

**MEETING NOTICE AND AGENDA**

Name of Organization: Legislative Committee on Education  
(Nevada Revised Statutes 218.5352)

Date and Time of Meeting: Tuesday, November 14, 2000  
9:30 a.m.

Place of Meeting: Legislative Building  
Room 3138  
401 South Carson Street  
Carson City, Nevada

Note: Some members of the Committee may be attending the meeting and other persons may observe the meeting and provide testimony, through a simultaneous videoconference conducted at the following location:

Grant Sawyer State Office Building  
Room 4401  
555 East Washington Avenue  
Las Vegas, Nevada

If you cannot attend the meeting, you can listen to it live over the Internet. The address for the legislative web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."

**A G E N D A**

- I. Opening Remarks  
Assemblyman Wendell P. Williams, Chairman
- \*II. Approval of Minutes of the Meeting on October 24, 2000
- \*III. Presentation Concerning Bill of Rights Institute  
Victoria Hughes, Bill of Rights Institute, Washington, D.C.
- IV. Public Comment
- \*V. Work Session – Review and Discussion of Proposed Recommendations of the Legislative Committee on Education (NRS 218.5352) for the 2001 Legislative Session

The possible topics that may be covered include:

- Charter Schools
- Distance Learning/Virtual Schooling
- Adult and Alternative Education
- Test Security and Testing Issues
- Professional Development and Licensure
- Academic Standards for Public Schools
- Statewide Achievement and Proficiency Testing Program for Public Schools
- Nevada's Program for Public School Accountability
- Early Childhood Education
- Parental Involvement

- Career Ladders for Education Paraprofessionals
- Health Education
- Second Count Day for Per Pupil Funding and Alternatives to a Second Count Day
- Class-Size Reduction
- School Construction
- University Police Departments
- Special Education Funding
- Ritalin Alternatives
- Textbooks
- Pupil Discipline

NOTE: Recommendations under consideration by the Committee are presented in the attached "Work Session Document, Legislative Committee on Education (NRS 218.5352), November 14, 2000." A revised copy of this document containing any recommendations presented at the November 13, 2000, meeting concerning test security and testing issues, may be provided at this meeting.

## VI. Adjournment

\*Denotes items on which the Committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Roxanne Duer, at (775) 684-6825, as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

# **WORK SESSION DOCUMENT LEGISLATIVE COMMITTEE ON EDUCATION (NEVADA REVISED STATUTES [NRS] 218.5351, ET SEQ.) NOVEMBER 14, 2000**

This document contains a summary of recommendations for bill draft requests (BDRs) or other actions that have been presented during public hearings, through communication with individual committee members, or through correspondence submitted to the Legislative Committee on Education. It is intended to serve as a guide to assist Committee members in making decisions during the work session. The Committee may accept, reject, modify, or take no action on any of the proposals. Pursuant to *Nevada Revised Statutes* NRS 218.2429, the Committee is limited to ten legislative measures. At its June 20, 2000, work session, the Committee approved four of those ten. The approved recommendations for legislation resulting from these deliberations will be prepared as bill drafts and submitted to the 2001 Legislature. The concepts contained within this document are arranged under broad topics to allow members to review related concepts.

## **RECOMMENDATIONS CONCERNING CHARTER SCHOOLS**

1. Amend statutes to provide for the following:
  - a. **Special education**: Send a letter to the Senate Committee on Finance and the Assembly Committee on Ways and Means supporting appropriations for additional (number to be determined) discretionary special education program units and inclusion of an allowance for charter schools to apply directly for discretionary units (within the existing system) in their first year of operation. Also support, after one year of operation, inclusion of an assigned number of special education program units within school district allocations to charter schools with baseline special education populations, and provision for payment of special education program unit allocations directly to charter schools. Clarify in statute that school districts are local education agencies (LEAs) for federal purposes and that an application and written charter shall include: special education assurances that the charter school will comply with the federal requirements for special education, and procedures for documenting such assurances.
  - b. **Independent study**: Clarify in statute (primarily at NRS 389.155) that the governing body of a charter school may approve an independent study program subject to the independent study statutes and regulations.
  - c. **Home/private school students**: Clarify in statute (primarily NRS 392.070) the discretion of school districts to permit the participation of home-schooled or private school students in public school sports programs, with authorization from the school district. Further clarify in statute (primarily NRS 387.1233(6) and 392.070) that home-schooled and private students may participate in charter school classes or activities subject to the same standards as home-school or private school students attending other public school classes and activities, including a provision for proportionate reimbursement directly to the charter school from the Nevada Department of Education.
  - d. **Out-of-district facilities**: Clarify in statute that a charter school may only serve students residing outside its district in a facility located within its home district (i.e., a charter school may not hold a charter in one district and operate satellite facilities in other districts under the same charter). NOTE: THIS PORTION MAY CHANGE IF A SEPARATE STATUTE PERMITS SUCH FACILITIES UNDER A DISTANCE EDUCATION BILL.
  - e. **Re-employment of charter school employees**: Clarify within statute that the provisions (primarily subsection 6 of NRS 386.595) concerning reassignment of charter school employees within a school district if the charter is revoked, apply only

to employees that had been employed by the school district at the time they transferred to the charter school.

