

**MINUTES OF THE  
SENATE COMMITTEE ON HUMAN RESOURCES AND EDUCATION**

**Seventy-fourth Session  
March 9, 2007**

The Senate Committee on Human Resources and Education was called to order by Chair Maurice E. Washington at 8:33 a.m. on Friday, March 9, 2007, in Room 2135 of the Legislative Building, Carson City, Nevada. The meeting was videoconferenced to the Grant Sawyer State Office Building, Room 4412E, 555 East Washington Avenue, Las Vegas, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

**COMMITTEE MEMBERS PRESENT:**

Senator Maurice E. Washington, Chair  
Senator Barbara K. Cegavske, Vice Chair  
Senator Dennis Nolan  
Senator Joseph J. Heck  
Senator Valerie Wiener  
Senator Steven A. Horsford  
Senator Joyce Woodhouse

**GUEST LEGISLATORS PRESENT:**

Senator Bob Beers, Clark County Senatorial District No. 6

**STAFF MEMBERS PRESENT:**

Marsheilah D. Lyons, Committee Policy Analyst  
Joe McCoy, Committee Policy Analyst  
Sara Partida, Committee Counsel  
Betty Ihfe, Committee Secretary

**OTHERS PRESENT:**

Dotty Merrill, Nevada Association of School Boards  
Craig Kadlub, Clark County School District  
Anne Loring, Washoe County School District  
Douglas M. Byington, Nevada Association of School Administrators

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Karlene McCormick-Lee, Ph.D., Assistant Superintendent, Clark County School District  
Lynn Warne, Nevada State Education Association  
Ray Bacon, Nevada Manufacturers Association  
Bryn Lapenta, Washoe County School District  
Elisabeth "Lisa" Noonan, Ed.D., Superintendent, Elementary Education and Regional Center for Teaching and Learning, Washoe County School District  
Troy Parks, Principal, Lemmon Valley Elementary School, Washoe County School District  
Carol Sala, Administrator, Aging Services Division, Department of Health and Human Services

CHAIR WASHINGTON:

We will be hearing testimony on four bills. Those bills are Senate Bill (S.B.) 97, S.B. 110, S.B. 150 and S.B. 151. Senate Bill (S.B.) 164 will be considered at a later time.

**SENATE BILL 97**: Limits salaries of certain school district administrators to one and one-half times the salary of the highest paid principal in the district. (BDR 34-16)

**SENATE BILL 110**: Revises provisions governing the administration of examinations to pupils enrolled in the public schools. (BDR 34-474)

**SENATE BILL 150**: Expands the jurisdiction of advocates for residents of facilities for long-term care. (BDR 38-596)

**SENATE BILL 151**: Revises provisions governing school schedules. (BDR 34-444)

**SENATE BILL 164**: Revises provisions governing the Task Force for the Fund for a Healthy Nevada. (BDR 40-95)

CHAIR WASHINGTON:

We will open the hearing on S.B. 97.

SENATOR BOB BEERS (Clark County Senatorial District No. 6):

The purpose of this bill is to shift focus from superintendents to principals by limiting the salary of the superintendent to one and one-half times the highest-paid principal in the school district.

SENATOR WOODHOUSE:

For the record, I disclose I have been an employee of the Clark County School District (CCSD) for 40 years, having served as teacher, assistant principal, principal and director in the central office; however, I am now retired.

SENATOR CEGAVSKE:

For the record, I disclose I have a son who is a substitute teacher in the CCSD.

What are the current salaries of administrators? Is the intent of this bill to address the salary for the superintendent or everyone beneath the superintendent?

SENATOR BEERS:

This would lower administrative salaries below the superintendent level. We want to ensure that no one is being paid more than the superintendent. As written, the bill does apply to any administrator in the school district and not solely to the superintendent.

SENATOR CEGAVSKE:

Will salaries be lowered with passage of this bill?

SENATOR BEERS:

The bill is proactive. When the CCSD changed superintendents a year or two ago, there was some discussion about paying the superintendent \$600,000 a year. Schools should be centered around the students and not on the administration. I am in favor of decentralizing authority. I like the school empowerment concept, and I am in favor of a voucher system.

