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SENATE BILL 191



Presentation to Senate Finance
March 10, 2003
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Nevada Legislative Counsel Bureau

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Key Principles in NCLB

- Achievement of high academic standards by all children
- Measurement of student academic progress and needs through assessment
- Accountability for results in schools, districts, and state
(see Tab "Accountability System")

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Key Principles in NCLB (continued)

- High quality standards for instructional personnel
- Parental knowledge, involvement, and choices
- Flexibility for states and school districts in use of federal \$

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Senate Bill 191

- Requirements of NCLB Act
 - States have specific mandates
 - Some flexibility in the "how"
- Nevada Education Reform Act of 1997
 - Philosophical disconnect of purpose with NCLB
 - Modifications of NERA needed due to NCLB

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Guiding Principles for Designing SB 191

Philosophy of existing system should be retained

- Revisions (to the extent possible) are designed to fit with the purpose of NERA
- Revisions retain the emphasis upon:
 - Assisting schools and districts with school improvement to increase achievement
 - Providing policymakers at all levels with information needed to make decisions

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SB 191 -- Overview

Major Components of Bill

- Revised Accountability Provisions
- Overhaul of Educational Improvement Process
- Revised Assessments
- Paraprofessional certification & highly qualified teachers
- System for Accountability Information
- Appropriations

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Accountability

Adds Adequate Yearly Progress (AYP)

- State Board of Education to define "proficient" & AYP
- Establish objectives for all pupils & subgroups
- Includes performance on specified tests, graduation rates, and attendance rates
- AYP shall not include 4th grade writing & science exams

(§§ 4 & 5)

Adequate Yearly Progress

- Using 2001-2002 test results, determine current level of student performance on statewide assessments—the starting point for tracking annual improvement (§ 4)
- Annual targets in English and mathematics for each year in the 12-year period will be established, leading to achievement of proficiency by all students in 2013-2014 (§ 4)
- Individual schools, school districts, and the state will be held accountable for reaching these adequate yearly progress targets (§§ 6, 10 & 30)

Minimum 45 Cell AYP Matrix for Schools and School Districts

	English	Math	2nd factor	Science 06-7	95%
All Students					
Black					
Hispanic					
Native American					
Asian					
White					
LEP					
Poverty					
IEP					

Adequate Yearly Progress

Succeeding on AYP means:

- Not a single cell falls below the minimum set for AYP growth
- 95% of students were tested in each cell (or has an N below the minimum)

Adequate Yearly Progress (AYP)

- Re-defined by Department January 2003

Measures all students in grades 4, 8, and 10

Continuous Progress Indicator (CPI)

Measures students by following groups:

- ✓ All students
- ✓ Racial/ethnicity
- ✓ Children with disabilities
- ✓ Economically disadvantaged
- ✓ Limited English proficient
- ✓ 95 percent participation
- ✓ Graduation rates for H.S.
- ✓ Additional indicators by elementary/middle

Accountability

State Accountability Report, includes:

- Material required for U.S. Department of Education (§ 6)
- Data aggregated from district & school level reports (§ 6)
- Department must conduct analysis of state accountability report card (§ 39)

Major Provisions

Accountability

- Annual Educational Improvement Plans
- State Level Improvement Plan (§ 7)
 - District Level Improvement Plans (§ 8)
 - School Improvement Plan (§ 9)
- Separate deadlines for designation, reports, improvement plans & processes*
(see "Accountability Timeline" Tab)

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Accountability

- Nevada Department of Education to determine school AYP status (§ 10)
- Minimum testing of 95% of all pupils & subgroups / retesting (§ 11)
- School designations (§§ 13 & 14)

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Accountability

Categories of Schools

- Exemplary
- High
- Adequate
- Schools Needing Improvement (§ 14)

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Accountability

School Improvement Process

- School Support Team – District (through Year 3)
 - Membership (§§ 16 & 17)
 - Duties (§ 18)
- School Support Team – State (subsequent years)
 - Membership (§ 23)
 - Duties (§ 23)
 - Corrective action/restructuring option for non-Title I schools (§§ 26 & 29)

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Accountability

Consequences for School In Need of Improvement (See Chart - Last Tab)

- Title I Schools
 - Specified Interventions
 - Required by federal law
- Non-Title I Schools
 - Discretion of school support teams

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Consequences for Low-Performing Schools (See Chart - Last Tab)

Year 1	Year 2	Year 3	Year 4	Year 5
<ul style="list-style-type: none"> • School Support Team - District 	<ul style="list-style-type: none"> • School Improvement Plan 	<ul style="list-style-type: none"> • School Support Team - State 	<ul style="list-style-type: none"> • School Restructuring Plan 	<ul style="list-style-type: none"> • School Restructuring Plan • Corrective action/restructuring option

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School Districts' Consequences – Failure to Make AYP

Seven possible actions (§ 34):
The State Educational Agency Shall Take at Least One of the Following Corrective Actions:

- ◆ Defer programmatic funds or reducing administrative funds.
- ◆ Appoint a receiver or trustee in place of the superintendent and school board
- ◆ Abolish or restructure the local educational agency