- f. **Removal of governing body member**: Require by statute that a charter school include in the application and written charter a mechanism for the removal of a member of the school's governing body for cause.
  
- g. **Review of applications**: Redefine in statute (primarily at NRS 386.520 through NRS 386.527), the roles of local school boards and the Nevada Department of Education with regard to the review of charter school applications, to provide for authority for the Department to deny an application if noncompliance with state law is determined. Further, require the State Board of Education to define in regulation those matters within the charter school application that are the responsibility of the sponsoring school board to review and make a determination and verification of compliance. Currently, the Department reviews the applications for completeness and the district board of trustees reviews for compliance with applicable laws.
  
- h. **Charter school evaluations**: Appropriate (or earmark within the Legislative Committee on Education's 2001-2003 biennial budget) \$7,150 for consulting services needed to conduct case study evaluations of up to five Nevada charter schools as outlined in a proposal to the Committee at its April 11, 2000, hearing. Such evaluations should contain descriptions of each school; funding patterns; governing systems; curriculum/instruction definitions; descriptions of school "climate"; accomplishments; best practices; key themes; and possible "lessons" for other schools.
  
- i. **Federal start-up funds**: Recommend in a letter to the Nevada Department of Education that it participate in the Federal Public Charter School Program funds and send a letter of support to the Senate Committee on Finance and the Assembly Committee on Ways and Means for funding in the Department's budget for a full-time position of charter school consultant.
  
- j. **Charter school reporting**: Include charter schools within reporting requirements to school districts under the Statewide Management of Automated Record Transfer (SMART) program of automated student record management (primarily NRS 386.650). Send a letter to the Senate Committee on Finance and the Assembly Committee on Ways and Means supporting inclusion of funding for charter schools in appropriations for SMART. (These provisions are not intended to require additional costs for charter schools other than the indirect costs associated with collecting the required data.) **(Consensus group convened by Senator Washington following the June 20, 2000, work session.)**

## **RECOMMENDATIONS CONCERNING DISTANCE LEARNING**

2. Provide, in statute, an opportunity for school districts, charter schools, and consortia of school districts and charter schools (including noncontiguous school districts), to deliver instruction by distance education. Distance education is a program of instruction in which the teacher and student are separated geographically and instruction is delivered through electronic medium (video, interactive video, television, correspondence, computer, Internet) or correspondence, or a combination thereof. [Note: Distance education students would remain subject to state requirements for proficiency testing, curriculum and other statutory requirements.] Distance education may be implemented through EITHER:

Option A: (Communication from a member of Legislative Committee on Education):

This option is a “decentralized” concept in which distance education courses or programs may be developed by commercial vendors, charter schools, school districts, higher education institutions, or the Nevada Department of Education. Such courses or programs would require the approval of the Department in accordance with regulations adopted by the State Board of Education for distance education programs. The State Board of Education regulations would ensure that distance education programs meet all state requirements, including the academic standards. The Department would be required to approve a school district’s or charter school’s plan to implement a distance education program. Students would be permitted to enroll in distance education programs out of their resident school district and funding would follow the student, provided the resident school district approved. Per-pupil funding for full-time distance education students would be based on actual costs, not to exceed the basic support guarantee of the resident school district. Further, the Committee directs the Department to submit the associated regulations to the Committee for its review and comment prior to adoption by the State Board of Education. This option is set forth in greater detail in Attachment A.

Option B: (Department of Education – Virtual School Task Force)

This option centralizes distance education programs at the State Board of Education. As in Option A, the State Board of Education would adopt regulations to ensure that distance education programs meet or exceed state standards of content and performance and pupils demonstrate mastery of the subject similar to pupils in traditional schools. Similar to Option A, this option would permit students to enroll in distance education programs out of their resident school district subject to the approval of the resident and receiving school district. Again, as in Option A, per-pupil funding would follow the student out-of-district. In contrast to Option A, the per-pupil funding would be calculated at six-tenths of the basic support guarantee. This option is set forth in statutory detail in Attachment B.

