

MEETING NOTICE AND WORK SESSION

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

Date and Time of Meeting: Thursday, September 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 JUNE 24, 1998, MEETING.

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

- Debbie Smith, Chairperson

IV. STATUS REPORT FROM THE COMMISSION ON EDUCATIONAL TECHNOLOGY.

- Joan Kerschner, Member, Commission on Educational Technology

V. STATUS REPORT ON TESTING ADVISORY COMMITTEE.

- Jeanne L. Botts, Senior Program Analyst, Fiscal Analysis Division, Legislative Counsel Bureau

VI. PUBLIC TESTIMONY.

*VII. WORK SESSION: CONTINUATION OF REVIEW AND DISCUSSION OF PROPOSED RECOMMENDATIONS CONCERNING EDUCATION FOR THE 1999 LEGISLATURE, INCLUDING POSSIBLE RECONSIDERATION OF BILL DRAFTS APPROVED ON JUNE 24, 1998. 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 Office, 500 South Grand Central Parkway; Grant Sawyer State Office Building, 555 East Washington Avenue.

WORK SESSION DOCUMENT #2

September 24, 1998

Nevada legislature's Committee on Education

(Nevada Revised Statutes 218.5351 et seq.)

This document, which supplements the work session document of June 24, 1998, 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 this 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 issues.

RECOMMENDATIONS CONCERNING PROFESSIONAL DEVELOPMENT FOR EDUCATORS AND TEACHING TO HIGHER STANDARDS

Training and Incentives for Nevada's Teachers

1. ✓ *Bill Draft Request; Fiscal note to be prepared.*

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 to train teachers and administrators in the new standards for public schools established by the Council on Academic Standards; measuring pupil achievement and analyzing and interpreting test scores; teaching higher-level content areas; and teaching basic skills, such as reading instruction using phonics and basic mathematics computation skills. Each center will 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 higher education. The centers shall use the standards-based training model followed by the Geographic Alliance in Nevada (GAIN). The GAIN 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 and follow-up training. An annual evaluation of the training programs will be required.

9. ○ *Reserved until September meeting.*

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 its 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

12. *○Reserved until September meeting.*

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.

14. *○Reserved until September meeting.*

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 (and revoking) 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.

RECOMMENDATIONS CONCERNING ACADEMIC

STANDARDS FOR PUBLIC SCHOOLS

16. *○Reserved until September meeting.*

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, geography, economics, and civics (government)" 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.

RECOMMENDATIONS CONCERNING THE STATEWIDE ACHIEVEMENT AND PROFICIENCY PROGRAM

22. *✓ Bill Draft Request; Fiscal note to be prepared.*

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.

24. *✓ Bill Draft Request; Fiscal note to be prepared.*

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. Regulations recently adopted by the State Board of Education require students receive a grade of "C" 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.

RECOMMENDATIONS CONCERNING NEVADA'S PROGRAM OF PUBLIC SCHOOL ACCOUNTABILITY

32. ○Reserved until September meeting.

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

33. Amend the school accountability provisions to:

e. ✓ ***Bill Draft Request; Fiscal note to be prepared.***

Appropriate funding for programs of remedial education for schools designated as needing improvement (inadequate achievement) when 40 percent or more of the pupils in the school receive an average score at or below the 25th percentile on all of the four subjects tested (math, reading, language arts, and science). These funds would also be available for schools that were not designated as "needing improvement" but had 40 percent or more of the pupils receiving an average score at or below the 25th percentile on three of the four subjects tested.

RECOMMENDATIONS CONCERNING OTHER MATTERS

RELATED TO EDUCATION

36. ○Reserved until September meeting.

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 and limit this provision to rural school districts which are dependent upon net proceeds of minerals.

37. ○Reserved until September meeting.

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.

NEW SUGGESTIONS FOR BILL DRAFTS CONCERNING

MATTERS RELATED TO EDUCATION

1. Amend statutes (primarily NRS 391.110) to allow county school district to hire an individual who is not a licensed school administrator to serve as the school district's superintendent. An opinion issued by the Attorney General's Office on June 15, 1998, concludes that a local school board cannot hire an individual who is not a

licensed administrator to fill the position of superintendent in charge of operating the entire district. A person employed as a superintendent must possess: a master's degree in school administration, public administration or business administration; or if the person has at least five years of experience in administration, a baccalaureate degree.

