

## MEETING NOTICE AND WORK SESSION

Name of Organization: Legislative Committee on Education (SB 482)

Date and Time of Meeting: Wednesday, June 24, 1998

9:30 a.m.

Place of Meeting: Legislative Building, Room 2134

401 South Carson Street

Carson City, Nevada 89701

### AGENDA

I. ROLL CALL.

\*II. APPROVAL OF MINUTES FROM MARCH 26, 1998 AND MAY 28, 1998, MEETINGS.

III. REPORT ON FUNDING FOR CONTRACTUAL SERVICES FOR COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS.

➤ Jeanne L. Botts, Senior Program Analyst, Legislative Counsel Bureau.

IV. STATUS REPORT FROM COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS.

V. UPDATE ON ALLOCATION OF FUNDS FOR REMEDIAL PROGRAMS.

➤ Jeanne L. Botts, Senior Program Analyst, Legislative Counsel Bureau.

VI. PUBLIC TESTIMONY.

\*VII. WORK SESSION: REVIEW AND DISCUSSION OF PROPOSED RECOMMENDATIONS CONCERNING EDUCATION FOR THE 1999 LEGISLATURE. NOTE: RECOMMENDATIONS UNDER CONSIDERATION BY THE COMMITTEE ARE PRESENTED IN THE ATTACHED WORK SESSION DOCUMENT. Additional copies of the work session document may be obtained from Joi Davis, Legislative Counsel Bureau, 687-6823, Capitol Complex, Carson City, NV 89701-4747.

\*VIII. SET DATE OF NEXT MEETING.

IX. 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 Fiscal Analysis Division in writing, at the Legislative Building, Capitol Complex, Carson City, Nevada 89701-4747, or call Joi Davis, at 687-6823, 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; Carson City Courthouse, 198 North Carson Street; Legislative Building, Room 1214, 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

# WORK SESSION DOCUMENT

June 24, 1998

## Nevada legislature's Committee on Education

*(Nevada Revised Statutes 218.5351 et seq.)*

This document contains a summary of recommendations for bill draft requests (BDRs) or other actions which 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. The approved recommendations for legislation resulting from these deliberations will be prepared as bill drafts and submitted to the 1999 Legislature. The concepts contained within this document are arranged under broad topics to allow members to review related concepts.

### **POSSIBLE RECOMMENDATIONS CONCERNING PROFESSIONAL DEVELOPMENT FOR EDUCATORS AND TEACHING TO HIGHER STANDARDS**

#### **Training for Teachers Currently Teaching in Nevada**

1. Appropriate funding (*directly to four districts, Clark, Douglas, Elko, and Washoe*) for the next biennium to establish and equip four regional centers for professional development within the school districts for the following purposes:
  - Training teachers in the new standards for public schools established by the Council on Academic Standards;
  - Training teachers and school administrators in how to measure pupil achievement and analyze and interpret test scores for school improvement;
  - Training teachers to teach to a higher level in their content areas; and
  - Training teachers in methods of teaching basic skills, such as reading instruction using phonics and basic mathematics computation skills.

Each center shall be governed by a board of directors consisting of the superintendents of the school districts within the region, or their designees; master teachers identified by their superintendents; and representatives of the University and Community College System of Nevada (UCCSN). The regional centers shall submit reports at least once a year to the State Board of Education, the Commission on Professional Standards in Education, and the Legislative Committee on Education, regarding the number of teachers receiving training in each of the above topics; the State Department of Education and the school districts shall also report on the number of teachers trained in the new academic standards in district or university/college based programs.

The centers shall use the standards-based training model followed by the Geographic Alliance in Nevada (GAIN). Such a model provides teachers with high quality instruction in their content area, followed immediately by instruction from "master teachers" in effective methods to teach that content. Both the content and process components are tied directly to the standards. The centers may use a portion of their funding to provide incentives to reward teachers for gaining new skills and knowledge, including arranging for college or recertification credit; providing books, supplies, or instructional materials for the classroom; or a offering a stipend. Further, the appropriation also includes funding to be distributed to the regional professional development centers to

reimburse travel expenses of educators attending the center's programs. In carrying out their duties, such centers shall also serve as model classrooms, demonstrating the use of technology for teaching and learning, in keeping with the technical standards and the state technology plan established by the Commission on Educational Technology.