## **RECOMMENDATIONS CONCERNING**

## ADULT AND ALTERNATIVE EDUCATION PRORGAMS

3. Amend statutes to make certain program changes to Nevada's system of adult and alternative education needed to increase retention and completion rates. Specific changes include:
- a. Delete reference to "part time" when describing students in adult high school diploma programs under NRS 387.123 and NRS 387.1233; and
  - b. Remove requirement under NRS 387.1233(5) for reporting "average daily attendance" of pupils in the adult high school diploma program.

See Attachment C for additional details. **(Phyllis Dryden and Sidney Franklin, Adult and Alternative Education Task Force, October 24, 2000, meeting.)**

4. Include a letter of support for certain funding and service changes, as follows:
- a. Require districts to average enrollments and/or allow funds to follow students as they enter and leave programs;
  - b. Provide adequate services for English as Second Language (ESL) students in order to accommodate growth in this category; and
  - c. Allow up to 1.5 percent of these funds to be used for state level administration of the Adult High School Diploma Program, Alternative Education, and General Educational Development (GED) testing. (See Attachment D for budget detail.)

**(Phyllis Dryden and Sidney Franklin, Adult and Alternative Education Task Force, October 24, 2000, meeting.)**

5. Amend statutes to include pupils who are at least 16 years and who are enrolled in Adult High School Diploma Programs within the equivalent approved instruction exemption from compulsory attendance (primarily at NRS 392.070). Further, include a statement in the final report of the Committee supporting the recommendations of the Adult and Alternative Education Task Force Report, dated May 16, 2000, which, among other reporting and informational items, urges the State Board of Education to revise regulations accordingly, and define the adult education system within the elementary secondary system as comprising both Adult High School Diploma and Adult Basic Education programs. **(Adult and Alternative Education Task Force, May 16, 2000, meeting.)**
6. Include a letter of support for certain revisions to the funding formula (see Attachment E for additional detail), including:
- a. Continue funding of adult education programs with authority for the Nevada

Department of Education to allocate funds “in accordance with a formula or plan to ensure the money is distributed equitably and in a manner that permits accounting for the expenditures of school districts” (as currently stated in S.B. 555 of the 1999 Session, section 13);

- b. Authorize a percentage of these funds to be used for competitive funding of ESL instruction, child care, and transportation; and
- c. Authorize local education entities, community business organizations of demonstrated effectiveness, volunteer literacy organizations of demonstrated effectiveness, institutions of higher education, public or private nonprofit agencies, libraries, public housing authorities, or consortia of any of the above to apply for the competitive funding for ESL instruction.

**(Mary L. Peterson, Superintendent of Public Instruction, Nevada Department of Education, October 24, 2000, meeting.)**

- 7. Amend statutes (primarily at NRS 385.448 and 392.070) to provide that a student who is no longer enrolled in high school and who is between 16 and 18 years of age must submit written permission signed by a parent or guardian to his local board of trustees in order to take the general educational development (GED) test. Currently, the law provides that this written permission is to be submitted to the State Board of Education. Further provide a specific exemption from the compulsory attendance law for these pupils **(Representatives, Clark County and Washoe County School Districts, personal communication, November 6, 2000.)**

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**RECOMMENDATIONS CONCERNING TEST SECURITY**

- 8. **(NOTE:** One or more recommendations from the Legislative Committee on Education’s November 13, 2000, meeting on testing issues may be forwarded to the Committee for consideration in a revised work session document for the November 14, 2000, work session. Possible recommendations may include, but are not limited to: suggested revisions to improve state test security protocols, mechanisms for reporting alleged test security irregularities; suggested revisions to improve investigations of test security breaches; and revision of penalties for test security violations.)

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**RECOMMENDATIONS CONCERNING  
PROFESSIONAL DEVELOPMENT, LICENSURE,  
AND TEACHING TO HIGHER STANDARDS**

*Regional Professional Development Programs*

**(NOTE: Errors and revisions to the amounts originally voted upon by the Committee at its June 20, 2000, work session, require another vote with the new amounts included, should the Committee wish to make these changes – old amounts are displayed with a “strike through” mark – new amounts are in bold italics):**

9. Provide, through an allocation from the Distributive School Account funding in the amount of ~~\$4,484,997~~ ***\$5,180,505*** for Fiscal Year (FY) 2001-2002 and ~~\$4,484,999~~ ***\$6,046,972*** for FY 2002-2003, to the Nevada Department of Education for transfer to the four host school districts (Clark, Douglas, Elko, and Washoe Counties) for the operation of the four Regional Professional Development Programs. The detail of the proposal and distribution is noted in Attachment F. This proposal was drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon a 1999 appropriation from Senate Bill 555, which “makes appropriation to state distributive school account” (Chapter 559, Sections 16 and 17, *Statutes of Nevada 1999*), enacted for a similar purpose. **(Washoe County School District, May 16, 2000, and Elko County School District, correspondence. Revisions to amounts made by Elko and Clark County School District representatives [see Attachment F]. Additional support from Roger Deidrichsen, President, Churchill County School District Board of School Trustees, January 25, 2000, meeting.)**

