It also tends to create districts which fall well within the parameters of scale economy research results.

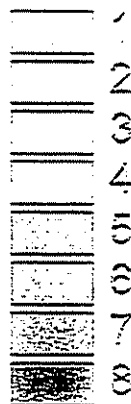
However, in Clark County, enrollment growth and student mobility create challenges to stability which suggest that a single high school and feeder school model may be too small and, hence, too restrictive. To compensate for these conditions, MAP chose an alternative constructed of paired high schools, geographically contiguous, and their respective feeder schools. This, presumably, creates a district twice as large, but one which still falls within scale economy boundaries.

Numerous attempts to construct districts around high school attendance areas failed to yield any results that offered promise of avoiding serious racial isolation. The notion of a school district with boundaries even smaller than the two-high school model can be encompassed, at least partially, by the charter school model described in Chapter 5 of this report. See map displaying Plan A.

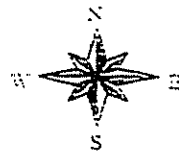


High Schools

District Number



Plan A



Plan B: Racially Balanced Districts

Beginning with the hypothetical districts described in the June 11, 1996 report and the refined data base, MAP attempted to construct school districts which were approximately equal in enrollment and where minority students did not exceed half of the student population. The rationale for the racial criteria was that any official act that tended to isolate an identifiable ethnic group could be interpreted as *de jure* segregation.

No attempt was made to balance on assessed value. Viability of this plan is contingent upon county-wide equalization of operating revenues and statewide equalization of revenues for capital construction.

Our goal was to create approximately 10 districts, each with 15 thousand to 20 thousand students. We attempted to construct districts that were not extremely gerrymandered, that contained sufficient schools to house their populations, that were not divided by natural barriers, and had a student population comprised of at least 50 percent white students.

While minority students live throughout the county, there are a few areas of high concentration of African American and Hispanic students that make it all but impossible to create as many as 10 districts that are contiguous and reasonably compact. Therefore, despite extensive efforts to meet all of the criteria, eight, somewhat larger districts were constructed. These districts range in size from 13,675 to 25,564 students and from 16 percent minority to just under half minority. Only four would be comprised of more than 40 percent minority students. Generally speaking, they meet the compactness criterion and all but two would appear to contain sufficient numbers of schools to house their students.⁶¹

Plan B Racially Balanced

District	Pupils	Assessed Valuation	AV per Pupil
1	19,658	\$1,492,810,059	\$75,939
2	25,564	\$2,819,685,744	\$110,299
3	21,463	\$979,211,666	\$45,623
4	21,819	\$1,331,553,988	\$61,027
5	22,200	\$2,799,766,542	\$126,116
6	24,966	\$3,688,445,063	\$147,739
7	17,464	\$4,658,863,310	\$266,770
8	13,675	\$1,669,713,021	\$122,100

⁶¹ This conclusion was based on a rough calculation of high school capacity. It is possible that these boundaries would cause shortages or excesses of capacity in some cases.

Plan B Racially Balanced

District	Pupils	% Minority	White	Black	Hispanic	Asian	Amer. Ind.
1	19,658	46%	54%	22%	20%	3%	1%
2	25,564	32%	68%	10%	15%	6%	1%
3	21,463	50%	50%	17%	27%	5%	1%
4	21,819	48%	52%	14%	27%	6%	1%
5	22,200	42%	56%	28%	10%	4%	1%
6	24,966	37%	63%	7%	23%	6%	1%
7	17,464	37%	63%	9%	20%	8%	1%
8	13,675	16%	84%	3%	10%	2%	1%

Applying the Criteria

Educational Effectiveness

Isolating the impact of possible boundary changes on a relatively subjective criterion such as educational effectiveness is particularly difficult. This effort requires one to hypothesize about the results of decisions that board members, as yet unknown, will make about future educational programs. One must also speculate about the implementation of policies by administrators and teachers as yet not employed. Finally, we know from past experience that the resulting educational quality is unlikely to be uniform across all the schools in the reconfigured districts. Nevertheless, while it is impossible to predict with detailed precision, it is possible to make inferences about likely consequences.

One of the important dimensions of educational effectiveness is the capability of districts to offer a broad curriculum, with multiple offerings for students with varying preferences. Schools should be of sufficient size to offer a full array of college and university preparatory courses, as well as courses specifically designed to prepare young people for the world of work. All eight districts are of sufficient size to offer a full array of courses. As well, each would be of sufficient size to be able to offer important support services. They may not be able to offer the degree of specialization in support services which Clark County currently provides, although there are a variety of cooperative arrangements the districts could employ to continue any regional or specialized program they currently enjoy.

Another important education-effectiveness criterion is the ability of a district to respond to student needs by offering such programs as "Magnet Schools." There are currently six Magnet Schools in the Clark County School District. They are popular and it was reported to MAP that there is a waiting list for each. Approaches such as Magnet Schools and Theme Schools are more

difficult to offer in smaller organizational units because the district's student body may be of insufficient size to fill a theme school. On the other hand, smaller organizational units may be more capable of responding to the individual needs of students within each school, thus making magnet or theme schools less necessary. Magnet Schools used to compensate for segregated housing patterns could be continued under a joint powers agreement among cooperating districts.

A third important dimension of educational quality is the capability of a district to build a coherent set of educational goals and establish a program with strong community support. These kinds of programs tend to be easier to implement in smaller, more homogeneous districts than in larger, more diverse ones. The likelihood of such an occurrence is enhanced as the number of districts proposed to be created out of the existing district is increased. That is, it would probably be easier to establish coherent, agreed-upon educational goals in smaller, more homogeneous communities. Large districts, with diverse populations, understandably find it more difficult to arrive at these kinds of agreements than might a smaller unit.

Another dimension of quality of schools is the ability to recruit, train and retain skilled teachers and administrators. On this dimension, larger size enjoys some advantages. Larger districts, tend to have greater capacity to devote resources to teacher recruitment, training, and retention. This, of course, is a highly desirable trait for communities which are constantly undergoing the pressures of additional students and the concomitant need for additional teachers. However, all eight districts should be of a size sufficient to recruit able teachers successfully.

Racial And Ethnic Composition

These districts were created in a manner calculated to minimize racial and ethnic isolation. No district is comprised of a minority population equal to or greater than the white population. At the last meeting of the Subcommittee, the question was raised as to whether districts drawn in such a manner made the state more vulnerable to legal challenges. The short answer is that there are too many unknowns to predict the likelihood of a legal challenge to the boundary changes described under this plan or the likelihood of the plaintiffs prevailing if one were brought. In the first instance the facts of this situation are unique. Secondly it is not known if the large body of case law based on Brown vs. Board of Education or the more recent Supreme Court decisions relating to gerrymandering of congressional districts would play more prominently.