2. Appropriate \$20,000 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 (NBPTS). Teachers wishing to obtain such reimbursement must file a statement of intent with the district at least one year prior to anticipated certification; upon completion and certification, the school district shall notify the Department to reimburse the teacher up to \$2,000 of the costs directly related to applying for and receiving NBPTS certification.
3. Further, require that school districts provide a continuing 5 percent increased salary differential to classroom teachers employed by the district who are certified by the NBPTS (National Board for Professional Teaching Standards).
4. Amend statutes, primarily NRS 391.160, to require that for the purpose of attracting qualified, out-of-state teachers to the workforce, school districts must provide fully licensed teachers with full credit in calculating seniority on the salary scale for their years of out-of-state teaching experience in states for which a reciprocal license agreement exists or, in the absence of such an agreement, for a license-holder in a state approved for this purpose by the Commission on Professional Standards in Education. The Commission shall establish, by regulation, uniform criteria to be used to evaluate a state's licensing standards. This measure would be effective for teachers hired after July 1, 1999.
5. Adopt a resolution encouraging school districts to establish, through collective bargaining, pay and other incentives for experienced teachers to teach and remain teaching in schools designated as demonstrating inadequate achievement under NRS 385.363 *et seq* or schools that are considered at risk of failure. Such a program should also apply to teachers in at-risk schools in subject areas in which a high need or shortage has been identified, such as math or science. The purpose of such incentives is to link, to the extent possible, experienced, qualified teachers with the schools that need them the most.
6. Adopt a resolution encouraging school districts to establish, through collective bargaining, pay and other incentives to attract teachers in subject areas in which a high need or shortage exists and to establish programs to attract individuals with expertise in these areas into the field of teaching.
7. Amend statutes (primarily NRS 391.3197), to lengthen the probationary period for educators to three years. Under current law, tenure is granted after one to two years, depending upon whether a notice of a second year of probation is made. Most other states require three years; Indiana and Missouri specify five years.
8. Amend statutes (primarily at NRS 391.3125) to require that annual evaluations of probationary and post probationary teachers shall include at least 60 minutes of direct observation by the evaluator of the teacher engaged in classroom instruction.
9. Adopt a resolution encouraging the Board of Regents of the University and Community College System of Nevada to share information with school districts on the academic performance of the districts' high school graduates within the college and university system. Further provide that the shared information shall include data on the readiness of incoming freshmen and the academic deficiencies of students majoring in mathematics, English and the sciences. To facilitate this exchange, the UCCSN is urged to establish a process to request the necessary consents from students of Nevada schools entering UCCSN institutions for release of student information data. The State Department of Education shall provide assistance through its SMART automated student records system, or through other data sources as needed, to assist in this effort. As part of this effort, school districts are encouraged to provide feedback to the colleges of education in this state concerning the strengths and weaknesses of Nevada teachers trained in those institutions and employed by the districts. The State Department of Education shall study this matter and report their findings to the 2001 session of the Legislature, and the

University and Community College System of Nevada will also be encouraged to study this issue.

### **Licensing**

10. a. Amend statutes (primarily Chapter 391 of NRS)

### **OR**

1. Adopt a resolution to encourage the Commission on Professional Standards in Education to:

Establish a "tiered" licensing system whereby a beginning teacher may receive a preliminary license, be evaluated for needed content area instruction, and be required to successfully complete additional course work prior to receiving full licensure. Such a program would be modeled upon the state of Utah's practices for training and licensing its science teachers. The Commission on Professional Standards in Education would be responsible for adopting regulations to carry out the "tiered" licensing system.

6. a. Amend statutes (primarily Chapter 391 of NRS)

### **OR**

1. Adopt a resolution to encourage the Commission on Professional Standards in Education to:

Require teachers credentials to include study of phonics instruction (see *California Education Code* 44259).