### ***Teacher Licensure***

10. Revise teacher licensing statutes (primarily at NRS 391.027) to: (a) remove the State Board of Education’s “veto” powers on regulations proposed by the Commission on Professional Standards in Education; and (b) transfer to the Commission the responsibility to license professional educators (and transfer the associated staff and budget from the Nevada Department of Education). Further, transfer the authority from the State Board to the Commission to suspend and revoke licenses. Finally, authorize the Commission to establish a tiered licensed system based upon the Indiana model. **(Debbie Cahill, Director, Government Relations, Nevada State Education Association, January 11, 2000, meeting.)**
11. Amend statutes (primarily at NRS 391.011) to increase from 9 to 11 the number of members of the Commission on Professional Standards in Education (the teacher licensure board). The additional two members (part of subsection 3 of NRS 391.011), would be appointed by the Governor (as are all current members), and would be individuals employed by school districts in roles involving the recruitment, selection, and placement of licensed personnel. **(Clark County School District, correspondence May 26, 2000; Option: Include parent representative on the Commission, Barbara Teal Clark, June 20, 2000, work session.)**
12. Amend statutes (primarily at NRS 391.019) to **AUTHORIZE** the state Superintendent of Public Instruction (or the Commission on Professional Standards in Education, if Recommendation No. 10 [2] of this document is adopted), upon written petition by a school district to declare that an emergency condition exists in the hiring and assignment of licensed personnel in specific licensure subject areas within the district. The state Superintendent of Public Instruction (or the Commission on Professional Standards in Education, if Recommendation No. 10 [2] of this document is adopted) **MAY** then authorize the district

(for a period not to exceed two years) to hire and assign personnel who do not meet the specific licensure requirements set forth in the *Nevada Administrative Code* in the identified licensure subject area. During such period of time, the Commission on Professional Standards in Education will consider changes to licensure requirements that would address the emergency condition. **(Clark County School District, correspondence May 26, 2000.)**

### *Professional Development*

13. Urge by letter from the Committee that school districts use the maximum number of authorized professional development days, or equivalent hours, for high-quality subject matter content-based professional development activities (as approved by the Nevada Department of Education), such as those sponsored by the Regional Professional Development Programs. NOTE: As stated by Bill Hanlon, member, State Board of Education, these would be days that are part of the 180-day school year calendar and would, therefore, have no cost involved; however, these days would also be days pupils would not be attending school. **(Bill Hanlon, member, State Board of Education, March 1, 2000, meeting.)**

### **RECOMMENDATIONS CONCERNING ACADEMIC STANDARDS FOR PUBLIC SCHOOLS**

14. Include an appropriation in the amount of \$300,000 to the Nevada Department of Education to conduct statewide public engagement/public relations with parents of school age children with regard to the new academic standards. The activities for this project include communicating through people, communicating through research, and communicating through print and electronic media. (See page 39 of Attachment G for additional detail.) **(Council to Establish Academic Standards, September 26, 2000, meeting.)**
15. In order to address increased instructional demands for the new academic standards, increase by one the number of days of a school year and appropriate \$14.8 million over the next biennium for one additional day of required professional development, to be added to the master schedules of each school district and funded through the Distributive School Account. (See page 39 of Attachment G for additional detail. Cost estimate: \$7.2 million in FY 2000; \$7.6 million in FY 2001). **(Council to Establish Academic Standards, at September 26, 2000, meeting.)**

### **RECOMMENDATIONS CONCERNING THE STATEWIDE ACHIEVEMENT AND PROFICIENCY TESTING PROGRAM**

### *Assessment Protocols*

16. Provide within statute, authority for school districts to “excuse” nontested students in secondary

schools from attending school on days set aside for tests required under Nevada's statewide proficiency program (primarily those tests required under NRS 389.015). Nontesting students should not be required to report to school on test days. Management of only the students being tested would allow the school to: (a) sort, distribute, and collect materials to ensure proper test security; (b) provide a better environment for testing by using classrooms; and (c) allow supervision of smaller groups of students being tested. Further, amend NRS 392.122 to provide that a pupil who is excused from attendance on a test day must be counted in attendance for purpose of promotion to the next grade. **(Sue DeFrancesco, Principal, Bonanza High School, Clark County School District, November 1999 meeting.)**

