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Testimony re SB 191 as Amended—May 27, 2003

Joint Committee Meeting—Assembly Education and Assembly Ways & Means

James L. Hager, Superintendent

On Behalf of the Nevada Association of School Superintendents

Good morning, Chairmen Arberry and Williams, members of the Assembly Education and Assembly Ways & Means Committees, and staff

For the record, I am Jim Hager, superintendent of the Washoe County School District, although I am speaking this morning on behalf of all 17 county school superintendents in the state. We oversee the instruction of the state's 366,000 children, some of whom are your children. We have responded to the need for a long-term vision of education in Nevada with the iNVEST proposal introduced in this House as Assembly Bill 266. More than at any time in the past, Nevada's K-12 community, including superintendents, trustees, administrators, teachers, and other school staff have come together to support the basic tenets of No Child Left Behind to improve student achievement and to reduce the achievement gap.

We have thoroughly studied the No Child Left Behind Act and Senate Bill 191. We have examined both in the context of the Nevada Education Reform Act. The superintendents have worked extensively with their staffs—as well as your staff in the Legislative Counsel Bureau—and elected school trustees to blend the federal mandates into the most useful educational tool possible, to provide maximum accountability while maintaining a focus upon high achievement for all children, regardless of their ethnicity, disability, or socioeconomic status.

My first goal this morning is to highlight the many ways that amended Senate Bill 191 helps us achieve these goals as articulated by the Nevada Association of School Superintendents. Almost all of the major concerns that we communicated to the Senate Committee on Finance have now been addressed in this legislation as it is before you today. You have been provided with copies of the "white paper" as

submitted to the Senate Committee on Finance, for your reference and for the record. In that "white paper," Nevada's school superintendents and school boards set forth a perspective of assessment and accountability in the era of No Child Left Behind. That document has had a tremendous impact upon what is now before you.

It is important to emphasize that your passage of Senate Bill 191 is crucial for Nevada's compliance with the requirements of the No Child Left Behind Act. One of the fundamental requirements of that federal legislation is that each state adopt an accountability system that is the same for all schools—Title I and non-Title I schools. Senate Bill 191 brings Nevada into compliance with that federal requirement.

1. Without your passage of Senate Bill 191, the state would end up with a two-tier accountability system—the Nevada Education Reform Act and No Child Left Behind.
2. Without your passage of SB 191, the state would have norm-referenced testing connected with the Nevada Education Reform Act in the fall and a partial system of criterion referenced testing assessment in the spring. That would result in failure to meet the requirements of No Child Left Behind for a consistent assessment system for grades 3-8, based upon the standards of the state of Nevada.
3. The federal requirements of No Child Left Behind must be implemented whether SB 191 passes. We can do this without SB 191 and have a disjointed state system out of compliance with the federal law, or we can accomplish this with SB 191 in a system that has the hallmarks of continuity and consistency while improving the achievement of all students.

Nevada's school district superintendents and school trustees are committed to improving the achievement of Nevada's students and, to that end, believe that the state-mandated testing program must be designed to make decisions to improve classroom instruction as well as to provide accountability. We believe that the passage of Senate Bill 191 is imperative.

I want to share with you what are, from the school district superintendent perspective, the most important features of SB 191:

- Adequate Yearly Progress will be measured through use of criterion referenced tests administered in the spring—rather than through augmented norm-referenced tests as originally proposed for fall administration.
- Norm-referenced test results will not be included in calculations for purposes of Adequate Yearly Progress.
- Adequate Yearly Progress reports will enable teachers, parents, administrators, and other educational personnel to address each student's learning deficiencies—which will lead to improved student achievement.
- "Highly qualified paraprofessional" requirements will apply only for Title I schools, although school districts will have to report how many "highly qualified paraprofessionals" are at each school.
- The certification process for paraprofessionals has been removed.
- The cumbersome requirements for composition and responsibilities of school improvement teams have been removed.
- A new requirement is established for what are called "technical assistance partnerships."
- Charter school results will be disaggregated from school district results for reporting purposes and for determining district Adequate Yearly Progress.
- The sponsoring board of trustees for a charter school will determine school choice for charter schools in need of improvement.
- The sponsoring school district will not bear the cost for technical assistance partnerships needed for charter schools in need of improvement.
- The statewide plan to improve the achievement of pupils enrolled in Nevada's public schools has been re-constituted to include two representatives from school districts, to be determined by population.
- The requirement that the annual report of accountability be provided in a "concise manner" has been removed.

- The stipulation has been included that the student identification number for use in public schools and UCCSN must be unique and usable in both environments.
- Language from No Child Left Behind regarding students who have attended a school for less than one full academic year has been included.
- The definition of paraprofessional now includes within the definition the language that he/she must be "a person who is employed by the school district or governing body"—rather than a volunteer serving within a classroom.

It is my understanding that there is a "friendly" amendment from Clark County Nevada to make a very minor adjustment in SB 191. The superintendents support that amendment.

Thank you, Chairmen Arberry and Williams, for this opportunity to provide information to both Committees on behalf of Nevada's seventeen county school superintendents. I'd be pleased to answer any questions that you may have about this important legislation.