6. Adopt a resolution to encourage the Commission on Professional Standards in Education to raise the passing score for the teacher competency tests administered for licensure in Nevada.

13. Require that the Commission on Professional Standards in Education, by January 1, 2000, adopt regulations to establish a middle school license for teachers in schools in which core subject areas are taught by different teachers. Further require that by the school year 2001-2002, teachers in grades 6 through 9 who are providing instruction for a majority of their teaching day in a single core subject (mathematics, English, science, or history) must be licensed to teach that subject.

14. Amend the statutes to expand the authority of the Commission on Professional Standards in Education to allow the Commission to license educational personnel; provide state accreditation of teacher education institutions (including initial, graduate and continuing education); and promote studies and research designed to improve teacher education (including initial, graduate and continuing education). Authority for issuing licenses to educational personnel and for approving courses of study for prospective teachers would be transferred from the State Department and State Board of Education, respectively, to the Commission on Professional Standards in Education. This would include the repeal of NRS 391.027 which grants to the State Board of Education authority to disapprove regulations adopted by the Commission.

15. Amend the statutes (NRS 391.011) to expand the Commission on Professional Standards in Education to include members who are not educators.

## **POSSIBLE RECOMMENDATIONS CONCERNING ACADEMIC**

### **STANDARDS FOR PUBLIC SCHOOLS**

16. Amend Chapter 473 of the *Statutes of Nevada 1997* (Senate Bill 482—the Nevada Education Reform Act), to delete the requirement that the Council to Establish Academic Standards develop and approve standards for computer education; health and physical education; and the arts. Further, change the term

"social studies" to "history, including geography" in the requirement that standards be established in the second phase of the Council's work program. Further, shift the selection of remaining statewide examinations linked to the standards from the State Board of Education to the Legislative Committee on Education with input from school districts, higher education, representatives of business and industry, parents, and the Department of Education.

17. a. Adopt a resolution

**OR**

1. Include a statement in the committee's final report to the 1999 Session of the Nevada Legislature:

Encouraging school districts to conduct immediate, in-depth "curriculum audits" of existing district curricula using the academic standards approved by the Council to Establish Academic Standards. Such an audit should identify any necessary changes in what is taught and the associated need for professional development.

18. a. Adopt a resolution

**OR**

- b. Include a statement in the committee's final report to the 1999 Session of the Nevada Legislature:

Encouraging the State Board of Education to review the practice of allowing certain vocational education courses to substitute for core academic units of credit, and to adjust the units of credit needed to graduate from high school to require additional mathematics courses.

19. Include a statement in the final report that school districts shall ensure that remediation programs include the new state academic standards approved by the Council to Establish Academic Standards.

20. a. Adopt a resolution

**OR**

2. Include a statement in the committee's final report to the 1999 Session of the Nevada Legislature:

Encouraging the State Board of Education and the school districts to end the practice of "social promotion" in which students progress to the next grade level without regard to whether they received passing grades or (in the primary grades) whether they have mastered basic skills, such as reading.

21. Include a statement in the Committee's final report requesting the State Department of Education and the school districts report to the Committee on Education after the 1999 legislative session, concerning the manner in which district and state department expenditures support the standards approved by the Council to Establish Academic Standards. Such information shall include professional development activities, selection of instructional materials, and curriculum audits, among other factors. The Department shall utilize the information provided by the districts and its own data on state-level expenditures to evaluate the degree to which and the manner in which funding is targeted in support of the standards.

**POSSIBLE RECOMMENDATIONS CONCERNING THE STATEWIDE ACHIEVEMENT AND PROFICIENCY PROGRAM**

22. Appropriate funding to the State Department of Education for the continued development, administration, and central scoring of the eleventh grade high school proficiency examination. Further, establish an advisory board for the eleventh grade proficiency test to oversee the continuous development of the test and ensure the incorporation into the test of the academic standards approved by the Council to Establish Academic Standards. The advisory

board shall consist of representatives of school districts, parents, business and industry representatives, the Budget Division, and legislators.