17. Include a statement in the final report of the Committee supporting coordination between the Nevada Department of Education and school district test directors to include:

- An examination of the statewide testing schedule and a recommendation to the State Board of Education of a new statewide testing schedule with the goal of using less test time.
- An assessment of the effect of testing on fourth graders and consideration of testing other grades.
- Exchanging tests to avoid duplicity in subject testing.
- Consideration of the testing needs of special populations, including English Language Learners (ELL) and Special Education students.
- The need for additional clerical support to schools during the testing process, including funding for test proctors.
- Utilizing advances in technology to prepare for the inevitability of "paperless" testing.
- Procuring test results in a timely manner.
- Deciding how to test various abilities outside of a standard reading test, for example, the proficiency of a student's science ability is determined by the results of a reading test.

**(Joan Gray, Principal, Hayes Elementary School, CCSD, November 18, 1999, meeting.)**

### *Nevada Mathematics Advisory Task Force*

18. Incorporate within the Committee's final report the recommendations submitted to the Committee by the Nevada Mathematics Advisory Task Force in their report of Nevada's High

School Proficiency Examination (HSPE) in Mathematics. Recommendations include:

- The Nevada Department of Education (or its contractor) should deliver accurate and complete testing reports to school districts in a timely manner;
- The Nevada Department of Education (or its contractor) should provide item analyses and detailed student information to school districts so they can improve the instructional process and provide more effective remediation to students;
- In consultation with the school districts, the Nevada Department of Education should design and provide reports to parents that can be easily read and interpreted;
- The Nevada Department of Education should investigate the feasibility of including constructed response questions, such as essays and questions for which students generate, rather than select, answers;
- A pilot study should be initiated to develop sets of test questions and appropriate reporting mechanisms that distinguish between understanding of concepts and understanding of terminology; and
- The Nevada Department of Education should develop and implement a public awareness strategy to facilitate better understanding of the goals of the testing program and to ensure accurate reporting of testing information. In furtherance of this goal, the Task Force suggested that the Department ensure that the contracting vendor implement the necessary changes in the equating procedures to produce tests of comparable difficulty.

The Task Force also recommended that school districts:

- Apply for remediation funding already appropriated under Senate Bill 555 (Chapter 559, *Statutes of Nevada 1999*), which makes an allocation from the State Distributive School Account for remedial education programs;
- Ensure that parents, students, and teachers are aware that the HSPE is a high-stakes test and that students must obtain a passing score on the HSPE in order to obtain a high school diploma; and
- Continue to ensure that the local curriculum and instructional programs will adequately prepare students for the HSPE in Mathematics, and revise those programs to meet the 1998-1999 content and performance standards in mathematics.

**(Nevada Mathematics Advisory Task Force's Report on the Nevada High School Proficiency Examination (HSPE) in Mathematics, January 25, 2000, meeting; reemphasized at Committee's September 26, 2000, comprehensive review panel meeting**

by Ann Loring, Task Force member.)

### *Test Exceptions*

19. Amend statutes (primarily at NRS 389.015) to provide certain exceptions from the requirement that all students receiving a high school diploma pass the HSPE. High school seniors who fail the exam after a specific number of times allowed by the State Board of Education – this group includes many English Language Learners – would receive substitute diplomas, letters of recommendation from the principal, a portfolio of grades, or some type of demonstration of the accomplishments of their educational experience. Require the State Board of Education to establish such an alternative by regulation. **(Concept by Patricia Cunningham, parent, November 18, 1999, meeting.)**

## **RECOMMENDATIONS CONCERNING NEVADA'S PROGRAM OF PUBLIC SCHOOL ACCOUNTABILITY**

### *Financial Data*

20. Appropriate the sum of \$162,712 from the State General Fund to the Interim Finance Committee to continue the contractual services for the financial analysis model program (In\$ite) implemented in each school district to track individual expenditures by individual schools and to provide for uniformity in financial reporting among school districts. (See Attachment H for details – this proposal was originally drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon a 1999 measure – Section 40 of S.B. 466 of the 1999 Session; revised amounts represent information received from Fox River Learning on November 3, 2000.) **(Washoe County School District, May 16, 2000, meeting and personal communication with a Fox River representative November 3, 2000.)**

The Committee may also wish to consider either or both of the following additions to the base contract:

OPTION A: Include language that would include eight charter schools in this financial accountability system. The appropriation amount would require an additional \$113,505 for the biennium; and

OPTION B: Include language that would include revenue information in this accountability system. The appropriation amount would require an additional \$18,300 (\$27,910 with eight charter schools) for the biennium.

