

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Tuesday, June 20, 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 Meetings held on November 18, 1999, in Las Vegas, Nevada, and January 11, 2000, in Carson City, Nevada.
- *III. Overview and Directions to Staff for Data Collection Activities for Comprehensive Review of Public Education
Assemblyman Wendell P. Williams, Chairman
Pepper Sturm, Chief Principal Research Analyst, Research Division, Legislative Counsel Bureau
- 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

Some recommendations will be voted on and others will be presented to determine whether the committee wishes to develop the ideas further for a future work session. The possible topics that may be covered include:

1. Professional Development, Licensures, and Teaching to Higher Academic Standards
2. Academic Standards for Public Schools

3. Statewide Achievement and Proficiency Testing Program for Public Schools
4. Nevada's Program for Public School Accountability
5. Charter Schools
6. Class-Size Reduction
7. School Construction
8. University Police Departments
9. Special Education Funding
10. Disseminating Information About Significant Legislation
11. Adult and Alternative Education
12. Ritalin Alternatives
13. Textbooks
14. Pupil Discipline
15. Educational Technology

NOTE: Recommendations under consideration by the committee are presented in the attached "Work Session Document, Legislative Committee on Education, June 20, 2000." A revised copy of this document may be provided at the 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 Kennedy, 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
6th REVISION
NEVADA LEGISLATURE'S COMMITTEE ON EDUCATION
(NEVADA REVISED STATUTES [NRS] 218.5351, ET SEQ.)
June 20, 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 NRS 218.2429, the Committee is limited to 10 legislative measures. 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 PROFESSIONAL DEVELOPMENT,

LICENSURE, AND TEACHING TO HIGHER STANDARDS

Regional Professional Development Program

1. Provide, **EITHER** through a:
 - a. General fund appropriation; or
 - b. An allocation from the Distributive School Account (as was done last session)

funding in the amount of \$4,484,997 for Fiscal Year (FY) 2001-2002 and \$4,484,999 for FY 2002-2003, to the State Department of Education for transfer to the four host school districts (Clark, Douglas, Elko, and Washoe) for the operation of the four Regional Professional Development Programs. This proposal was drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon 1999 appropriation from Senate Bill 155, 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. Additional support from Roger Deidrichsen, President, Churchill County School District Board of School Trustees, January 25, 2000, meeting.)**

OPTION: Further, include a statement in the final report of the Committee expressing the Committee’s intent that the Regional Professional Development Programs work with the Department with regard to meeting statewide professional development requirements of any state or federal grant (such as Reading Excellence Act and state grants to low performing schools). Further, include a statement supporting at least two meetings per year between the Regional Professional Development Program coordinators and representatives of the Council to Establish Academic Standards and the Commission on Educational Technology.

Teacher Certification by the National Board for Professional Teaching Standards

2. Appropriate \$150,000 to the State Department of Education for the purpose of reimbursing up to \$2,000 of the related costs incurred by a teacher in gaining national certification by the National Board for Professional Teaching Standards. Teachers wishing to obtain such reimbursement must file a statement of intent with the school district at least one year prior to anticipated certification; upon completion and certification, the school district shall notice the Department to reimburse the teacher up to \$2,000 of the costs directly related to applying for and receiving National Board for Professional Teaching Standards certification. **(Member of Legislative Committee on Education, January 11, 2000, meeting.)**
3. Further, amend statutes (primarily at NRS 391.160) to change the notification requirement for teachers to submit evidence that they have received certification by the National Board for Professional Teaching Standards, for the purpose of acquiring the existing 5 percent salary

benefit. Current law requires this be done by September 15 of each year; instead require that teachers submit this evidence by January 31 and provide that the additional 5 percent be paid retroactively to the beginning of the contract for that school year. **(Communication, Clark County School District, September 1999.)**