23. Amend statutes (primarily NRS 389.015) to increase from ten to fifteen the number of days that the principal has to certify that parents have been notified by the principal of their child's test results. Current law provides that the principal must make this certification within 10 days following his receipt of the results.

24. Require by statute that before entering ninth grade, students must demonstrate proficiency, as measured by a statewide achievement test, in the academic standards for eighth grade by the Council to Establish Academic Standards. This requirement would apply to students entering ninth grade in the 2001-2002 school year (NOTE: Current law provides that the State Board of Education adopt regulations to specify the courses of study, which may include credits earned, necessary for the students to be promoted to high school. The proposed regulations provide for passing grades of "D-" or better in two core classes, English and math. This change would tie promotion to high school directly to the new standards and require a statewide assessment of those skills).

25. Require, by statute, that school districts administer the statewide proficiency exams in grades 4, 8 and 10 in the Spring. Under current statutes (primarily NRS 389.015), the exams must be administered at the same time, with the State Board of Education prescribing that time; the board has selected a date in the Fall. (NOTE: various changes would need to be made in accountability statutes and related reporting requirements).

### **Test Security**

26. Amend statutes (primarily NRS 391.312 and 391.330), to include specific references to test security breaches for Nevada's proficiency testing program as grounds for revocation of professional licenses and grounds for dismissal from employment. Such violations are implied under unprofessional conduct provisions within those sections, but test security breaches are not specifically referenced.

27. Amend statutes (primarily NRS 389.015), to add school district superintendents and test directors to the list of those allowed to view the statewide proficiency examinations.

28. Amend Subsection 3 of NRS 389.015 to correct error that occurred in an amendment drafted last session. The duty of certifying that test results have been transmitted to each school within the required time frame should be placed upon the superintendent *of each school district*, not upon the superintendent *of public instruction*, as stated in the final version of the bill.

It was the legislature's intent that the superintendent of public instruction should only be responsible for transmitting test results to each school district; the responsibility for transmitting results to each school should rest with the local school district's superintendent. Then, the school principal must certify that each child's results were provided to his parent or guardian. This process places responsibility for providing test results within the required time frame at the appropriate administrative level. Unfortunately, the law actually states that the superintendent *of public instruction* will certify that the results were sent to each school within the specified timeline.

29. Amend Subsection 4(c) of NRS 389.017 to correct error that occurred in an amendment drafted last session. The law should allow an exemption from the mandated proficiency examinations for any pupil whose primary language is not English if that pupil demonstrates a lack of proficiency in the English language, as measured on an assessment of proficiency in the English language designated by the department.

Last session's amendment states that a pupil may be exempt from taking the examination if "his proficiency in the English language is below the average proficiency of pupils at the same grade level." Unfortunately, that wording might be interpreted to mean that any pupil who was performing below the average for his grade level might be exempt from taking the proficiency exams, even pupils whose native tongue is English or those who have developed proficiency in English as a second language. Clearly, it was not the intent of the Legislature to exempt from the proficiency examinations any pupil whose primary language is English, regardless of whether he is scoring below the average for his grade, nor to exempt pupils learning English who may not score at or above

average for their grade but are capable of taking the exam. The statute should be amended to stipulate that the exemption applies to pupils whose primary language is not English who are unable to pass the language assessments.

30. Amend Subsection 2 of NRS 389.017 to clarify that pupils with disabilities may take the mandated proficiency examinations with accommodations that are not approved by the test publisher; however, their scores shall not be included in the average scores for the school, district or state. Average scores for the school, district and state include only the scores of pupils tested with no accommodations or pupils with disabilities tested with accommodations that are approved by the test publisher.

