

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

nma Nevada Manufacturers Association

780 Pawnee St., Carson City, NV 89705 / Phone 775-882-6662 / Fax 775-883-8906
E-mail nma@nevadaweb.com / Phone 800-821-6662 / Alt Fax 775-267-4747

April 3, 2003

TO: Senator Raggio & Members of the Senate Finance Committee

FROM: Ray Bacon

SUBJECT: SB 191 – Nevada Implementation of NCLB

At your last evening meeting we provided for the committee a couple documents from the House Education Committee staff about the scare tactics of "not enough money" in the NCLB arguments. The NMA assessment is relatively simple. For over 100 years the mission of the public schools has been to educate children. The stated mission has never been, "Go pick some kids, give them a good education and slight the rest." That has certainly happened throughout the country as the desegregated data shows, but the mission has not changed. NCLB became necessary because in too many states and school districts were providing essentially unequal education. Whites, blacks, browns, Hispanics, Asians, poor, Italians, Irish, Polish, Japanese or American India kids are not either stupid or smart. In a recent speech to the Commonwealth Club in California, Education Secretary Rod Paige used the term the "Soft Bigotry of Low Expectations". I have provided copies for committee members. It is a powerful piece.

In our view it doesn't take much money to do the job right the first time. The Quality Revolution in the Manufacturing sector found that producing much higher quality by improving every step of the process, using data driven systems to make improvements and checking results made much better products at much lower cost. The Deming and Juran ideas predate WWII. They are very successful in a few schools, because they do change the way things have always been done. Now the Sanders data provides schools with incremental learning data and value-added analysis. Essentially the quality measurement tools focused on education. We are not ready to use that tools yet.

The Paige speech prodded me to remember perhaps the best comment from the ELC meeting in Denver. A superintendent from Texas said, "In my district every principal in tasked to ask every teacher, every week, who's off track and what are we doing about it." He went on to explain that when the principal is focused on insuring that student learning is the most important thing in the school and that every child is critical, that performance improves – drastically. He said that he asked each principal how many kids they have off track and if they know the plan for those kids more often than monthly. He said he has been known to ask a principal to "name them" on the spot. Initially the lists will be too long in every school, but some kids don't take much direction to get back on track if the correction is done quickly. If the principal stays focused on that task, which should be the school mission, total performance improves quickly.

The "Soft Bigotry of Low Expectation" starts here, and at the Governor's office and at Jack McLaughlin's office. If you are serious about drastically changing the expectations for Nevada students, then every time one of the 17 superintendents shows up in this committee your first question will be something like this. "Good Morning Dr Hager (or whomever) do you know how many students you have that are off track and need help in each of your schools and are you comfortable that that someone is working on a corrective action plan for them." We suggest today that most could not answer that question to your satisfaction, but might have some numbers soon if you ask each time and they know you are really paying attention. The focus on high expectations for all students starts here with the taxpayer's checkbook. We want to see pay tied to improvement. NCLB is the tool to get there.

CRT's and Spring Testing

I grew up in New York State with the Regents exams at the end of every High School course. The New York system was end of course statewide test rather than a single series of statewide comprehensive test. I am not sure that difference matters much. We had kids that failed a final as a senior and did not graduate. Typically it was only a week from failing a test to not graduating. In some cases a student could pass a course and get a local diploma, but not the coveted Regents Diploma. For all considering college the regent's diploma was a near must. It was the near automatic admission into many colleges in the state and many surrounding states. When I arrived at UNR someone asked why I had two diplomas, but that was more than a few years ago.

I strongly support school administrators and schools boards that spring testing with criterion reference testing is the right course of action. We have standards and kids should be tested to our standards. Spring testing will give us the meaningful data to use the Sanders value added process in the future to really gage the effectiveness of teachers, schools and districts. If you move forward to pass SB 182, turning around the test results will be easy for most tests. While SB 182 is focused on using the technology tools for the HSPE, we predict that districts will readily move towards using the tools for all testing because of the ability to connect the performance to the academic standards without compromising the test. If performance to standards is the driver then the immediate link of performance to standards is the ultimate tool for students, teachers, schools, districts and parents.

NCLB – Standards Linkage

NCLB requires Nevada to move all students to achieve the Nevada Academic Standards over roughly the next decade. Our Standards are not perfect, but we are one of five states in the American Diploma Project (ADP). ADP is trying to confirm our standards are the right ones and match them with the expectations of higher education, employers, parents, the community and the military. NCLB matches the goals of ADP in that both are attempting to insure that we have the right academic standards and that we move in a steady progression towards getting all students to achieve the academic standards we have set. Note these are not the standards set by someone in Washington, but what WE set for OUR KIDS. They turn out to be close to what other states set for their standards in other states, if that provides some reassurance we are on track.