Teacher Licensure

4. Revise teacher licensing statutes (primarily at NRS 391.027) to: (1) remove the State Board of Education's "veto" powers on regulations proposed by the Commission on Professional Standards in Education; and (2) transfer to the Commission the responsibility to license professional educators (and transfer the associated staff and budget from the State Department of Education). Further, transfer the authority from the state Board to the Commission to 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.)**
5. Revise current statutory requirements (primarily at NRS 391.060) that limit teacher licensure to U.S. citizens, by specifying that the state Superintendent of Public Instruction (or the Commission on Professional Standards in Education, if Recommendation No. 4 [2] of this document is adopted) **MAY** issue a license to teachers identified by a school district who hold temporary visas and who have academic qualifications which would otherwise qualify them for a license in a subject area which has been declared by the school district to be a high-need shortage subject area. **(Clark County School District, correspondence May 26, 2000.)**
6. 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.)**
7. 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. 4 [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. 4 [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

8. Require by statute 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 State 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 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.)**
9. Include a statement in the Committee's final report encouraging the Regional Professional Development Centers to review the extent of the need by high school teachers for training in reading instruction to help high school students acquire necessary reading ability and to ensure students have the reading related testing skills needed to master the High School Proficiency Examination. **(Elaine Starr, Teacher, Churchill County High School, January 25, 2000, meeting.)**
10. Include a statement in the Committee's final report encouraging the Regional Professional Development Centers to review the extent of the need by high schools for a mathematics trainer to evaluate teacher performance and act as teacher resource. **(Karen Lawson, Churchill County High School, January 25, 2000, meeting.)**

Teacher Recruitment

11. Include a statement in the Committee's final report supporting a 15 to 20 percent pay increase for teachers and sign-on bonuses, as incentives to attract qualified teachers to Nevada. Further, support revision of current retirement rules to allow retired teachers to return to teach under-served subject specialties (such as special education, math, and science), if fully qualified, and return at their previous rates of pay without reducing their retirement benefits. The Department would certify the specific shortage subjects, and the district would need to demonstrate that it had recruited but failed to hire sufficient teachers. **(Bill Hanlon, member, State Board of Education, November 18, 1999, meeting.)**

RECOMMENDATIONS CONCERNING ACADEMIC STANDARDS FOR PUBLIC SCHOOLS

12. With regard to school district implementation of state academic standards, **EITHER:**
 - a. Include a statement within the committee's final report encouraging; or
 - b. Provide by statute

that each district establish a comprehensive plan for the implementation of Nevada's academic standards within the district curriculum and the associated testing within the districts' testing schedule. The plan also must specify how the district will address students, parents, and teachers involved with programs for Limited English Proficient students and special education students, including a description of special teaching methods, special assistance models, and comprehensive curriculum and outreach programs. The plan shall be transmitted to the Department, The Legislative Committee on Education, and the Council.

If a bill draft request is approved (Option B), include an appropriation in the amount of \$_____ to the State Department of Education to conduct statewide public engagement/public relations with parents of school age children with regard to the new academic standards. **(Concepts from the Council to Establish Academic Standards, correspondence, June 2000.)**

13. Include a statement in the Committee's final report emphasizing the importance of coordinating funds for professional development (at the state, district, and Regional Professional Development Program levels), to ensure teachers have the information necessary to improve pupil achievement. Further, urge that the Regional Professional Development Program and the Council consult with regard to this and other issues of mutual interest. Further, emphasize the importance of coordinating all sources of remedial funding to assist students in achieving the new standards. Encourage the school districts to utilize remedial funds to assist special populations, including English Language Learners and Special Education students, who are experiencing difficulties in achieving the standards, and support additional funding from the Legislature for these students. Further, urge the State Department of Education to complete a survey of school districts for the Council to ensure standards are in place statewide, are part of the curriculum being taught, and that all students have the classroom experiences necessary to have received instruction in all areas being tested. Further, provide a statement of support for the State Department of Education's budget request to adequately fund test development and administration costs for all statewide tests associated with the new academic standards. Finally, provide a statement of support for the development and funding of an 8th grade criterion referenced test based upon the academic standards. **(Concepts from the Council to Establish Academic Standards, correspondence, June 2000.)**