SENATOR WIENER:

For those administrators who may not be under this cap, when they recontract, would they renew their contracts for substantially less salary?

SENATOR BEERS:

The Washoe County School District (WCSD) representatives have reviewed their district's salary records. The only employee to whom this would apply would be the superintendent.

DOTTY MERRILL (Nevada Association of School Boards):

For purposes of clarification, principals are administrators; however, principals are governed by their collective bargaining unit. The Nevada Association of School Boards (NASB) believes the contract with superintendents and their salaries are a matter of local control rather than legislative control. There are certain circumstances where a superintendent could receive a higher salary, such as when a superintendent also functions as the principal of one or more schools within the district. Passage of this legislation would create a complicated situation for those administrators.

CHAIR WASHINGTON:

Do principals have collective bargaining and contracts separate from the teaching staff?

MS. MERRILL:

There are several bargaining units within each school district. Each unit represents a different group such as teachers, administrators or professional technical employees. Each unit enters into contractual agreements with the school district. The board of trustees acts upon those contracts to authorize the agreements that have been reached. The superintendent and the administrative management team are not represented by bargaining units. The board of trustees negotiates with the superintendent for the superintendent's salary and for other aspects of that contract. As a result of legislation in the 73rd Session, the evaluation of the superintendent takes place in a public meeting.

SENATOR HECK:

What are examples of situations in which a superintendent should be paid more?

MS. MERRILL:

In some of our counties, the school district is the largest employer in a county. Both the CCSD and the WCSD are the largest employers in their respective counties and have large budgets. The superintendent actually functions as the chief executive officer of a large entity. To attract and retain individuals who are

willing to undertake the responsibilities of such large school districts, it involves a salary commensurate with management skills and experience.

SENATOR HECK:

What about the instances in the smaller counties where the superintendent is also the principal of one or more schools? I am assuming the individual is not collecting two or more salaries. The person would probably be collecting one salary based on the premium principal position, so one and one-half times the highest-paid principal's salary should probably take care of the salary situation for that superintendent filling the dual roles.

MS. MERRILL:

Superintendents serving in a dual role only receive one salary. There is one instance where the superintendent is serving as the principal in three different schools with each school located in a very different geographical area. That salary is commensurate with those responsibilities. The complication we foresee is when there is no principal and the superintendent is given those responsibilities, just how would that salary be determined?

SENATOR BEERS:

The principal is the benchmark to which we would apply the one and one-half times to limit the superintendent's salary. In the bill, section 1, lines 7 and 8, it explains by being a superintendent that individual's salary is higher than the highest-paid principal in the school district.

CHAIR WASHINGTON:

Ms. Partida, does establishing a cap on the amount of salaries and benefits put us in conflict with the *Nevada Revised Statutes* (NRS), chapter 288: Relations Between Governments and Public Employees? If I understand collective bargaining, it is an open process until both parties have agreed on a salary and benefit package. Is there some ruling that says you cannot pay a superintendent more than one and one-half times more than the highest-paid principal?

SARA PARTIDA (Committee Counsel):

I do not believe there would be a problem if this bill is passed.

SENATOR CEGAVSKE:

Would salary increases not be taken care of as every time the highest-paid principal would get a raise, the superintendent's level could rise, too? The cap

may depend on the collective bargaining rules especially when there is a percentage increase from the State plus what increases they might receive from the negotiations with the school district.

SENATOR BEERS:

As the sponsor of this legislation, it is not my intent to inhibit the ability of the school district to have someone as a principal who is also the superintendent. If need be, we could offer an amendment to clarify that situation.

CHAIR WASHINGTON:

To avoid any confusion or conflict, where dual roles exist or could exist, we should make it clear in the statute.

MS. MERRILL:

Another approach would be to add a section to the bill which would exempt the superintendents who serve as principals.

SENATOR BEERS:

I would not like that particular amendment because it would leave the door open to abuse in a large school district.