Applying the recent Supreme Court rulings on the drawing of congressional districts to the Clark County school district reorganization by analogy may be possible under certain conditions, but the Court decisions involved a

somewhat different and self-contained issue: the classification of voters into new districts to achieve a racial majority in some districts to address population changes and past discrimination, and violations of the Voting Rights Act, as well as violations of the Fourteenth Amendment.

The U.S. Supreme Court decisions in question are Shaw v. Hunt (Shaw II) (June 13, 1996) and George W. Bush, Governor of Texas, et.al. v. Lawson (June 13, 1996), the latest in a series of appeals to the Court involving challenges to racial gerrymandering of state congressional redistricting undertaken by the state legislatures after population increases resulted in additional congressional seats being awarded to these states. The plaintiffs filed the suits alleging that many of the new districts in North Carolina (Shaw) and Texas (Bush) violated the Equal Protection Clause of the Fourteenth Amendment because the re-districting plans classified the voters by race.

In the Shaw opinion, the Court noted that in Miller v. Johnson (1995) 515 U.S., a racially gerrymandering districting scheme, *like all laws that classify citizens on the basis of race, is constitutionally suspect*. This is true whether or not the reason for the racial classification is benign or the purpose remedial. When applying equal protection principles in the voting-rights context, a legislature may be conscious of the voters' races without using race as a basis for assigning voters to districts. The constitutional wrong occurs when race becomes the dominant and controlling consideration. In Shaw, the Court noted that racial classifications are antithetical to the Fourteenth Amendment, whose central purpose was to eliminate racial discrimination from official sources in the States.

Under the strict scrutiny standard, the state would have to show that drawing racial distinctions in redistricting is in pursuit of a "compelling state interest" and that the means chosen to accomplish that compelling state interest must be specifically and narrowly framed to achieve it. A state's interest in remedying the effects of past or present racial discrimination may in the proper case justify use of racial distinctions, but as the Court noted in Shaw, for an interest to rise to the level of a "compelling state interest" it must satisfy two conditions: (1) the discrimination must be identified as discrimination and (2) the institution that makes the racial distinction must have had a strong basis in evidence to conclude that remedial action was necessary before it embarked on an affirmative action program.

The above discussion notwithstanding, two attorneys with whom MAP consulted, both familiar with school desegregation law, opined that Brown v. Board of Education and relative case law probably was more applicable in this instance.

Organizational Scale

School district efficiency depends on several variables—size is just one. However we do know that the most costly districts to operate are districts that are either very large or very small. Districts with fewer than 400 students and those in excess of 50,000 students define large and small in these circumstances. All eight districts fall well within the band of size likely to enjoy economies of scale.

A concern frequently expressed about creating some number of smaller districts is that redundant administrations would be more costly overall and take money from the instructional program. Certainly, there will be some marginal transition costs in the short term if new school districts were created; but it may not be in the State's best interest if these districts were significantly more costly to operate. Therefore the following analysis was conducted to help us understand the ongoing administrative costs of smaller districts.

While it is not possible to predict with any degree of precision the behavior of independent school districts, each with its own decision-makers, a useful comparison can be drawn by examining the behavior of Washoe County. Washoe is a reasonable comparison since it operates under the same state laws and regulations and it is of a size not dissimilar from the districts that would result from this option. Analogies to districts in other states are more difficult because of varying state laws that can shape behavior in very different ways.

All school districts employ some number of licensed personnel who do not actually teach. Some of these do work in the schools with children and teachers. These would include pupil and school service personnel and principals. Others are strictly supervisory and include directors, supervisors, assistant superintendents, and the superintendent.

The results of this comparison are mixed. Clark County spends less per student on overall administration (\$378 vs. \$398). In both school districts about 13 percent of all licensed personnel are assigned to non-teaching roles. Clark County spends a greater portion of its budget for licensed employees on staff not engaged in teaching (21% vs. 17.5%). Also, in Washoe more than twice as many of the non-teaching employees work in the schools. Similarly, Clark spends a much greater portion of its payroll (3.3% vs. 1.6%) on supervisors and administrators who are less likely to work directly with students and teachers in the schools. The reasons for these differences are not apparent; nor would it be fair to conclude that one allocation would be

appropriate in both settings; but it does seem fair to conclude that smaller districts will not automatically cost more for administration.⁶²

Government Responsiveness and Community Cohesion

This set of District alternatives would result in mixed impact on the dimension of community cohesion. In some areas, such as Henderson and Boulder City, a new district probably would score highly on this dimension. District 1 might be perceived as neutral in the more remote areas, but somewhat suspect in the northern fringe of the urban area. Districts 3 and 4 may even split groups who identify themselves as a community.

It is important to note that the mere reduction in size of this very large district would, in most cases, benefit citizen access to government. Citizens would be represented by larger numbers of trustees, and for most of them the central office of the new district would be geographically closer, and more accessible, to them. Thus in terms of governmental responsiveness this plan almost certainly would be an improvement over the current situation.