14. In order to address increased instructional demands for the new academic standards, **EITHER:**

- a. Amend statutes to increase the number of days of a school year and appropriate \$_____ for ___ additional days [**cost estimate is approximately \$7.2 million in FY 2000 per extra day; \$7.6 million in FY 2001**]; or
- b. Amend statutes to increase the minutes of instruction per school day and appropriate \$_____ for ___ additional minutes to be added to the school day. **NOTE:** The

required number of minutes per school day is currently set within regulation. [cost estimate is approximately \$3.58 million per minute for FY 2000 and \$3.78 million per minute for FY 2001]

(Concepts from the Council to Establish Academic Standards, correspondence, June 2000.)

RECOMMENDATIONS CONCERNING THE STATEWIDE ACHIEVEMENT AND PROFICIENCY TESTING PROGRAM

Assessment Protocols

15. 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: (1) sort, distribute, and collect materials to ensure proper test security; (2) provide a better environment for testing by using classrooms; and (3) 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 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.)**
16. Include a statement in the final report of the Committee encouraging the State Department of Education and the school district test directors to work together to resolve problems involving statewide proficiency tests, including: receipt of materials in a time frame that allows for test administration planning; test scheduling; the reduction of turnaround time for test results and reporting scores. -- The High School Proficiency Exam is a particular source of anxiety for students and parents. The earlier results are shared; the sooner student remediation within specific skills areas can be addressed. **(Sue DeFrancesco, Principal, Bonanza High School, Clark County School District, November 1999 meeting.)**
17. Include a statement in the Committee’s final report emphasizing the importance of providing publicity about the importance of statewide testing. The Legislative Committee on Education supports disseminating test information from the state level to parents, including the type of testing children will experience at various grade levels, the importance of the testing, and helpful advice for parents to assist their children. **(Sue DeFrancesco, Principal, Bonanza High School, Clark County School District, November 1999 meeting.)**
18. Include a statement in the final report of the Committee supporting coordination between the State Department of Education and school district test directors to include:
 - An examination of the statewide testing schedule and the creation 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.
- A 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

19. 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 in Mathematics). Recommendations include:
- The Department of Education (or its contractor), should deliver accurate and complete testing reports to school districts in a timely manner;
 - The Department of Education (or its contractor), should provide item analyses and detailed student information to school districts so that they can improve the instructional process and provide more effective remediation to students;
 - In consultation with the school districts, the State Department of Education should design and provide reports to parents that can be easily read and interpreted;
 - The State 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 State 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.)

Remediation

20. Provide, **EITHER** through a:

- a. General fund appropriation; or
- b. An allocation from the Distributive School Account (as was done last session)

funding in the amount of \$1 million for each of the fiscal years for the 2001-2003 biennium, for continued state support of approved remedial education or tutoring programs outside the school day for pupils at any grade level who need additional instructional time in order to pass or to reach a level considered proficient. Programs conducted under this section must be conducted before or after school, on weekends, during summer or between sessions in schools with year-round calendars. This proposal was drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon a 1999 measure (Section 19 of S.B. 555 of the 1999 Session), enacted for a similar purpose. **(Washoe County School District, May 16, 2000, meeting.)**

OPTION: Add to the required evaluation the following information-- Districts must submit a report to IFC and the Department by September of each year, the number of pupils that participated in the remedial program; the curriculum that was taught (including purchased remedial programs that were utilized); the number of pupils that passed or reached a level considered proficient, following participation in the program; and total expenditures.