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

31. Amend the statutes concerning Nevada's program of public school accountability to:

1. Remove all references to the measurement of teacher attendance for the purpose of ranking public schools as demonstrating high, adequate, or inadequate achievement (current law requires that schools be so ranked based upon achievement scores and teacher and pupil attendance rates);

#### **OR**

2. Retain existing requirement that schools be ranked using achievement and teacher and pupil attendance data, but provide that district approved absences for professional development training for teachers and absences for long-term illnesses of teachers be removed from the calculation;

#### **OR**

3. Remove the requirement that schools be ranked as demonstrating high, adequate, or inadequate achievement, based upon teacher attendance, but continue to require each school to report this information in the school, district and statewide accountability reports;

32. Amend Chapter 473 of the *Statutes of Nevada 1997* (Senate Bill 482—the Nevada Education Reform Act), to provide that the Legislative Counsel Bureau is responsible for administrative services for the Council for Academic Standards and the Commission for Educational Technology. Current law provides that the State Department of Education has that responsibility.

33. Amend the school accountability provisions to:

a. Change the term (under NRS 385.367 and elsewhere) that designates schools as demonstrating "inadequate" achievement to "schools needing improvement."

b. Amend NRS 385.365 to define schools demonstrating high achievement as those in which at least half of the students score at or above the 76<sup>th</sup> percentile — current law states the 75<sup>th</sup> percentile.

c. Add a fourth category of schools demonstrating high academic achievement, defined as those schools with at least 40 percent of its students scoring at or above the 76<sup>th</sup> percentile and rates of attendance for pupils and teachers of at least 93 percent; if this change is adopted, rename the highest achieving category— schools demonstrating "exemplary" achievement.

d. Require (primarily under NRS 385.359) that the report of the independent evaluation of

school accountability programs be made available to school districts and that each school district must, upon reviewing comments and reports from the independent evaluation of their district accountability report, submit a report to the Legislative Bureau of Educational Accountability and Program Evaluation concerning the actions the district has taken or plans to take in response to that report and those recommendations, and progress to date concerning recommendations from previous reports.

e. Amend NRS 385.367 to provide that schools shall be designated as demonstrating inadequate achievement if 40 percent or more of the pupils received an average score at or below the 25<sup>th</sup> percentile on three of the four subjects tested (math, reading, language arts, and science).

f. Amend Subsection 2(b)(3) of NRS 385.347 to require an explanation of any difference in the number of pupils who took the examinations and the number of pupils enrolled, rather than pupils in attendance, in that period.

g. Amend Subsection 2(l) of NRS 385.347 to require that incidents involving the use or possession of alcoholic beverages or controlled substances be changed to the number of suspensions or expulsions, and that suspensions or expulsions involving alcoholic beverages be reported separately from those involving other controlled substances.

h. Amend Subsection 3(c)(4) of NRS 385.347 to include "other recognized parent groups" along with the Nevada Parent Teachers Association among the groups with which the Superintendent of Public Instruction must consult concerning the school accountability program.

34. Amend the school accountability statutes (primarily NRS 385.347), to restore the requirement that the number of pupils retained each year be reported by grade and by school within the school accountability reports.

35. Include a statement in the Committee's final report that any future bills appropriating funds to the Department of Education for distribution among the schools or school districts for remedial programs required under the provisions of the Nevada Education Reform Act (S.B. 482 of 1997) will include language requiring the Department to conduct the necessary review, analysis and selection of applications for the remediation funds and to make appropriate recommendations on the allocation of the funds to the State Board of Examiners and the Interim Finance Committee. Further, the application forms for those funds will be developed by the Department of Education, after consulting with the Budget Division and the Fiscal Analysis Division.

## **POSSIBLE RECOMMENDATIONS CONCERNING**

### **OTHER MATTERS RELATED TO EDUCATION**

36. Amend NRS 354.6115 and 354.6117 to allow for a balance in the revenue stabilization fund to be 30 percent (versus the existing 10 percent) of expenditures from the general fund from the previous year, limited to 10 percent annually until it reaches a limit of 30 percent over three years; further cap the total at \$2 million.

37. Amend statutes (primarily NRS 391.180) to allow boards of trustees of school districts to negotiate with licensed employees of the school district with regard to the use of accumulated sick leave for early retirement, not to exceed one year.