Financing and Facilities

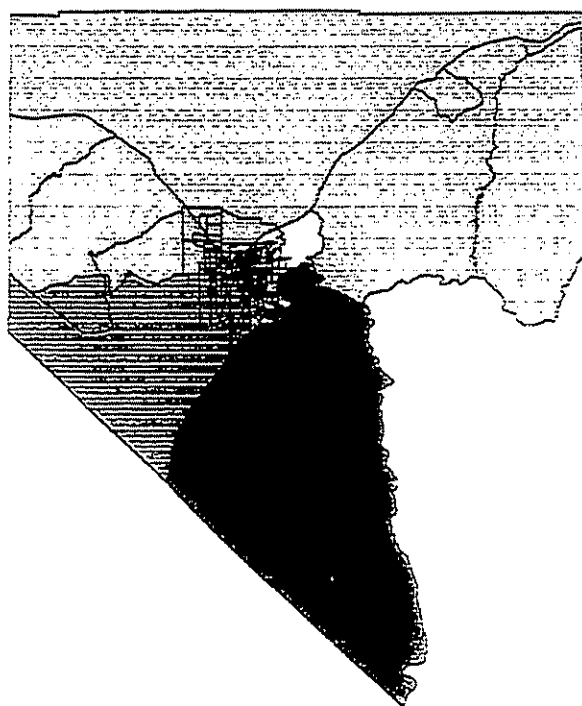
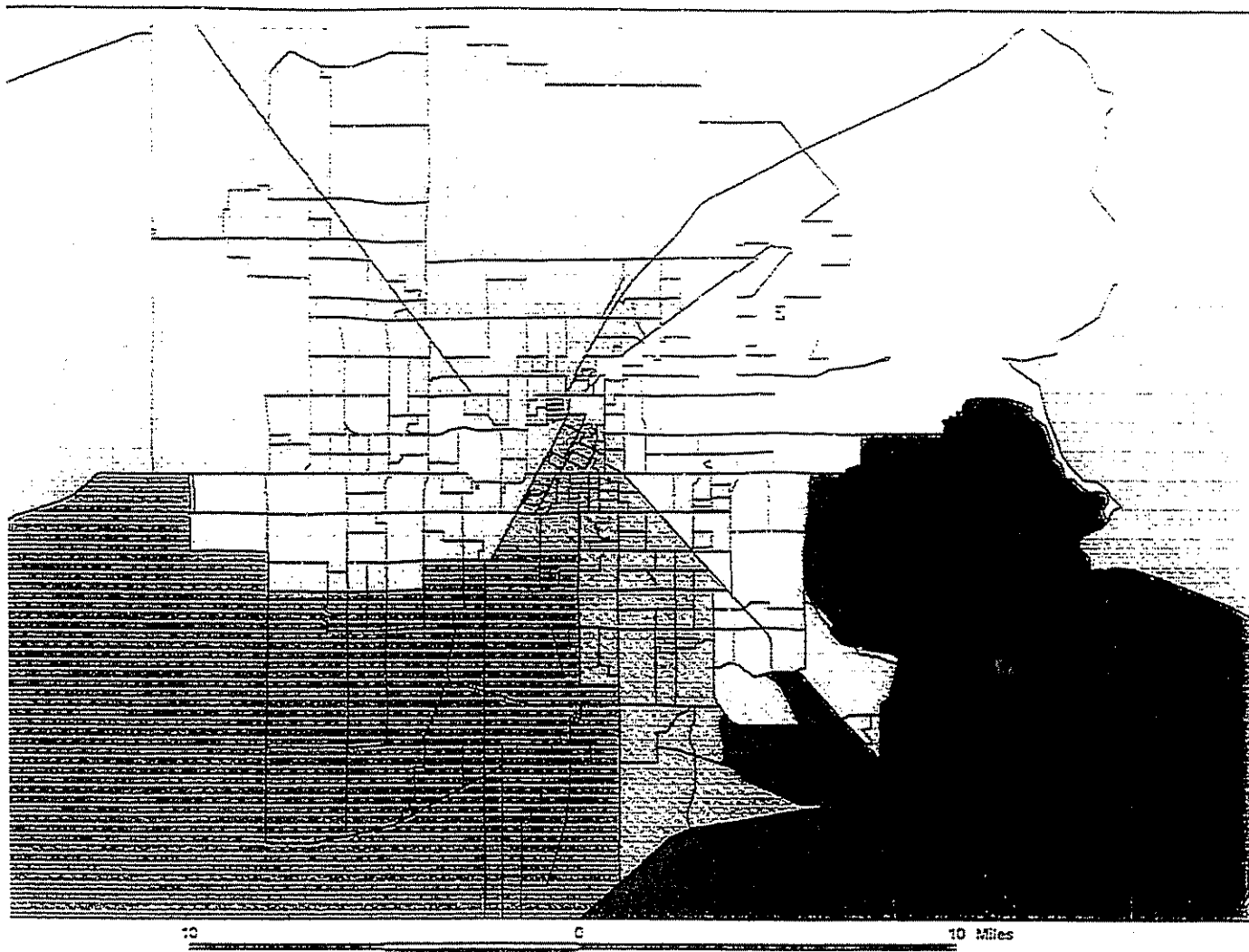
The larger the geographic area over which revenues are generated, the less likely it is that substantial inequities between districts will result. The large size of Clark County allows pockets of very high property values to be balanced by areas of very low assessed value which occur in other parts of the county. Equally troubling are the disparities which are currently also leveled out on sales tax collections. The range between high and low sales tax revenues currently generated is also substantial. This leveling-out process becomes much more difficult as the area in question becomes smaller and smaller. Nevada's school finance plan is highly equalized, ensuring that for the vast number of students in the system, there is little wealth-based disparity. However, since both assessed value and the sales tax play important roles in determining a district's relative wealth and its status as a district which falls within the equalization provisions of the Nevada Plan, a major concern has to be the distribution of assessed value and sales tax collections. Areas which combine high assessed value with high sales tax revenues would make significant portions of Clark County no longer subject to the equalization features of the Nevada Plan. This would substantially increase state costs and perhaps lead to litigation regarding the school finance features of the Nevada Plan.

The legislature could correct for financial inequalities, and ensure that the state's commitment to equalization would continue, by requiring both the

⁶² Computed from data reported in Nevada Department of Education, Research Bulletin, Student Enrollment and Licensed Personnel Information, Volume 37, February 1996.

sales tax and property tax to continue to be levied on a county-wide basis and then returned to the proposed new districts on a per-pupil basis. This type of feature would protect the state from creating districts which would not be subject to equalization features of the Nevada Plan, thus increasing state costs. In addition, some state assistance for capital outlay purposes could mitigate against the inequalities caused by assessed-value differences.

Discussed elsewhere in this report is the apparent need to address statewide disparities in revenues for capital outlay. If the state were to adopt some form of equalization for these expenditures, differences among the eight districts in assessed valuation per pupil would be moot. Without such legislation, the new districts would be characterized by very large differences in their ability to build and maintain schools. These differences would not only be unfair but would quite likely invite law suits. See map displaying Plan B.