CHAIR WASHINGTON:

We could amend the bill to wall off counties that are less than 100,000 population to protect principals or superintendents who serve in dual roles.

SENATOR WIENER:

Currently, how many people would this bill affect based on the parameters in this bill?

SENATOR BEERS:

Probably this would impact only the CCSD and the WCSD. The WCSD indicated their superintendent was only slightly above the one and one-half times the highest-paid principal. This could be adjusted by raising the principal's salary, by reducing the superintendent's salary, or by adjusting the number in the bill to 1.6 times rather than 1.5 times. I have not heard yet from the CCSD as to their situation.

CRAIG KADLUB (Clark County School District):

Although this would affect only one person in the CCSD, the superintendent, we are opposed to S.B. 97 because we believe it will have a negative impact on the quality of education in Nevada.

This view is not based on opinion but on the experience of another state ([Exhibit C](#)). The state of Minnesota adopted a salary cap only to find while salaries remained low, other ways were devised to increase compensation such as extraordinary retirement and severance packages. It resulted in far less transparency and proved so problematic in terms of attracting applicants, the legislation was repealed about six years ago. Local boards in Minnesota again have authority to negotiate salaries with their superintendent.

It is our position that restricting the school district's access to quality school leaders will only make matters worse, and it invites the question, "How would this legislation help education in Nevada?" We do not believe it does. The CCSD respectfully requests your opposition to S.B. 97.

CHAIR WASHINGTON:

What is the highest salary paid to a principal in your school district?

MR. KADLUB:

It is approximately \$111,000.

CHAIR WASHINGTON:

Would one and one-half times that amount be \$165,500?

MR. KADLUB:

That is correct.

CHAIR WASHINGTON:

Would you still be in the range in competing with other school districts?

MR. KADLUB:

No. In most of the school districts about the same size as the CCSD, salaries are either comparable to the CCSD's or higher. For example, the salaries in Miami-Dade School District, Florida range between \$450,000 and \$550,000.

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CHAIR WASHINGTON:

What are the salary and benefits of the current superintendent of the CCSD?

MR. KADLUB:

The salary is in the \$290,000 to \$300,000 range. I do not know the benefits or costs of those benefits.

SENATOR BEERS:

School districts are a matter of public policy and are a government monopoly neither of which has to do with the supply and demand of the marketplace. As seems to be happening in the Miami-Dade School District, diverting resources away from the classroom to administrators' salaries is almost criminal.

Referring to earlier testimony about the problems encountered in the state of Minnesota, I am receptive to a comprehensive amendment addressing such things as severance packages, retirement contributions, outside contracts and other benefits.

CHAIR WASHINGTON:

How many administrators are there in the CCSD, and what is their average salary?

MR. KADLUB:

I do not have those figures because the "administrator" category can include everyone from the superintendent to a coordinator position.

CHAIR WASHINGTON:

In the CCSD, what would be the highest-level salary, and what would be the lowest?

MR. KADLUB:

The highest salary would be the superintendent's. My guess is the lowest would be in the \$50,000 range.

CHAIR WASHINGTON:

Before we process this bill, we would like to see an organizational flowchart with administrators' salaries attached for our two largest school districts, the CCSD and the WCSD. After seeing the chart, we can better address this bill in a work session.



SENATOR NOLAN:

Besides levels of experience, is there a skill set unique to school district administrators? When school districts vie for talent, what qualifications are they seeking? When superintendents are employed, is it a condition of their employment to manage the business, to focus on improving the condition of a particular school district or to improve the academic performance of students?

MR. KADLUB:

The number-one condition of employment for an administrator is having a plan to improve student achievement. The law was changed in a previous session to allow people to apply for the position of superintendent without any background in education. While a masters degree is required, that degree can be in any field. The concept was to attract people with management skills because in a large school district especially, in addition to curriculum, the position is about managing people and money. The primary skill school districts look for in hiring an administrator is for that person to be an effective leader.