But wait...there's more

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School Districts' Consequences – Failure to Make AYP (continued)

OR...The state educational agency shall take at least one of the following corrective actions:

- ◆ Authorize students to transfer to a higher – performing public school operated by another school district and provide transportation (or the costs of transportation) to such schools.
- ◆ Replace the local educational agency personnel who are relevant to the failure. (§ 34)

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School Districts' Consequences – Failure to Make AYP (continued)

OR...The state educational agency shall take at least one of the following corrective actions:

- ◆ Remove particular schools from the jurisdiction of the local educational agency and establish alternative arrangements for public governance and supervision of such schools.
- ◆ Institute and fully implement a new curriculum that is based on state and local academic content and achievement standards. (§ 34)

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Accountability- Miscellaneous

Department to provide:

- Notice to parents about schools & districts needing improvement (§ 36);
 - Identify approved supplemental services providers for districts (§ 37); and
 - Recognition program (§ 45).
- District accountability report (§ 41):
- Adds new AYP disaggregations;
 - Additional teacher & paraprofessional qualification data;
 - Attendance; and
 - Appropriations for improving achievement.

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Charter Schools

Nevada

1997 – first enacted (S.B. 220); revised in 1999 (A.B. 348), 2001 (S.B. 399)

2002-2003 – 13 charter schools operating with approximately 2600 students

No Child Left Behind

- ◆ Encouraged through grants (in Innovative Programs and in Charter Schools)
- ◆ Identified as an option under school choice provisions

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Charter Schools

Compliance with No Child Left Behind

- ◆ Teachers in core subjects must be highly qualified by 2005-2006 (§ 53)
- ◆ Paraprofessionals must be certified to provide instructional services or educational support services (§ 46)
- ◆ Existing prohibition against converting a public school into a charter school is amended to allow conversion for restructuring (§§ 48-50)

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NCLB Means More Data Collection & Reporting



- State, district, and building report cards required starting 2002-03
- Teacher qualifications and licensing
- Schools identified for improvement
- Number of years "school in improvement" status
- Data on acquisition of English proficiency
- Additional disaggregation of data in the future

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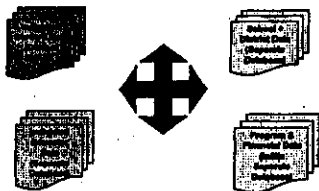
Reporting-System Demands

- Understanding & involvement in school and district improvement process
- Sustaining improvement initiatives
- Increased need for sophisticated use of data for decisions—timely reports & system flexibility
- Increased need for additional data and information—resource allocation and tracking effectiveness (See "Accountability Reporting Items" Tab)

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System for Accountability Information

System for Accountability Information In Nevada



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System for Accountability Information

Under S.B. 191, the system must:

- Have the capacity to report pupil achievement disaggregated to pupil subgroups
- Include a unique identifier for each pupil
- Have the capacity to provide longitudinal comparisons
- Have the capacity to provide analysis of data

(§ 55)

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System for Accountability Information

The superintendent:

- Must prescribe uniform program for collection, maintenance, & transfer of data
- May prescribe standardized software
- Must specify access authority (FERPA)
- May contract with UCCSN for research purposes (§ 55)

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Testing Provisions



Reading, Language Arts, and Math at 3, 5 and 8 (Standards-based CRTs)

Reading, Language Arts, Math, and Science at 4, 7, and 10 (Norm Referenced – ITBS)

NAEP is required

Standards-based testing in grades 3, 4, 5, 6, 7, and 8 in Math and Reading by 2005-06

Science in certain grade clusters by 2007-08

NAEP is required starting 2002-03

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Testing Provisions

Nevada Statewide Proficiency Tests

- English & Math augmented NRTs in grades 3-8
- Writing tests in grades 4 and 7
- Science tests in grades 5 and 8
- HSPE will meet NCLB requirements for testing in high school
 - English & Math
 - Writing
 - Science (2007-08)

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Testing Provisions

Statewide tests

- Developed & printed by national company
- Scored & reported by national company
- Single test with CRT/NRT scores
(§ 67)

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Testing Provisions

S.B. 191 provisions

- Augmented NRTs (§ 67)
 - NRT/CRT score for school status (§ 13)
 - NRT/CRT score used for state remediation (§ 44)
 - CRT score for AYP purposes (§§ 4,10)
- Fall Testing (§ 67)
 - Linked to timing of Remediation Funds
 - Linked to Implementing School Improvement, Professional Development & Support Teams

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Testing Provisions

Additional Changes

- Deletes testing exemptions (§ 66)
 - LEP (§ 69)
 - Special Education (§ 66)
 - Alternative Education (§ 69)
- NAEP comparison with Nevada assessments (§ 65)
- Delays science portion of HSPE until 2007 (§ 68)
- Charters bear cost of retesting (§ 79)

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Testing of Students in English

- Must include students with limited English; when practical, in language and form to yield reliable student achievement data (§ 63)
- Beginning 2002-2003 must annually assess LEP students on English language skills (§ 63)

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Testing of Students in English more...