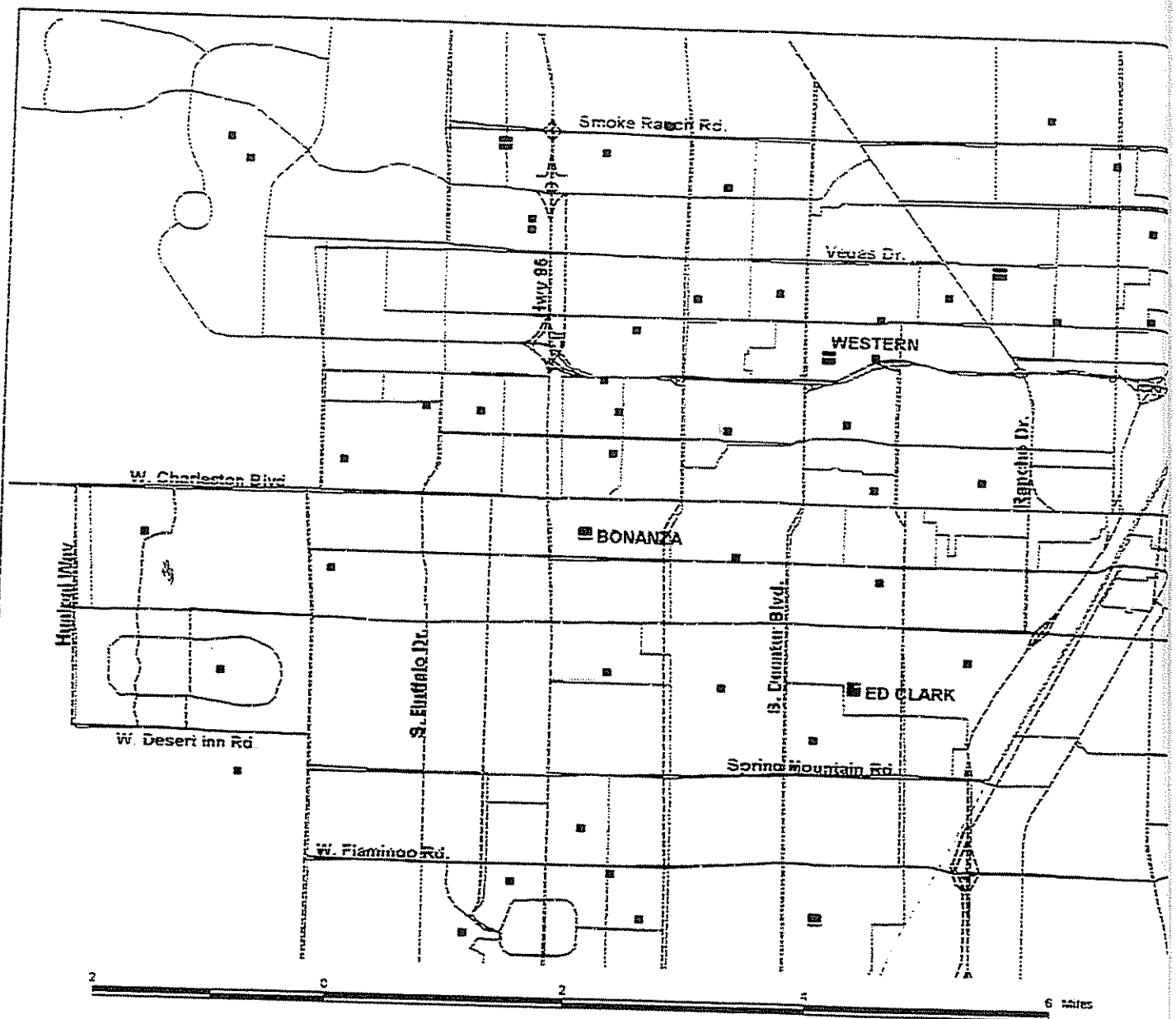


District



North

Plan B



Schools

- Alternative
- Public Elementary School
- Public High School

— Railroad Lines

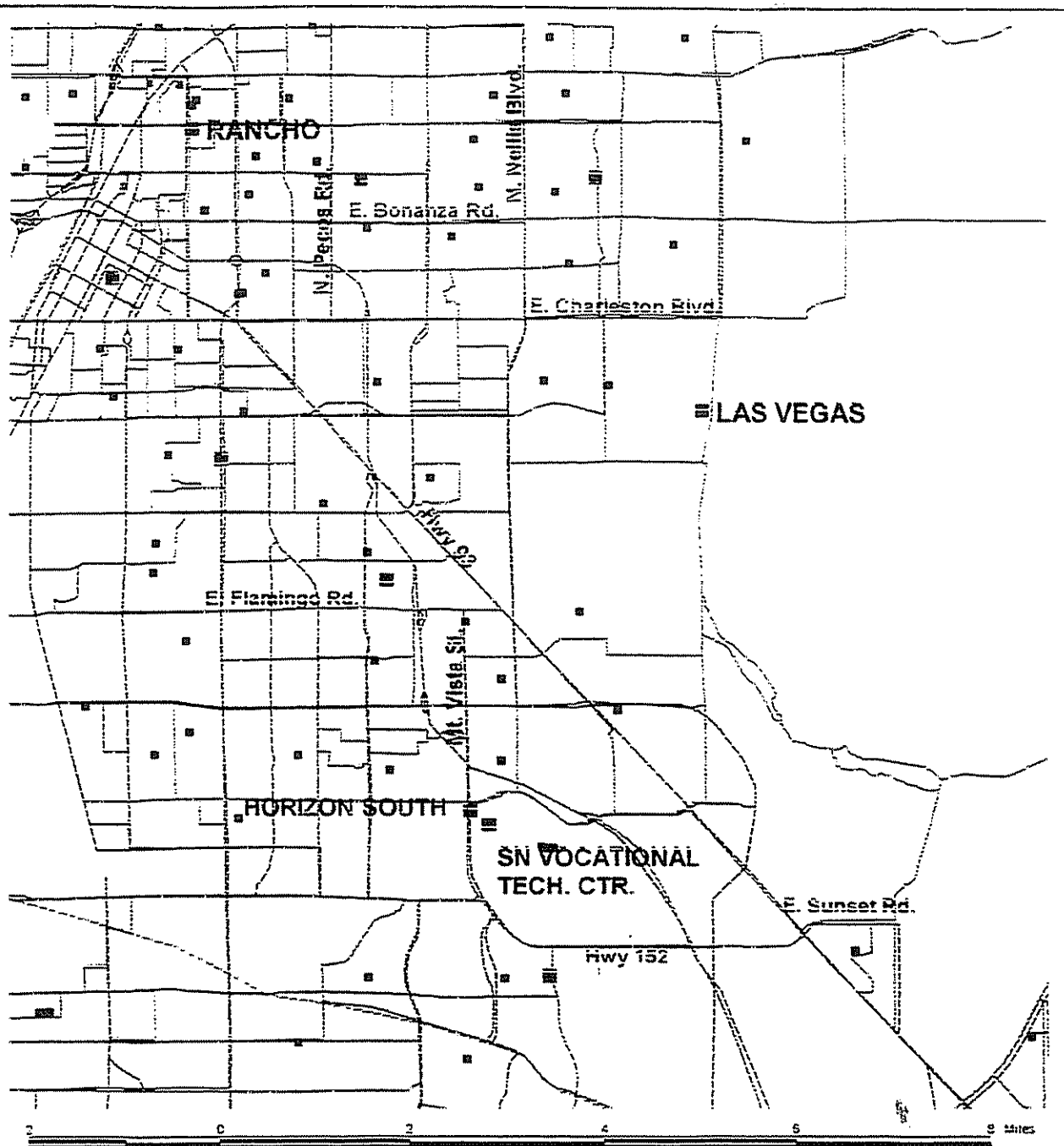
— Major Roads

□ Census/Trustee Boundaries

□ District 2,
Census/Trustee Boundaries



Plan B District 2



Schools

- Alternative
- Public Elementary School