SENATOR NOLAN:

If we are looking for an experienced management skill set, we are actually looking for a chief executive officer (CEO) individual. Since we might be drawing on private-sector talent with skills applicable to the public sector, should we be comparing salaries to similar positions in the private sector? Would it be helpful to compare pay levels at leading school districts with private-sector CEO positions?

SENATOR WIENER:

When the legislation was passed to broaden the requirements for superintendents of schools, it was the business community that brought the concept to the Legislature. Leaders in the southern part of the State wanted the flexibility to go to the Fortune 500 and Fortune 100 companies and look for those kinds of successful leaders. As I recall, an individual who was hired in the CCSD did have an advanced education, and it was not in education or education administration. The idea was one of partnership where the superintendent would take over the management responsibilities while one of the deputy superintendents would take over the education ones. Is that correct?

MR. KADLUB:

Yes. That is my recollection as well.

SENATOR BEERS:

I would like to remind the Committee that the school district system is a compulsory, government monopoly and should not be compared to the private sector. If the school district system were in the private sector, it would be illegal.

SENATOR HORSFORD:

Have you spoken with any of the representatives from the local school boards about limiting or restricting their role as an elected governing body?

SENATOR BEERS:

Earlier in the hearing, school board representatives testified they were opposed to the bill because decisions concerning the compensation for the superintendent have belonged, and should continue to belong, to the elected school boards.

SENATOR HORSFORD:

As the proponent of this bill, how do you feel about tying the hands of the locally elected, governing body? Should we be telling them what qualifications they need or what they can pay the chief executive for their school district?

SENATOR BEERS:

I think we have entire chapters of the NRS devoted to tying their hands. This would just be another piece of it.

SENATOR HECK:

If we are drawing a comparison to private-sector CEOs, we should be reminded those CEOs are not being paid with taxpayer dollars. Perhaps, we should compare superintendents to leaders in other public sectors; for instance, a four-star general with 26 years of service makes \$174,000 a year. The salary comparisons we make have to be made among equal entities.

MR. KADLUB:

I did not make any private-sector comparisons for just that reason. School district salaries are derived from tax dollars. The point of my testimony is to emphasize that Nevada is not the marketplace for recruiting top leaders whether they come out of the private sector or the military. People typically will not come here for a salary of \$160,000, if they can get \$500,000 elsewhere. Our interest is in remaining competitive.

ANNE LORING (Washoe County School District):

We believe the decision for selecting the superintendent and setting that salary should be made at the school district level. In the WCSD, we only have one administrator making more than one and one-half times the superintendent with no other administrators even close to the salary of the superintendent.

In 1998, when we last searched for a superintendent, we did an exhaustive national and regional study of superintendents' and administrators' salaries. Utilizing the information available through the NASB, we looked at salary averages, district size and budgets. In large school districts it is especially true, we compete nationally for superintendents. This has the potential of becoming more serious depending on the future direction of the economy. Salaries are a market-driven issue whether or not we look for educators or non-educators. For non-educator administrators, we may need to employ CEOs, financial officers, attorneys and information-technology people who are used to compensation generated from the private sector. Whether the individual is an educator or a non-educator, if you find the candidate you want, the issue becomes what will it take to lure that person to be your superintendent.

The school district figures I am about to quote are salary only and do not include benefits. Currently, our superintendent is paid \$180,804. Our highest-paid principal is \$105,375. Under this bill, the superintendent's salary would be limited to \$158,064. Principals' salaries are set within a salary schedule through bargaining. On that current schedule considering education and years of experience, the highest salary a principal can be paid is \$110,000.

Another situation to consider is a principal who retires at the highest amount on the schedule. The next principal hires in at less than that amount, so do all the administrators receive a salary reduction? You may want to consider an amendment to address these various situations mentioned and link them to a nonmoving target. We voice our opposition to this legislation as it is currently written.

CHAIR WASHINGTON:

We will take note of the salary schedule as that is a point we had not considered.

SENATOR BEERS:

Earlier the question was asked, how will this legislation help education? I believe education is benefited by returning the focus to the school, not on the administrators, and by pushing more resources into the school. I believe this legislation accomplishes a little bit of both.