### *Schools Needing Improvement*

21. Testimony from a variety of sources indicates a need to expand access to state remediation

funds to schools that had received such funds in the past, but had been removed from “needs improvement” list. The Committee might wish to consider the following approaches (see Attachment I for a cost analysis of the three options). Specify within any bill approved by the Committee appropriating funds for this purpose that **EITHER**:

- a. Once a school is eligible for state remediation funds, allow the school to apply for funds for three years. Third-year eligibility would be based upon successful implementation of the approved remedial program at the school (as measured by increased academic achievement on the statewide norm-referenced test and remedial program assessments). In addition, matching funds from other sources would be required (estimated additional cost for next biennium – \$4,484,405); or
- b. Allow any school that has received state remediation funding in the past, the opportunity to submit an application for continued funding. Applications would be judged and prioritized based upon available funds and the needs of schools new to the list, as well as upon the successful implementation of the approved remedial program at the school (as measured by increased academic achievement on the statewide norm-referenced test and remedial program assessments). Additionally, beginning the third year, matching funds from other sources would be required (estimated additional cost for next biennium – \$9,031,025); or
- c. Expand remediation funding to include schools that receive a designation as demonstrating adequate achievement, but have more than 40 percent of pupils scoring in the lowest quarter in one or more of the four subjects tested. Applications would be additionally prioritized by the number of subjects tested having 40 percent of pupils scoring in the lowest quarter of the exam. Applications for continued funding would also be judged and prioritized based upon successful implementation of the program at the school (as measured by increased academic achievement on the statewide norm-referenced test and remedial program assessments). Additionally, beginning the third year, matching funds from other sources would be required (estimated additional cost for next biennium – \$8,965,424). **(Members of Legislative Committee on Education at the March 1, 2000, meeting.)**

**22.** A Committee member asked the staff of Nevada’s Legislative Counsel Bureau to review the panel reports for schools needing improvement and recommend areas where consistency would help in formulating a policy. The members of the Committee may wish to **EITHER**:

- a. Write a letter of intent to the Superintendent of Public Instruction urging the inclusion of; or
- b. Amend the panel report sections of statute (primarily at NRS 385.381) to require the following additional information in panel reports:
  - Include detailed information about the school’s current plan for improvement;

provide information about how well the school has implemented the plan; and make recommendations regarding revisions that should be made to the plan;

- Include additional school statistics (most are available in school accountability reports), such as data on enrollment, transiency rate, attendance rate, student demographics and testing results, data regarding teachers (years teaching, staff turnover), remediation money (all sources), discipline problems, and parent participation;
- Provide that all findings or recommendations by the panel must be made with the goal of increasing student academic achievement and must include data to support the findings; and
- Prioritize recommendations, ensure they are measurable, indicate who is responsible for implementing the recommendations, and provide timelines for implementation.

Additionally, **(include in the letter of intent OR require by statute [primarily at NRS 385.373 and 385.375])**, plans for improvement prepared by the Nevada Department of Education for schools designated as needing improvement shall include the following additional characteristics:

- Plans for improvement should be comprehensive and unique to the needs and goals of each school, and should address the recommendations of the panel reports; and
- Goals and objectives in the Department’s plan must be measurable to evaluate the effectiveness of the plan.

**(Member of Legislative Committee on Education, March 1, 2000, meeting.)**

- 23.** Include a statement in the final report of the Committee urging school districts to *recommend* policies and establish incentives to place the best teachers in schools with the greatest need, especially schools with a high proportion of at-risk students. Further support revising retirement incentives for teachers serving at-risk schools to continue to provide the incentive (additional retirement credit), to teachers staying with a school, even when it is removed from the “needs improvement” list. In other words, the benefit would continue to accrue to senior level teachers transferring to a school classified as “needing improvement” for as long as the teacher stays at the school, without regard to whether the school is currently classified as “needing improvement.” **(Concept by Bill Hanlon, March 1, 2000, meeting and others; wording in bold suggested by Committee member at June 20, 2000, work session.)**

24. Either,
- a. Adopt a resolution from the Legislature; **or**
  - b. Send a letter from the Committee

to each school district board of trustees to encourage districts to establish a web site for each school in the district, posting the school's accountability reports on those sites. Further, encourage districts to conduct "exit surveys" of parents whose children are leaving a school for any reason to gather parental concerns, then include the top ten concerns within the school accountability report. **(General discussion by panel members Jim Hager, Superintendent, Washoe County School District, and Senator Raymond D. Rawson at Committee's September 26, 2000, comprehensive review panel meeting.)**