AYP to Pay Connection

The business community and taxpayers of Nevada are being asked to come up with the largest tax increase in the history of the state. A large part of the increased investment is headed towards the education area. The citizens need to feel that the money will produce results and the past track record is "clouded at best".

Merit pay commitment is a challenge, but this could work and bring about the desired objective of drastically improved education for all kids, with the greatest improvement for those on the low end of the spectrum.

- a. The first step is that the merit pay may really be a consistent bonus pay program that would be legislatively funded. The criteria recommended is as follows: One half of the state's teacher raise allocation from the legislature to the DSA would be designated as "performance money". The other half would automatically go into the existing salary account. The "performance money" would be specifically barred from bargaining and the payment criteria would be defined in law. The local school district money would not be effected by this idea.
- b. The payment criteria would be tied to meeting or exceeding AYP (adequate yearly progress), which is the largest driver in NCLB. AYP works as follows: the state defines "proficient" and has twelve years to get everyone to that level. The schools with very low scores have to make much more progress than schools that are essentially close to the "proficient". The gains of the schools far below the bar would be greater, but the make up material is easier, so they actually have an advantage over a high performing school. A school that reaches proficient would NOT get this bonus pay because we want to "pay for improvement and performance towards a student achievement goals".
- c. The criteria for participation in the AYP bonus fund would be distribution of the dollars to all employees in schools that meet AYP in all demographic groups. The formula would be 1X for the academic staff and administrators and 0.5X for the support staff directly assigned to the school. A school with a principal (1), counselor (1), two secretaries (2 @.5 or 1), three janitors (3 @.5 or 1.5), five in the cafeteria (5@.5 or 2.5) and 28 teachers (28@1 or 28) would have a total count of 35 participation units (1+1+1+1.5+2.5 +28 =35) for that school. If the total in the fund from the legislature is two million dollars the total participation fund for all schools that make AYP for all groups and subgroups is 1000 units then the bonus would be \$2000 paid on the September paycheck based on prior year's AYP performance. The teachers in this school would get \$2000 while the support staff would get \$1000. However if the number that made AYP is only 500 participation units statewide then the teachers would get \$4000. The more a school's improvement performance is unique and special the higher the pay. Since the bonus is by school rather than by teacher performance, which we cannot measure yet. This would improve the school environment or perhaps force out the non-players. The big check in September is early enough in the year to have people talk about what happened and have time to make it happen again. We believe that the word would travel fast when one school makes the bonus money and others don't. The check in September gives non-bonus schools time to be a player for next distribution.
- d. The reason to have the dollars amount split equally is to enhance the impact for the lower paid teachers and hopefully lower turnover among that population. We have data that the high turnover is during the first five years when the paid is

lowest. If the state reaches a point where most schools are meeting AYP, then employers would be happy and getting the state contribution increased should be possible. A percentage increase will NOT reward the teachers in the 5 to 15 year high productivity years where we want to maximize their use. It would not reward longevity and that probably has little to do with school improvement.

- e. Anyone who was on a successful AYP school team would get the check if still employed in K-12 education in the state. Those who leave would forfeit the money back to the others in the pool. The bonus money would be split equally between the two years of the biennium unless the legislators specify different amounts for each year. The money would NOT be a permanent raise, but rather an annual bonus for those in schools that made AYP during the prior year.
- f. We may have few schools that make AYP the first year or two, so the first bonus check could be serious money. Toward the end of the twelve years it may again get very tough, so the money will take a dip in the middle. If the performance drastically changes we all win, but mostly the next generation of kids who will be workforce ready.

This idea will put real pressure on you to come forth with a consistent teacher salary increase in the budget each session, but if the performance is changing and achieving AYP becomes a "Team Sport" in many schools NMA will be here to support those increases. If the public perception is that the schools are getting much better, the public support will be there as well. The citizens want to support education, but they are adamant about seeing results.

With those comments and thoughts that are far beyond our normal self-imposed two-page limit, NMA support the bill. NCLB has the potential to be the most important law passed in this decade in my view, but the rubber meets the road in the states. Accomplishing this will be a major challenge. It is more a challenge of focus and change rather than money, although some will be needed. You have an opportunity to really close the loop on for the future of the state and move Nevada from the bottom of the performance roles without a huge financial investment.