DOUGLAS M. BYINGTON (Nevada Association of School Administrators):

We look at this bill as an intrusion on the rights of school districts. It is micromanagement. Having the Legislature set the salary of superintendents is not appropriate; it could set a precedent of setting salaries in other areas such as what to pay athletic coaches. Leave salary setting to the school boards; that is their job. Let us not bypass them.

CHAIR WASHINGTON:

The members of this Committee and the general public want to see more resources directed to schools, especially at the student level. There has been an ongoing discussion about administrators' salaries versus money for schoolbooks and supplies. If a child comes home and asks for money for school supplies, the question gets asked, "What are they doing with the money the schools get from my tax dollars?" It is an issue we must determine fairly.

We will close the hearing on S.B. 97, and open the hearing on S.B. 110.

SENATOR BEERS:

You have before you a handout entitled "State of Nevada Current System of Statewide Exams for All Students (19 Tests) 2007," ([Exhibit D](#)). On page 1 of [Exhibit D](#), the chart identifies the 19 tests students in Grades 3 through 12 are required to take as prescribed by State law. In addition, the federal government implemented a system of statewide school accountability tests, so we have duplicate levels of standardized testing and accountability. While testing is a normal and proper function of the education process, too much testing takes away from classroom instructional time.

On pages 2-5, [Exhibit D](#), is a listing of standardized tests being given in Nevada's counties. Standardized tests are given in order to apply student achievement in a broader sense and to give us accountability information for the progress of the educational process. The tests should give principals a sense of which teachers are most effective in the classroom; the tests should give superintendents a sense of which principals are doing the best job in the school

district. My intent with this legislation is to consolidate the systems of standardized testing, measurement and accountability in order for teachers to be able to spend more time teaching.

SENATOR WIENER:

The chart on pages 2-4, [Exhibit D](#), show Douglas County School District (DCSD) having almost two pages of tests, while Elko, Humboldt, Lander and Mineral School Districts have only a line or two indicating a minimal number of tests. Are there impressive outcomes in DCSD from all their testing?

CHAIR WASHINGTON:

This bill is attempting to consolidate the three levels of testing. These are the federal examinations which are driven by the No Child Left Behind Act, the State examinations which include norm-referenced tests (NRT) and criterion-referenced tests (CRT) proficiency examinations and the local level testing which are tests specified by the school district.

SENATOR WIENER:

I appreciate that, yet I am concerned about consistency between our own counties. What are the outcomes in the other counties as opposed to the DCSD testing schedule? If we build in more and more testing, we are losing time on other important parts of the curriculum such as fitness and wellness. Are we sacrificing a physical education program or other activity program which creates a whole healthy child, in order to build students' skills to be better test takers? Healthy kids are healthy learners.

KARLENE MCCORMICK-LEE, PH.D. (Associate Superintendent, Clark County School District):

In S.B. 110, section 5, subsection 2, the language reduces the ability of a school district to implement or administer assessments across the district. On page 2, [Exhibit D](#), it shows that the CCSD administers interim assessments from kindergarten through Grade 10. These interim-assessments are focused on mathematics (math) and reading and are given over the material taught 3 times a year or about every 12 weeks. They are considered low-stakes and standards-based tests which means they are not tied to accountability, but they are used as benchmarks by teachers and principals to drive instruction. These interim assessments provide a level of predictability in how a student will do on the State CRTs. One beneficial outcome of the interim assessment testing is how rapidly the teachers and principals can access the results, thereby making

immediate and appropriate adjustments to the materials being taught or to the teaching methods being used.

The only other district-wide assessment required for all children is the Practice Scholastic Assessment Test (PSAT). In the CCSD, the PSAT is administered at the tenth grade level for the purpose of assisting counselors and teachers in identifying children who might benefit from advanced-placement courses or who are interested in preparing for the SAT examination later on. The other assessments administered through the CCSD are elective.

CHAIR WASHINGTON:

Basically, are the CCSD interim assessments for internal purposes and data driven?