### **RECOMMENDATIONS CONCERNING OTHER MATTERS RELATED TO EDUCATION**

#### *Early Childhood Education*

25. Adopt a resolution requiring the Legislative Commission to establish an interim legislative study of early care and education, emphasizing prekindergarten education for school readiness. The study would review adequacy of funding for existing programs such as Even Start, Head Start, and Classroom on Wheels and would establish a statewide plan for a comprehensive system of early care and education. **(Mary L. Peterson, Superintendent of Public Instruction, Nevada Department of Education, correspondence dated August 15, 2000.)**

#### *Parental Involvement*

26. Adopt a resolution from the Legislature to school district boards of trustees supporting the development, implementation, and evaluation of a parent involvement policy and program in every school that will involve parents at all grade levels in a variety of roles. Further, base the resolution upon the "Parent Involvement Resolution" adopted by the Chicago School Reform Board of Trustees on September 24, 1997 (see Attachment J for a copy of the Chicago resolution). **(Barbara Teal Clark, Legislative Chairman, Nevada PTA, September 26, 2000, meeting.)**

#### *Career Ladders for Education Paraprofessionals*

27. Adopt a resolution or transmit a letter of support from the Legislature directing the State Board of Education to work with an organization representing classified school employees, the Commission on Professional Standards in Education, Nevada institutions of higher education, and other interested parties to establish a statewide career ladder program for nonlicensed educational personnel, based upon components within the California model found within *California Education Code* § 44390-44393 and 1997 California Assembly Bills 352 and 353 that established the program within California law. **(Charlotte Brothwell, Nevada Classified Employees Association, October 24, 2000, meeting.)**

### *Health Education*

28. Provide an appropriation of \$1.7 million to the Regional Professional Development Programs for the purpose of providing school staff training on health and physical education and wellness. Further, require the Nevada Department of Education, in coordination with the Nevada Department of Human Resources, to develop a health promotion and wellness program for all Nevada school staff in order to provide role models for students and to reinforce health and physical education standards. Finally, require, in statute, that the State Board of Education adopt a statewide policy regarding the sale of soft drinks and candy at schools consistent with adopted state academic standards on health education. **(Member of the Committee, October 2000 communication.)**

### *Second Count Day for Per-Pupil Funding*

29. Authorize within statutes (primarily at NRS 387.1233), more than one “count day” during a school year for the purpose of computing basic support to the public. One alternative would be to retain the current “count day” (the last day of the first month of the school year), and add a second “count day” on the last school day of January. Multiple count dates for charter schools would aid in dealing with student transiency. **Note:** Such a change may require extensive revisions of various sections of NRS dealing with school funding, including sections dealing with financial reports and payment schedules (see Attachment K for a copy of the resolution). **(Resolution by the Nevada PTA, October 24, 2000, Committee meeting.)**

OPTION: As part of the final adjustment, when there is an increase in enrollment of at least 3 percent, then the basic support payment shall be adjusted to reflect the actual growth (see Attachment L, NRS 387.1243.)

### *Class Size Reduction*

30. Direct that a letter be sent from the Legislative Committee on Education to the Senate Committee on Finance and the Assembly Committee on Ways and Means, urging that any bill drafted to fund class size reduction continue the language as specified in A.B. 700 of the 1999 Session that allows for district flexibility in implementing Class Size Reduction, including the continuation of the Elko County School District Demonstration Project, changing the grade span listed for that project from grades 1 through 5 (as specified in A.B. 700) to grades 1 through 6. **(Elko County School District,**

correspondence, May 2000.)

OPTION: Add to the letter a request that the pilot program also examine how team teaching situations are handled and possible mentoring opportunities between experienced teachers and new teachers within the team-taught classroom. **(Debbie Cahill, Nevada State Education Association, at the Committee's September 26, 2000, comprehensive review panel discussion.)**

31. Amend statutes (primarily at NRS 388.700, *et seq.*) to repeal Nevada's Class Size Reduction program. Recommend to the Senate Committee on Finance and the Assembly Committee on Ways and Means that they redirect funds to: (1) develop and administer criterion referenced tests based upon state standards in reading to all of Nevada's first and second grade students in the fall AND spring of each academic year (*Note: cost estimated at \$250,000 per grade, per subject, per year*); (2) provide phonics training for teachers and implement the phonemic awareness, phonics, and oral feedback methods advocated by the National Reading Panel Study; and (3) provide classrooms and students with phonics materials, such as the *Phonics Game* (cost per game - \$279) or *Hooked on Phonics* (cost per game - \$300). **(Courtney Miller, Nevada Policy Research Institute [NPRI], correspondence, June 1, 2000.)**