Test Exceptions

21. Amend statutes (primarily at NRS 389.015), to provide certain exceptions from the requirement that all students receiving a high school diploma pass the High School Proficiency Examination. 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.)**

Reporting Test Results

22. Amend statutes (primarily at NRS 389.017 [5]) to revise state proficiency reporting requirements. Current law requires districts and charter schools to report statewide results to the Department before November 1, and for the Department to report this information by December 1. Due to district testing practices and contractual “turn-around” times from test vendors, the dates need to be changed to November 15 and December 15, respectively. **(Nevada Department of Education Staff, Personal Communication, March 2000.)**

RECOMMENDATIONS CONCERNING NEVADA’S PROGRAM OF PUBLIC SCHOOL ACCOUNTABILITY

Financial Data

23. Appropriate the sum of \$140,000 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. This proposal was drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon 1999 measure (Section 40 of S.B. 466 of the 1999 Session) enacted for a similar purpose. **(Washoe County School District, May 16, 2000, meeting.)**

OPTION: Include language that would include charter schools in this financial accountability system. The appropriation amount would need to be adjusted as soon as an estimate is received from In\$ite.

24. Include a statement in the Committee's final report, encouraging the Regional Professional Development Programs to review recommendations by George Hill in his evaluation of Nevada's accountability system, concerning the need by the small school districts for training or assistance in interpreting test data. **(George Hill, Contractor for Evaluation of State Accountability System, January 11, 2000, meeting.)**

Schools Needing Improvement

25. Provide, **EITHER** through a:

- a. General fund appropriation; or
- b. An allocation from the Distributive School Account (as was done last session)

funding to the State Department Education in the amount of \$3.5 million for each of the fiscal years in the 2001-2003 biennium for remedial education programs approved by the Department as being effective in improving pupil achievement in low achieving schools. This specific proposal uses primarily option C on the next recommendation. This proposal was drafted by Jeanne Botts, Chief Financial Officer, Washoe County School District, based upon a 1999 measure (Section 18 of S.B. 555 of the 1999 Session), enacted for a similar purpose). **(Washoe County School District, May 16, 2000, meeting.)**

26. 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. 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; 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; 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 1 or more of the 4 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.

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

27. 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 State 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.)

- 28.** Require by statute, that panel reports be submitted to the district board of trustees in advance of public release. Further, (in response to accountability panel review reports), **EITHER:**
- a. Require a specific written response from the board of trustees (similar to an audit response) be contained within the panel report concerning how the district plans to implement changes, resources to be used, and other responses; or
 - b. Require a separate review and response by the board of trustees to each panel report, due 30 days after the panel delivers its report (submitted to the same list of entities as panel reports).

Further require, (under either A or B), that the board of trustees of a school district with schools having such panel reports, reviews the reports at a meeting of the board. Also, require by statute that, within 60 days of receiving the panel report, the school district report actions taken by the board and the district to implement recommendations contained within the report. Such a report would be submitted to the same entities listed in NRS 385.381 (1)(e) – the school's principal; district's board of trustees, district superintendent, state superintendent, governor, state board, department, the Legislative Committee on Education, and LCB. **(Member of Legislative Committee on Education, March 1, 2000, Meeting.)**

- 29.** Include a statement in the final report of the Committee urging school districts to develop 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 comes off 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.)**

RECOMMENDATIONS CONCERNING **CHARTER SCHOOLS**

Charter Schools

30. The following alternatives are set forth as Items A through J.

A. Require the State Board of Education to adopt regulations to:

- Define the percentage of at-risk pupils served by a charter school for the purpose of determining whether the school would be counted against the maximum number of schools allowed within a district; and
- Define the minimum period a private school must be closed before its operators may apply to become a charter school.

B. Further, specify within statute that **EITHER**:

1) A charter school may serve students residing outside its home district in satellite facilities located in those other districts; or

2) 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)

C. Clarify within statute that the provisions specified primarily under 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 previously hired by the school district.

D. Specify within statute (primarily at NRS 386.520 and NRS 386.549), that the committee to form a charter school and members of the school's governing body must be Nevada residents.