DR. LEE:

Yes. All of the assessment results are shared within those schools. The information can be aggregated by a principal for that school; they can be aggregated for a grade level, an individual teacher or a subgroup as designed by the No Child Left Behind Act. Each teacher has access to his or her own students' data not only for the current year but also for last year and the years previous. That information is also useful in identifying trends.

CHAIR WASHINGTON:

With the assessment results, then do teachers make adjustments within their teaching methodology to augment or assist a particular student with a deficiency?

DR. LEE:

Yes. That is the purpose of the CCSD's interim-assessment program. We are cognizant of the instructional time; we have structured the testing to have a minimal impact on it. The value of the information gained by the interim-assessment program measured against the instructional time lost is a trade-off.

We have concerns about just what the limitation means in the bill. We would like to talk with the sponsor of the bill and clarify whether testing other than the federal- and State-mandated tests are one test or whether one test can be given several times in a year.

MS. LORING:

We realize the amount of time testing takes has been, and still is, an issue. We also recognize there has been a change over time. There is significantly less testing now than indicated in table 3, pages 2-5, [Exhibit D](#). The information on that chart illustrates the level of testing in the 2004-2005 school year.

The "interim" assessments used in the CCSD are called "formative" assessments in the WCSD. Their purpose is to determine how students are doing and fix any problems before they take the CRTs. For over ten years, the WCSD had math CRTs. We used to administer them grade by grade until the State assessment and the No Child Left Behind Act came into effect. We dropped our test in favor of the ones the State administers; however, we still give an end-of-the-semester, district-wide math CRT in high school as a quality control for our math classes and to determine how we are doing district wide. As the CCSD does, we also administer a PSAT to our tenth graders. We think that has been a major contributor to the increased participation in the SATs. We also think it has helped improve test scores for our students.

DR. LEE:

In updating the information on page 3, [Exhibit D](#), it indicates the CCSD is administering the Iowa Tests of Basic Skills or the Iowa Test of Educational Development in Grades 3, 5, 6, 8 and 9. As of this year, we are only administering the NRTs, the Iowa Test of Basic Skills and Iowa Test of Educational Development at the grade levels required by the State which are Grades 4, 7 and 10.

LYNN WARNE (Nevada State Education Association):

Let us redirect the focus back to the loss of instructional time. We have never shied away from accountability or assessments, whether they are given for diagnostic, prescriptive purposes or data-driven decisions to improve student achievement, and we do support them. However, we are working on an amendment to look at the number of minutes and days that students are assessed. We believe the number of days and minutes lost to the federal-, State- and locally-mandated assessments or the tests and assessments decided upon at the school site, are a loss of too much instructional time.

SENATOR HORSFORD:

For tests other than mandated assessments, what if for every day of additional testing, we added a day of instruction to the school year? Would that address the concern just expressed by the Nevada State Education Association?

MS. WARNE:

Yes, indeed. That is exactly where we were headed with our amendment.

CHAIR WASHINGTON:

Are you saying, add another day to the school year or add an extra day beyond the 180 days?

MS. WARNE:

We would advocate for a longer school year. There would be a limited number of days for the federal-, State- and locally-mandated tests. If the school district would exceed the established threshold, additional "fenced-off" instructional time would be added to the school year.

SENATOR HORSFORD:

Because of the recent, mandated federal requirements, we must administer these tests to meet the standards. It would be interesting to know prior to the federal mandates, just how many days were spent testing then as opposed to what is required for testing now. Is it possible to add days of instruction beyond the required 180 days?

CHAIR WASHINGTON:

What would help this Committee would be a report on the number of minutes necessary for these assessments, converting those numbers into days to see just how many days of instructional time are being lost. We do need to determine if the value of the assessments outweighs the loss of instructional time.

MS. WARNE:

I would remind the Committee that the information on pages 2-5, [Exhibit D](#), while it is the most recent available, it is from the 2004-2005 school year. Obtaining updated information would be helpful to you because it would include new programs that have been or are being added which may require another layer of assessment.