- Public High School

— Railroad Lines

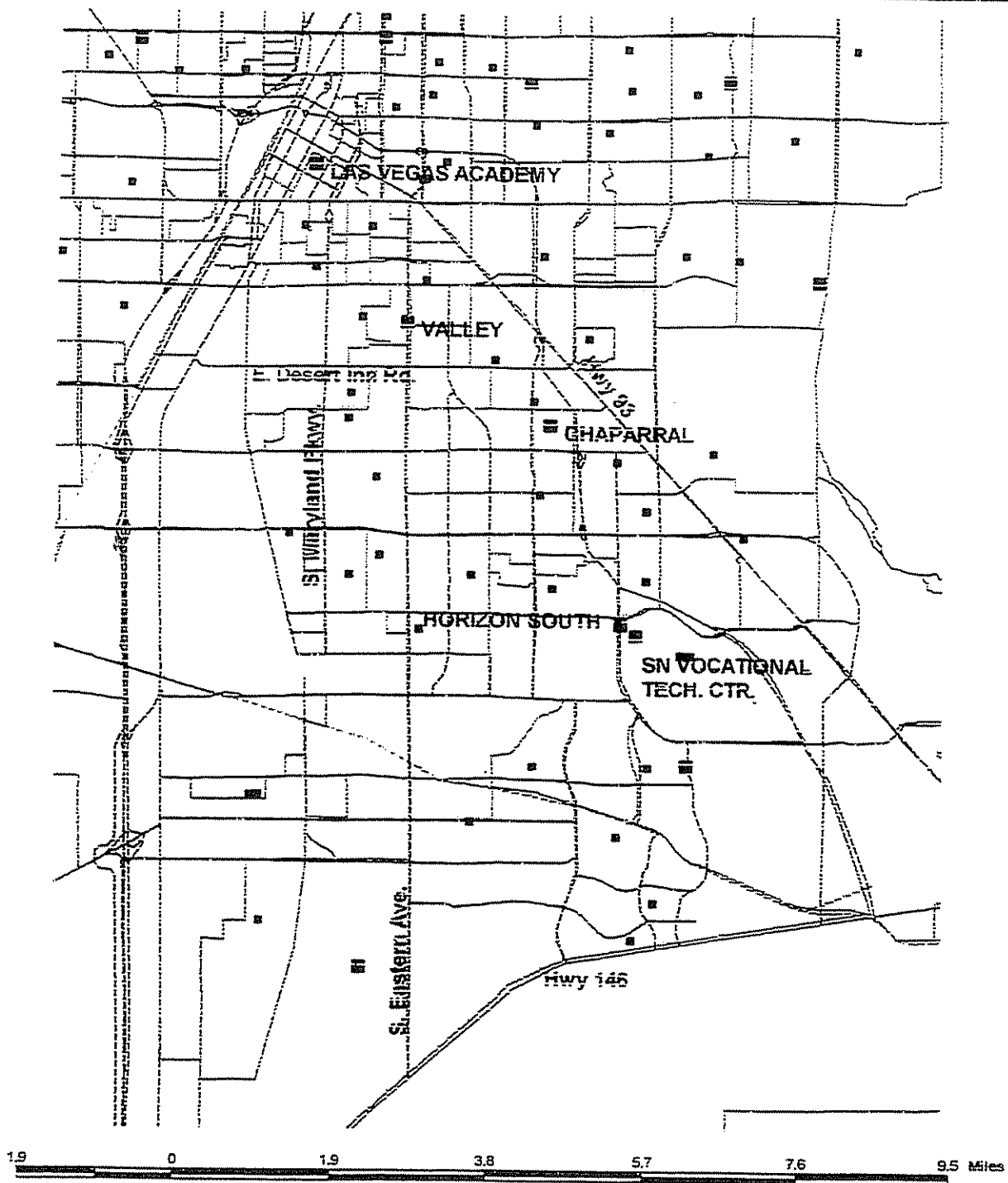
— Major Roads

□ Census/Trustee Boundaries

□ District 4, Census/Trustee Boundaries



Plan B District 4



Schools

- Alternative
- Public Elementary School
- Public High School

— Railroad Lines

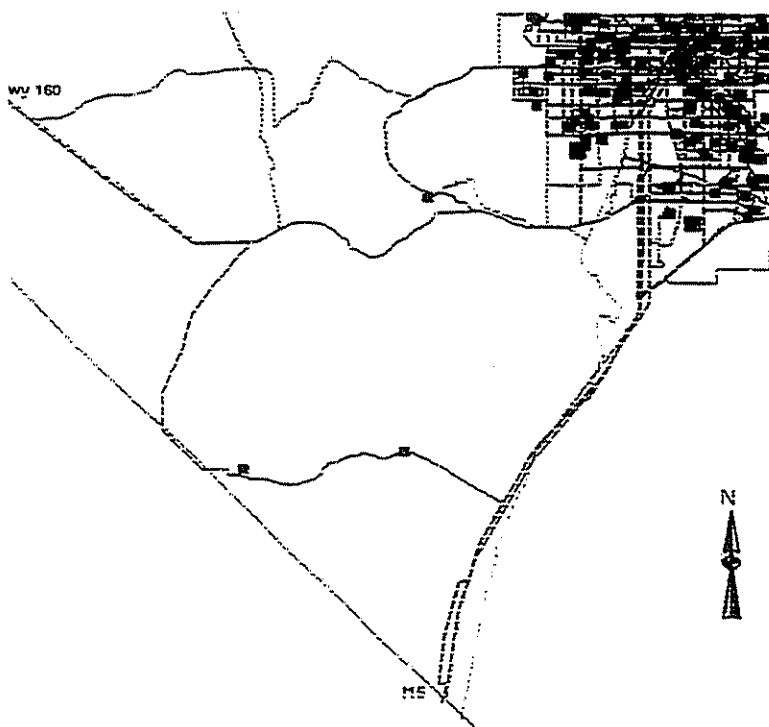
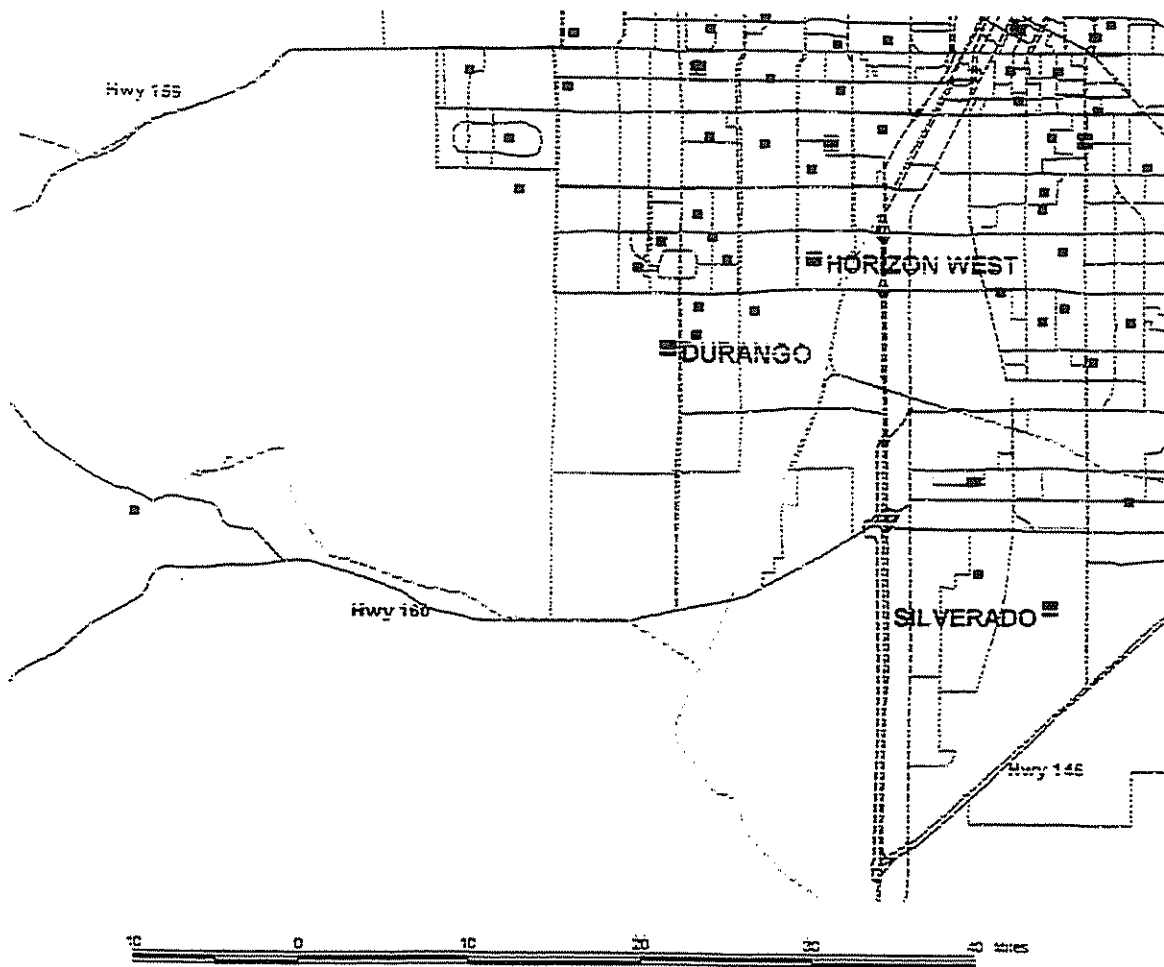
— Major Roads