### *School Construction*

32. With regard to replacing older school buildings, **EITHER:**
- a. Require by statute (primarily at NRS 393.103); or
  - b. Include a statement in the final report
 

that school district policies required by NRS 393.103 with regard to school facility replacement should address the possibility of the district receiving additional revenues or provide guidelines on how such funds would be disbursed. (The Clark County School District Policy 7112, "School Facility Replacement," revised July 22, 1999, did not address the possibility that if additional funds were available to the District, the Board of Trustees could consider replacement of some of the older schools). **(Member of Legislative Committee on Education, September 20, 1999, meeting.)**
33. Reauthorize the pilot program for school replacement or renovation described in A.B. 368 of the 1999 Legislative Session. Authorize (as similarly specified in A.B. 368), the board of trustees of Clark County School District to use an amount up to \$15 million of the proceeds of bonds issued under NRS 350.020. **(Member of Legislative Committee on Education, September 20, 1999, meeting.)**
34. Include a statement in the final report of the Committee supporting the continued funding for the construction of school facilities in districts meeting certain emergency conditions. A special fund was created by Assembly Bill 597 of the 1999 Session (codified within NRS 387.333 *et seq.*), to assist districts with the financing of capital improvements if the district had significant financial barriers preventing that replacement. **NOTE: As requested by Committee members at the June 20, 2000, work session, it was determined that 100 percent of the \$16,492,493 for Fiscal Year 2000-2001 has been obligated. (Roger Deidrichsen, President, Churchill County School District Board of School Trustees, January 25, 2000, meeting.)**

### *University Police Departments*

35. Authorize within statute the Board of Regents of the University and Community College

System of Nevada to form an advisory review board for university police departments for the purpose of advising the Board of Regents on issues concerning university police officers. Although current state statute states that city and county police departments may institute an advisory review board, state governments are not indicated in statute as having that ability. Since university police officers are classified state employees, legal concerns about the formation of such boards have been raised. **(Gary Peck, American Civil Liberties Union [ACLU], October 25, 1999, meeting.)**

### ***Special Education Funding***

36. Amend statutes, primarily at NRS 387.1211, in the definition of a “special education unit,” to include personnel other than licensed teachers, allowing for inclusion of the cost of special education instructional aides, but only if such personnel are designated in the pupil’s Individualized Education Plan (IEP). ***NOTE: At the Committee’s request at its June 20, 2000, work session, staff reviewed the proposal and determined that this proposal would have no additional fiscal impact (Elko County School District, correspondence, May 2000.)***

### ***Ritalin Alternatives***

37. Include a statement in the Committee’s final report supporting increased funding for the social intervention program for disruptive students as modeled by the program in place at Bennett Elementary School in the Washoe County School District. Such a program was endorsed by a grandparent, Audrey Bull, as an alternative to Ritalin therapy. **(Audrey Bull, April 25, 2000, meeting.)**
38. Amend statutes to provide, essentially as specified within Carson City School District’s Administrative Regulation No. 511.2 “Guidelines for the discussion of medication,” that: (a) when it appears that the child may have ADD/ADHD during a special education pre-referral, pre-evaluation, or evaluation, the psychologists involved may suggest to the parent that a medical evaluation may be in order and may discuss the condition generally and may indicate where parents may obtain additional information; and (b) at no time is a teacher or other staff member to suggest that medication might be indicated. The use of medication in a general way is not to be discussed. **(Committee Member, April 11, 2000, meeting.)**

### ***Textbooks***

39. Amend statutes (primarily at NRS 390.160) essentially in the same manner as specified in the statutes of South Carolina (*Code of Laws of South Carolina 59-31-40*), that contracts by Nevada’s State Board of Education with textbook publishers require that textbooks or other instructional material be free of “any clear, substantive, factual, or grammatical errors” and allow the board to require reasonable remedies if an error is found. Further, require by statute that the State Board of Education adopt regulations requiring local school district textbook review committees to include in their evaluations of instructional materials, a specific review for any clear, substantive, factual, or grammatical errors. **(Member of Legislative Committee on Education, April 11, 2000, meeting.)**

*Pupil Discipline*

40. Direct that a letter be sent from the Legislative Committee on Education to the Senate Committee on Finance and the Assembly Committee on Ways and Means urging that any bill drafted to fund the School Improvement Fund (formerly the Class Size Reduction Fund), allow school districts the flexibility to utilize the funds to comply with the provisions of NRS 392.4645, which requires the temporary removal of disruptive students from the classroom. Such resources are needed to provide appropriate supervisory personnel. **(Concept from Nevada Department of Education, correspondence dated June 2000.)**