- Must test students in English who have attended schools in the U.S. for three consecutive years
- Individual case-by-case waivers for English testing allowed for students for up to two more consecutive years
(§ 63)

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Paraprofessionals

- Creates new kind of certified employee (§ 84)
- Engaged in instructional activities or educational support activities (§ 84)
- Applies to all paraprofessionals except those involved in translation programs and in parental involvement activities (§ 84)
- Newly hired on or after January 2004 must hold certificate (§ 97)
- Current employees have until 2006 to obtain certificate (§ 98)
- Certification fee \$65 (requires a 2/3 majority vote-§ 91)

Carol Stonefield

Teacher Quality

Highly Qualified Teachers

To be highly qualified a teacher must:

- Be fully licensed or certified by the state
- Not have any certification or licensure requirement waived on an emergency or temporary basis

(§ 138)

Highly Qualified Teachers

Elementary Teachers

- New hires must hold a bachelor's degree
- Must be able to demonstrate subject knowledge and teaching skills in basic elementary school curriculum

High School Teachers

- New hires must hold a bachelor's degree
- Must hold major in subject to be taught or demonstrate competence (Commission on Professional Standards to adopt regulations)

(§ 138)

Highly Qualified Teachers

Middle School Teachers

- New hires must hold a bachelor's degree (§ 96)
- Must hold major in subject to be taught or demonstrate competence (Commission on Professional Standards to adopt regulations)
- Must hold a middle school license which is established by this act (Commission on Professional Standards to adopt regulations)

(§ 137)⁴⁰

Highly Qualified Teachers

- NCLB requires a state plan to achieve goal of all teachers being highly qualified by 2005-2006
- Veteran teachers must meet the requirements that new teachers must meet
- Charter school teachers in core academic subjects must be highly qualified
- Emergency credentialing and out-of-field teaching will end

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Highly Qualified Teachers

- Parents may request information on the qualifications of their child's teachers and paraprofessionals
- Title I schools and schools in need of improvement must notify parents if a child's teacher is not highly qualified or is a long-term substitute
- In schools in need of improvement, the percentage of experienced teachers (5 years) must equal or exceed the percentage of experienced teachers in schools not in need of improvement

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Regional Professional Development Programs

- ◆ Statewide Coordinating Council for RPDPs – authority to accept grants (§ 102)
- ◆ Governing bodies for RPDPs – accept gifts & grants (§ 103)
- ◆ Preauthorization for involvement (§ 104)
- ◆ RPDPs to provide high quality services & may contract with districts (§ 105)

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Mindy Braun

Safe and Drug Free Schools and Communities

- ◆ Department to define persistently dangerous schools (§ 108)
- ◆ Regulations to govern school choice for students attending such schools (§ 108)
- ◆ Requires states to report on school safety to the public (§ 108)
- ◆ Requires local school districts to implement drug and violence prevention programs of demonstrated effectiveness (§ 110)

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Miscellaneous

Legislative Committee on Education to:

- ◆ Review new S.B. 191 regulations (§ 139)
- ◆ Recommend supplemental service providers (§ 113)

LeBEAPE to:

- ◆ Review effectiveness of accountability program (§ 114)
- ◆ Include improvement plans in contracted evaluation (§ 43)

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Appropriations

- ◆ Educational Technology and evaluation of program – \$10 million (§§ 127 & 129)
- ◆ Pilot Program: bonuses for experienced staff at low-performing schools – \$705,000 (§ 130)
- ◆ Fiscal accountability program (In\$ite) – \$287,427 (§ 131)

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Transitory Provisions

- ◆ Transition of testing CRT/NRT to Augmented NRTs (§ 132)
- ◆ Transition of classification of schools needing improvement (§ 133)
- ◆ Science for HSPE – applies to class of 2007-08 (§ 134)
- ◆ Adoption of regulations (§§ 136-39)

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Pepper Strum

Effective Dates

- ◆ Accountability program definitions; school and district AYP status; parental notice; selection of supplemental service providers; supervision of paraprofessionals; charter school accountability revisions; student information system provisions; Regional Professional Development Program provisions; safe schools -- July 1, 2003
- ◆ Designations of schools; general AYP provisions; charter school conversion sections; new hires of experienced teachers, middle school teachers, instructional paraprofessionals; improvement plans -- January 1, 2004 (§ 142)

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Effective Dates

- ◆ Experienced teachers in schools needing improvement and creation of the middle school license – July 1, 2004
- ◆ All instructional paraprofessionals to hold certificates – January 1, 2006
- ◆ Adds science to the high school proficiency test– July 1, 2007

(§ 142)

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Senate Bill 191 Guiding Principles

Philosophy of existing system should be retained

- ◆ Revisions (to the extent possible) are designed to fit with the purpose of NERA
- ◆ Revisions retain the emphasis upon:
 - ◆ Assisting schools and districts with school improvement to increase achievement
 - ◆ Providing policymakers at all levels with information needed to make decisions

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