□ Census/Trustee Boundaries

□ District 6,
Census/Trustee Boundaries



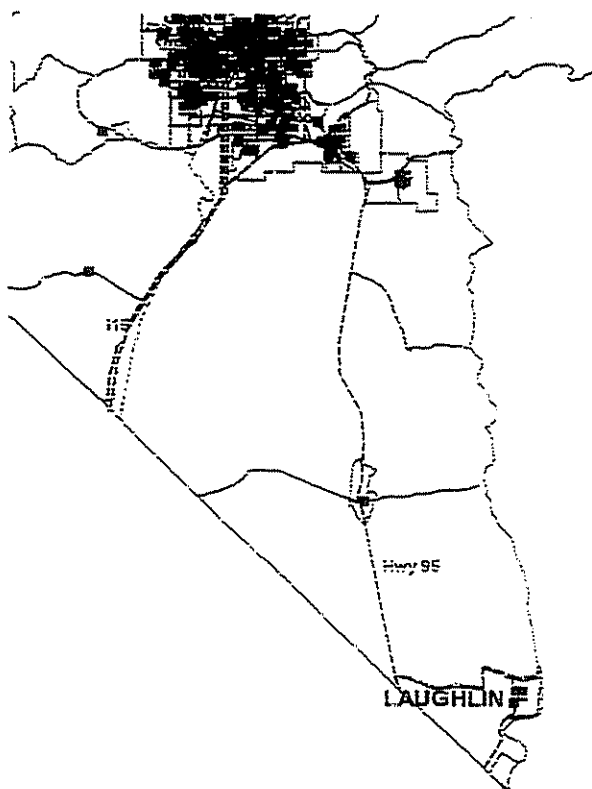
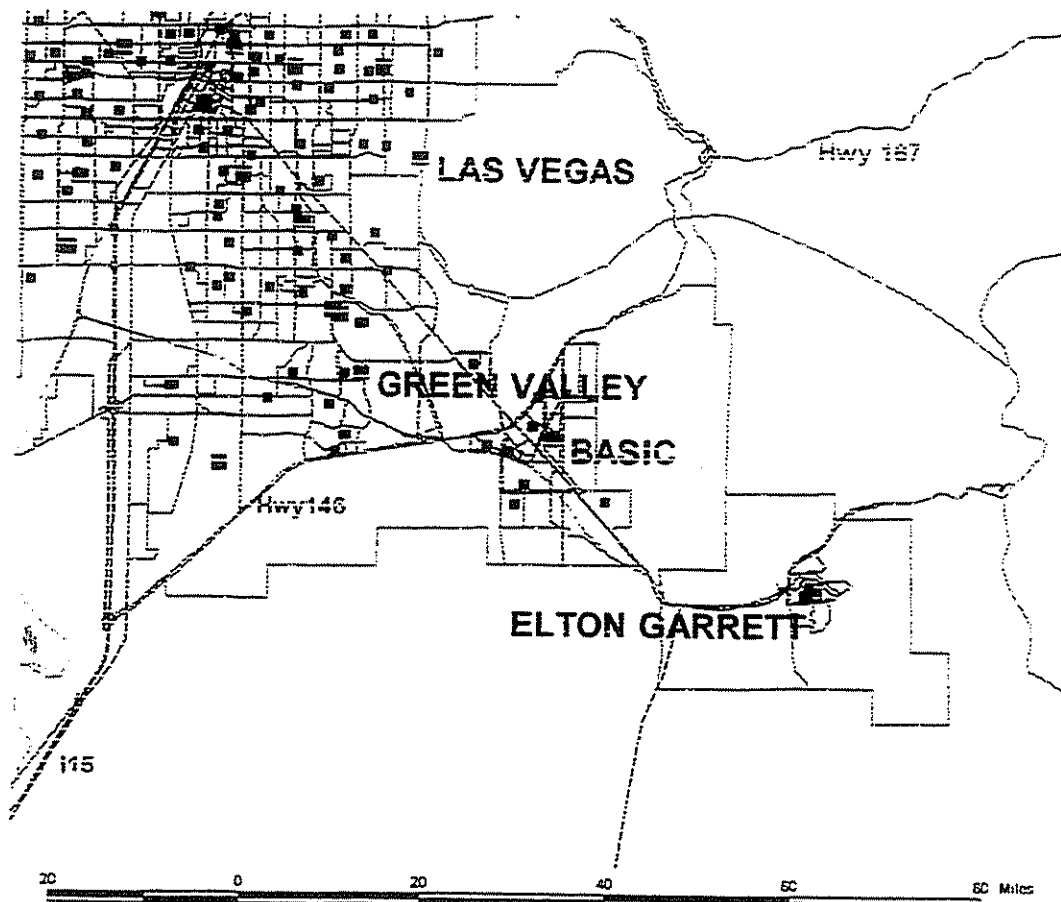
Plan B District 6