E. Amend statutes (primarily with regard to NRS 386.505), to clarify if computer telecommunications/internet delivery constitutes home study for the purposes of prohibiting such charters, by specifying that **EITHER**:

1) Any instruction, including both on-line and off-line, electronically delivered instruction, that is delivered or accessed in the home, constitutes home study and is prohibited by NRS 386.505(2); or

2) Electronically delivered, on-line instruction received by students in their homes or places of residence is not considered a program of home study for the purposes of NRS 386.505(2), if:

- The student is in 4th grade or higher;
- The student received the minimum number of minutes of instruction per day pursuant to NRS 386.550, which can be verified to the satisfaction of the Department;

- Records of students academic work, and student level of achievement (including grades), are maintained by a licensed teacher; and
- There are 5 or more hours per week of internet/personal contact for instructional purposes between a licensed teacher and each student, which can be verified to the satisfaction of the Department.

F. With regard to item E above, if option 2 is approved, **EITHER:**

1) Specify that a charter school delivering such instruction (electronically delivered, on-line instruction) may **not** do so to students located outside its home district; or

2) Specify that a charter school delivering such instruction may serve students in adjoining or non-adjoining districts, and be reimbursed at the same rate (OR REDUCED RATE - SEE NEXT ITEM G) as if students from another district physically attended the school.

G. Specify within statute (**AND/OR** the DSA appropriation bill), a reduced rate of per-pupil funding for students receiving electronically delivered, on-line instruction, since the same types of facility and staffing concerns are not present (NOTE: Perhaps consider the actual cost estimated at approximately \$3,600 for White Pine County School District's Nova Center).

H. Specify in statute that only individuals and not-for-profit entities may be a member of a committee to form a charter school or a member of the governing body of a charter school. (NOTE: the intent of this provision is to prohibit for-profit ventures from operating charter schools).

I. Specify within statute that **EITHER:**

(1) The charter school must specify within its application and charter a mechanism for the removal of a member of the school's governing body for cause; or

(2) Provide that, upon petition by a school district board of trustees, a member of a charter school's governing board may be removed for cause by action of the State Board of Education.

J. Further redefine in statute (primarily at NRS 386.520 through NRS 386.527), the roles of local school boards and the Department of Education with regard to the review of charter school applications, and provide for the specific authority of the Department to deny an application if non-compliance is determined. Currently, the Department reviews the applications for completeness and the district board of trustees reviews for compliance with applicable laws.

(Concepts A through J presented by Nevada State Department of Education, April 11,

2000, and in correspondence dated June 2, 2000.)

- 31.** 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 charter schools. 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. **(Concept by George Perreault, April 11, 2000, meeting.)**
- 32.** Amend statutes (primarily at NRS 389.017), to add charter schools to the list of those types of schools that must be excluded from calculating the district’s average score for statewide proficiency exams. **Note:** Accountability data for charter schools would still be reported in a district’s report to its citizens, but the test scores and other accountability information will not be averaged in with the traditional schools actually operated by the district. **(Churchill County School District correspondence, May 2000, and others.)**
- 33.** 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 5 (?) Nevada charter schools as outlined in a proposal to the Committee at its April 11, 2000 hearing. Such evaluations 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. **(George Perreault, April 11, 2000, meeting.)**
- 34.** Clarify within the charter school statutes specific authority with regard to charter school eligibility for special education funds, including a mechanism for prompt transfers of funds. Revise statutes to specifically allow for the establishment of a charter school for students in a home school arrangement [Would affect E, options 1 and 2 since they are predicated upon assumption that home schooling arrangements are prohibited under charter school law]. Provide an appropriation in the amount of \$250,000 for up to 10 applicants (up to \$25,000 per school) for “seed money” to assist those who have been approved for a charter school in securing facilities and paying for other start-up costs. Provide charter schools with an additional \$500 per-pupil, per-year as an annual facility cost payment, since charter schools do not have the ability to levy taxes or issue bonds for facilities. Finally, delete from the statutes the concept of “at-risk” charter schools as a special type of charter school serving at-risk students. **(Ricky Elkins, April 11, 2000, meeting, Communication with Legislative Staff, June 2000.)**
- 35.** Revise statutes [primarily at NRS 387.1233(2)], to provide that school districts with fewer than 10,000 students (excludes Clark, Elko, & Washoe), have an extra year (2 years total) in the “hold harmless” clause of the Nevada plan to adjust for negative growth related the establishment of a charter school within the district. **(Committee Member, personal**

communication, April 2000.)