2. Amend NRS 385.347 to require school districts to report teachers who are teaching outside the field in which they are licensed only if they are teaching courses in the core curriculum areas (English, mathematics, science, and social studies). Currently, paragraph (d) of subsection 2 of NRS 385.347 requires the school district to report "a comparison of the types of classes that each teacher has been assigned to teach with the qualifications and licensure of the teacher."
3. Amend time-line for school accountability program. Senate Bill 482 provided that the first designation of schools' achievement levels be made on or before December 15, 1998; however, the first designations were announced on April 1, 1998, to allow schools adequate time to apply for funds for remedial education programs that became available on July 1, 1998. Amendments to realign the dates in the law with the revised time schedule (designed to maximize the use of funding within a fiscal year) include, without limitation, the following:
 1. Change date when schools are designated on the basis of their pupils' achievement from December 15 to March 1 of each year to allow schools designated as having inadequate achievement (needing improvement) an opportunity to develop plans for improvement and adopt approved remedial education programs prior to the start of the subsequent school year (NRS 385.363).
 2. Change the due date to submit plans for improving the achievement of pupils in schools designated as having inadequate achievement (needing improvement) from February 15 to May 1 (NRS 385.371 and 385.373).
 3. Change the date by which the Department of Education shall establish a panel to supervise the academic probation of a school that has received two or more consecutive designations of inadequate achievement (needing improvement) from January 15 to April 1 (NRS 385.378).
 4. Change the date from February 15 to May 1 by which the Department of Education must submit a list of waivers from panel supervision that have been granted to schools which have received two or more consecutive designations of inadequate achievement (needing improvement). The Department of Education may grant a waiver from the requirement for a panel to supervise the academic probation of a school that has received two or more consecutive designations of inadequate achievement if the school has significantly improved in each of the preceding three years (NRS 385.378).
 5. Change from April 1 to November 1 the due date of the written report of the panel that analyzes the problems and factors which contributed to the designation of the school as one having inadequate achievement (NRS 385.381) and the date by which the panel must determine whether the Superintendent of Public Instruction shall appoint an administrator to oversee operations of the school if the school has not improved achievement in the subsequent year (NRS 385.383). If the panel recommends the appointment of an administrator to oversee the operation of a school that has been designated as having inadequate achievement for three consecutive years, change the date by which the Superintendent of Public Instruction shall appoint an administrator from May 1 to December 1 (NRS 385.386).
1. NRS 385.365 requires that a school may not be designated as having adequate achievement unless it tested at least 90 percent of the pupils who were required to take the test and were not exempt pursuant to the Department of Education's regulations. If a school tested fewer than 90 percent of those students, existing law would appear to prohibit the school from being designated as having adequate achievement, regardless of the adequacy of its test scores. To serve as a disincentive for schools that might exclude from testing pupils who might lower the school's average score, amend the law to require a school that demonstrated adequate achievement but tested fewer than 90 percent of the required pupils to submit a written explanation of the reason pupils were not tested; a written plan to increase the percentage or number tested; and require the school to retest its pupils at school district expense. If such a situation occurs two consecutive years, the school would be considered a school in need of improvement, and the Department of Education would prepare a plan for improvement for that school and

monitor administration of the state-mandated tests in that school. If the situation recurs the third consecutive year, the school would be placed on academic probation. Schools demonstrating adequate achievement but categorized as needing improvement or placed on academic probation as a consequence for not testing at least 90 percent of pupils required to be tested, would not be eligible for special appropriations earmarked for remedial education programs.

2. Amend NRS 385.365 to require that the average daily attendance in schools earning a designation of high achievement shall be *at least* 95 percent, rather than *more than* 95 percent. Similarly, the average daily attendance in schools designated as having adequate achievement shall be *at least* 90 percent, rather than *more than* 90 percent.
3. Amend NRS 385.389 to specify that a school designated as demonstrating inadequate achievement must adopt an approved remedial program and that the school district must ensure that each child who fails to demonstrate at least adequate achievement on required, statewide examinations shall receive appropriate remedial education. Currently, subsection 2 of NRS 385.389 and subsection 5 of NRS 389.015 require a school that is designated as having inadequate achievement (needing improvement) to ensure that each of its pupils who failed to demonstrate adequate achievement on the required tests complete an approved remedial program. However, pupils who failed the exam may have moved on to another school or may require different remediation than what is offered by the remedial program adopted by the school. The suggested amendment recognizes the need for effective remedial programs in low-achieving schools but also acknowledges the district's responsibility for providing appropriate remediation for each individual child. NRS 389.015, which mandates examinations of achievement and proficiency in reading, writing, mathematics and science in grades 4, 8, 10 and 11, always required school districts to provide appropriate remedial study. Senate Bill 482 of the 1997 session amended that long-standing requirement to specify that each child who failed the exams complete an approved remedial program.

Reconsideration of Previous Recommendation Based upon

Receipt of Additional Information

25. ✓ *Bill Draft Request.*

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. *Two school districts submitted written testimony suggesting that the Committee amend its action to not require a switch from Fall to Spring testing until the state replaces the current exam. Otherwise, the state will have testing data that is not comparable across several years. (NOTE: various changes would need to be made in accountability statutes and related reporting requirements, including the time-line for designating the achievement level of schools and subsequent steps toward school improvement).*