- Schools**
- Alternative
 - Public Elementary School
 - Public High School
- Railroad Lines
- Major Roads
- Census/Trustee Boundaries
- District 7, Census/Trustee Boundaries



Plan B **District 7**



Schools

- Alternative
- Public Elementary School
- Public High School

— Railroad Lines

— Major Roads

□ Census/Trustee Boundaries

□ District 8, Census/Trustee Boundaries

Plan B District 8

Further Analysis

Hypothetical District 1

This district would cover a huge, but mostly sparsely populated, geographic area in the northern third of the county. It would encompass the rural schools in Virgin Valley and Moapa Valley and the area around Cheyenne High School in the urban Las Vegas Valley area. The possible disadvantages of the proposed district are that it covers such a large geographic area, that the two population centers are so far apart, and that the two groups would seem to be distinct and different communities of interest. The total enrollment would be approximately 19,658. Minorities would comprise 46 percent of the student population and the largest minority group would be African American, at 22 percent. Hispanics would make up another 20 percent.

Hypothetical District 2

District 2 would be located in the urban area, bounded on the north by Smoke Ranch Road, on the south by Flamingo Road, Hualpai Way on the west and the rail line on the east. The total enrollment would be approximately 25,564. Minority students would comprise 32 percent and the largest minority group would be Hispanic, at 15 percent. African Americans would make up another 10 percent. It would encompass Bonanza, Western, and Clark High Schools, which would seem to provide adequate capacity for this population.

Hypothetical District 3

District 3 would be concentrated in the northeast corner of the Las Vegas Valley area. Most of the large geographic area contained in this district would be uninhabited. Total enrollment of the district would be 21,463, with a minority population of slightly less than 50 percent. The largest minority group would be Hispanic, at 27 percent. African Americans would comprise another 17 percent. The only comprehensive high school in the district would be El Dorado, which would imply that this district would be viable only if an additional high school space was provided. Adjusting district boundaries to incorporate one or more additional high schools would shift the space shortage elsewhere, create a majority minority district, or both.

Hypothetical District 4

District 4 stretches southeast to northwest along Highway 93 from south of East Sunset Road to Ranch High School on the north. The total enrollment would be 21,819. Minority students would comprise 48 percent of the student population and the largest minority group would be Hispanic, at 27 percent. About 14 percent of the students would be African Americans. In addition to Rancho, the district would contain Las Vegas High School. These two

schools would appear to provide adequate capacity to house the district's population.

Hypothetical District 5

District 5 stretches from I-15 in the core area to the western border of the county. The student population would be 22,200. The minority population would be 42 percent, with African Americans, at 28 percent, as the largest minority group. Hispanics would make up another 10 percent of the minority population. One important concern about this district would be the potential need for additional schools to house the growing student population. The only comprehensive high school to be contained in this district would be Cimarron Memorial.

Hypothetical District 6

District 6 would lie north and south from I-15 to Highway 146. Total enrollment would be approximately 24,966. Hispanics would comprise the largest minority group, at 23 percent. (All minorities would make up 37 percent of the student body.) African Americans would add another 7 percent and Asians an additional 6 percent. Chaparral and Valley High Schools would be located in this district. Both of these schools are high-capacity, but would barely house the student population in this district. Future need for high school space seems likely.

Hypothetical District 7

District 7 would be concentrated in the Las Vegas Valley, but would also cover the sparsely populated area bounded by Highway 159 on the north, I-15 on the south and the California border on the west. Total enrollment would be 17,464, including 37 percent minorities, with Hispanics being the largest minority group at 20 percent. This district, as currently constructed, would contain Durango and Silverado High Schools. Combined, these two schools would seem to offer more than enough capacity to house the district's students.

Hypothetical District 8

District 8 would cover the southern third of Clark County, with Henderson being the largest population center. Between Henderson on the north and Laughlin in the south there is very little population. This district would preserve an identifiable community of interest around Henderson and Boulder City. At 13,675 students, this would be the smallest of the eight districts. It would include approximately 16 percent minorities, with Hispanics, at 10 percent, being the largest minority group. In addition to Laughlin High School, this district would contain Green Valley and Basic

High Schools. The two latter schools, located in Henderson, enjoy significantly greater capacity that would be necessary for this district.

Ideally, it would be possible to shift the capacity to Districts 5 or 3, where there would be a shortage of high school space. Unfortunately, this would only be feasible by some very creative gerrymandering, or an interdistrict attendance agreement. Another impediment to such a change would be that such an action would split an indefinable community of interest.

Concluding Observations

The primary question driving this section of the study has been, is it possible to create some number of viable school districts out of the existing Clark County School District? Ideally, the resultant school districts would all score reasonably well on each of the criteria used to evaluate boundary changes. Educational effectiveness would be enhanced, or at least not be harmed by the creation of the new districts. No racial or ethnic group would be isolated; the new districts would be of a size that would maximize economies of scale; and citizens would enjoy greater access to decision making concerning their schools. The process should, at the very least, do no harm and be reasonably invulnerable to legal challenge. It would seem fair to conclude that it is unlikely that any plan would measure up to such expectations. Also, it is fair to conclude that it may be possible to create smaller districts that score well on scale, governmental responsiveness, community cohesiveness, and maybe even educational effectiveness, but not without some risk of legal challenge based on unequal revenues or racial segregation. Other possible costs may include inadequate school facilities in some districts, at least in the short run.