**RECOMMENDATIONS CONCERNING
OTHER MATTERS RELATED TO EDUCATION**

Class Size Reduction

36. 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 AB 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 AB 700) to grades 1 through 6. **(Elko County School District, correspondence May 2000.)**
37. Amend statutes (primarily at NRS 388.700 *et seq.*) to repeal Nevada's Class Size Reduction program. Redirect funds to 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; provide phonics training for teachers and implement the phonemic awareness, phonics, and oral feedback methods advocated by the National Reading Panel Study. Further, provide classrooms and students with phonics materials, such as the *Phonics Game* or *Hooked on Phonics*. **(Courtney Miller, Nevada Policy Research Institute [NPRI], correspondence, June 1, 2000.)**

School Construction

38. With regard to replacing older school buildings, **EITHER:**
- a.. Require by statute; or
 - b.. Include a statement in the final report

that school district policies 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 7/22/99 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.)

39. Provide by statute for the authorization to expand the pilot program for school replacement or renovation described in A.B. 368 of the 1999 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.)

40. 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. **(Roger Deidrichsen, President, Churchill County School District Board of School Trustees, January 25, 2000, meeting.)**

University Police Departments

41. 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 says that city and county police departments may institute an advisory review boards, 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, ACLU, October 25, 1999, meeting.)**

Special Education Funding

42. 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 IEP. **(Elko County School District, Correspondence May 2000.)**

Disseminating Information About Significant Legislation

43. Provide, within statute (primarily at NRS 385.210), that notice concerning the location of the pamphlet in the school library described in subsection 2 of NRS 385.210 (containing all codified statutes relating to schools), should be sent at least annually to school staff and parents. Further, provide that each school library shall also maintain a copy of the policies and regulations adopted by the school district’s board of trustees. **(Legislator, November 18, 1999, meeting.)**

Adult and Alternative Education

44. 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 to:
- Allow pupils who are at least 16 years old to enroll in Adult High School

Diploma Programs (primarily at NAC 389.690); and

- Define the adult education system within the elementary secondary system as comprising both Adult High School Diploma and Adult Basic Education programs.

Further, the task force recommends that school districts allocate funding to alternative schools based upon the average enrollment in the alternative schools, and to allocate pro-rated funds when students transfer from traditional schools to alternative or adult education programs. **NOTE:** The task force will present recommendations for statutory changes at the November meeting of the committee. **(Adult and Alternative Education Task Force, May 16, 2000 meeting.)**

Ritalin Alternatives

45. 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.)**
46. Amend statutes to provide, essentially as specified within Carson City School District 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

47. 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 Legislature Committee on Education, April 11, 2000, meeting.)**

Pupil Discipline

48. Amend NRS 392.4675 to allow the board of trustees of a school district the authority to allow

exceptions, on a case-by-case basis, to the requirement that a student classified as a habitual discipline problem be prohibited from enrolling in an alternative education program (programs for at-risk students or juvenile detention facilities/programs). **(Concept from Nevada State Department of Education, correspondence dated June 2, 2000.)**

49. 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 State Department of Education, correspondence dated June 2000.)**

Educational Technology

50. Include a statement in the final report of the Committee in support of continued funding for current computer technology in classrooms, especially with regard to funding for the technical support needed to maintain this equipment. **(Roger Deidrichsen, President, Churchill County School District Board of School Trustees, January 25, 2000, meeting.)**