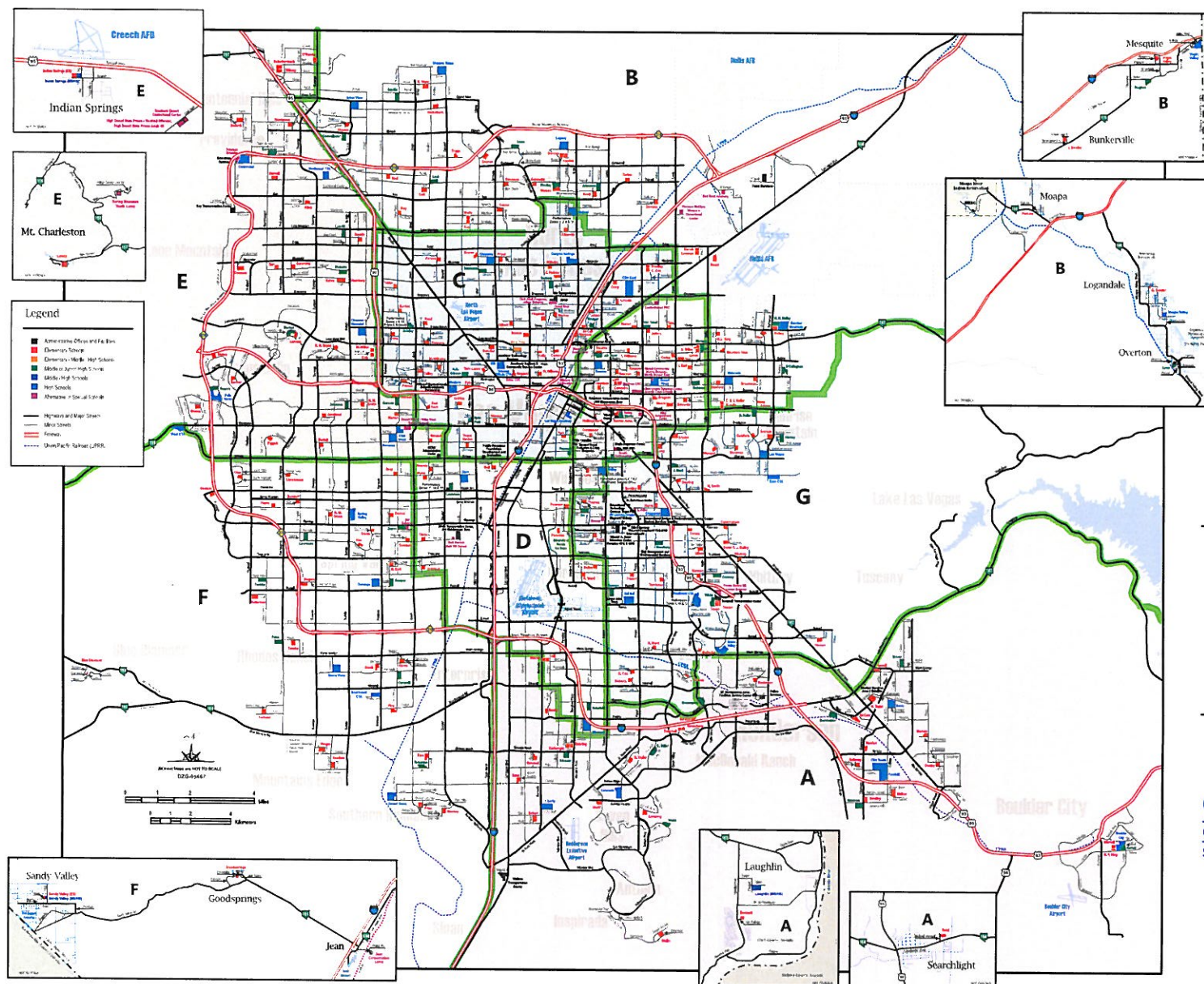
Why is it so difficult? The answer lies in the extreme concentration of hotels and casinos which generate a significant portion of the property tax and sales tax that fund school operations. It lies in housing patterns, where dense clusters of Whites, Hispanics, or African Americans live. It is exacerbated by the size and location of schools. These factors twine together to form a Gordian Knot.

Some of these problems more easily yield to technical solutions than others. Inequalities related to property tax and sales tax revenues can be resolved by maintaining the county as the unit for collecting and disbursing school revenues. The state can equalize funding for capital outlays. Even where facilities are unequal, cash can compensate for differences. Other problems are more difficult to solve. Residential patterns change slowly, and most parents would prefer their children attend school relatively close to where they live. Several smaller neighborhood high schools would provide more degrees of freedom to draw new district boundaries; but Clark County high schools tend to have large enrollments and attract students from a large

geographic area, thus making it more difficult to balance districts on the basis of race and provide adequate school capacity.

The problems would probably be magnified if the decision is to proceed with a full-scale breakup of the district. A more incremental approach may allow citizens and decision-makers feel their way, to create one or two smaller districts, and to proceed further or retreat as their experience dictates. Such an approach, combined with managerial and representational changes described above, may enhance the probability of citizen satisfaction and reduce some of the risks. It is likely, also, that the risk will be lowered, and satisfaction elevated, if any changes result from citizen initiative rather than state action.

Attachment B



Clark County School District Board of School Trustees for the 2015-2016 School Year

District A . . . Deanna L. Wright
 District B . . . Chris Garvey
 District C . . . Dr. Linda E. Young
 District D . . . Kevin L. Child
 District E . . . Patrice Tew
 District F . . . Carolyn Edwards
 District G . . . Erin E. Cranor

Pat Skorkowsky, *Superintendent of Schools*

CCSD
CLARK COUNTY
SCHOOL DISTRICT

Business & Finance Division
 Demographics, Zoning & GIS
 4190 McLeod Dr.
 Las Vegas, NV 89121
 p. 702-799-6430
 Revision: June, 2015

Attachment C

CLARK COUNTY SCHOOL DISTRICT
Student Demographics ENROLLED by CCSD Trustee Boundary

Trustee District	Asian	African-American /Black	Hispanic /Latino	Multiple Races (2 or more)	Native American	Pacific Islander	Caucasian /White	FRAM /FRL	ELL	SPED
A - Deanna L. Wright 40,939	7.48% 3,060	4.68% 1,915	22.92% 9,385	8.91% 3,648	0.52% 212	2.22% 908	53.28% 21,811	30.77% 12,595	8.27% 3,386	11.59% 4,744
B - Chris Garvey 49,871	4.08% 2,037	14.78% 7,372	40.64% 20,266	6.92% 3,452	0.50% 251	1.45% 724	31.62% 15,770	53.19% 26,524	16.63% 8,296	12.70% 6,332
C - Dr. Linda E. Young 48,604	2.58% 1,252	16.26% 7,901	64.69% 31,441	3.89% 1,890	0.33% 160	0.92% 448	11.34% 5,512	76.77% 37,312	32.43% 15,764	13.03% 6,335
D - Kevin Child 50,559	3.25% 1,644	7.35% 3,715	77.93% 39,401	2.54% 1,284	0.26% 134	0.80% 402	7.87% 3,979	74.36% 37,594	43.79% 22,138	11.13% 5,628
E - Patrice Tew 41,406	6.84% 2,832	9.44% 3,909	30.11% 12,468	7.78% 3,221	0.52% 217	1.51% 624	43.80% 18,136	38.43% 15,911	12.28% 5,085	11.22% 4,647
F - Carolyn Edwards 42,232	17.76% 7,502	9.71% 4,100	28.27% 11,941	8.87% 3,747	0.35% 148	2.62% 1,105	32.41% 13,689	41.29% 17,437	15.95% 6,736	10.47% 4,423
G - Erin E. Cranor 44,981	5.70% 2,564	8.42% 3,788	55.99% 25,183	6.13% 2,756	0.58% 259	1.41% 632	21.79% 9,799	64.65% 29,081	26.06% 11,722	11.82% 5,317
CCSD Total 318,592	6.55% 20874	10.24% 32621	47.12% 150133	6.27% 19990	0.43% 1377	1.52% 4851	27.86% 88745	55.36% 176385	22.97% 73195	11.75% 37426

Source: GIS GeoStudent File SY2014, Schools Enrolled
Sped Count, Student Services Division