CHAIR WASHINGTON:

I am asking the staff to work with the Department of Education to get a breakdown of federal- and State-mandated tests plus any tests required by the school districts. Then, they can categorize them by grade level and convert the minutes allowed to give each test and convert that into days. We will revisit this bill after receiving that information.

RAY BACON (Nevada Manufacturers Association):

When teachers and principals can receive the results of testing almost overnight, there is no question of benefit to both students and teachers. That is particularly important for the achievement-level testing which creates a continuum of learning. In [Exhibit D](#), pages 2-4, you see either Achievement Levels Tests or the Northwest Evaluation Association tests listed for the Carson City School District, the DCSD and the Lyon County School District (LCSD). They are fundamentally the same assessments. Parents like these tests because they create a continuum, so it is easy to see their student's progress or lack of it. Administrators like it because they can identify a teaching inefficiency readily. Programs that measure long-term, district-wide performance have value. Part of the reason for the DCSD's district-wide testing is to make sure that each and all of their schools are producing and achieving the same results and that no school falls behind.

CHAIR WASHINGTON:

On pages 2-4, [Exhibit D](#), the DCSD shows a progression of testing through the grades. Is this the continuum you speak of assessing the child from kindergarten through high school, so any fluctuation in achievement or even a slight deficiency is identified immediately and can be addressed by the teacher to get the student back on course?

MR. BACON:

I think it is even bigger than the continuum addressed by the school system. The bigger goal is for the DCSD graduates to be proficient and competent, so the higher education system and employers are satisfied with the product.

CHAIR WASHINGTON:

The reason I asked you the question is because, while the size of the counties vary markedly, I have asked staff to look at individual schools in the CCSD to see which schools are making or not making adequate yearly progress over the three years versus the DCSD which uses a continuum. I would like to see where

the disparity exists, and see if there is something we can add to this bill to address the continuum concept.

MR. BACON:

Besides size, one of the differences between the DCSD and the CCSD is the relatively stable population in Douglas County. There are schools in the CCSD that have 130- to 140-percent turnover numbers. With Douglas County's stable population, it is easier to look at a continuum as students move from school to school within the district.

We do lose instructional time with the achievement testing; however, in the DCSD, the Carson City School District, and the LCSD they have decided the lost instructional time is offset by the value of the continuum. Improperly used, it wastes time; properly used, it is an invaluable educational tool.

SENATOR HORSFORD:

In comparing counties, we must be careful because they are so different. Those differences are the reasons we must leave the decisions as to which non-mandated tests are administered to the discretion of those at the local level. Decisions made for a stable population in Douglas County, which has a higher per capita income and where 60 percent of the residents have college degrees with most of those at the masters level, are quite different from decisions made affecting the transient population in Clark County.

We also have language in this bill that includes charter schools. Parents choose to put their children in those schools often based on the charter school's curriculum. This bill indicates that charter schools can test only two times a year, even though it might work for them to do otherwise. For these schools, too, I reiterate, we need to be cautious about taking away local decision making.

I agree with the premise we are moving to a high-stakes testing approach, but that is something the federal government has mandated on the states. We have to be careful not to duplicate that kind of mandating on the local school districts.

CHAIR WASHINGTON:

Basically, we are in agreement. There has to be a balance between assessing what the teacher is disseminating, what the student is retaining and the ability

to address any deficiencies in learning immediately rather than waiting two or three grade levels to discover them. There has to be a balance between the disparities within each school district, keeping as much discretion at the local level as possible with the State still having oversight for efficiency, consistency and high standards.

MS. MERRILL:

We agree with the comments that it is important for local boards of trustees to make decisions about their school district's assessments; however, this is a much broader issue than just the matter of assessment. It is also the issue of the transient population, especially in the WCSD and the CCSD. In order to address the issue, which is usually a student moving from one school to another within the district, those school districts plus some others across the State have implemented what are called "pacing guides."

As an example of how this works, I will use math standards in the third grade. The first three standards are taught in all elementary schools in the first nine-week period. Then, the formative or interim assessment is given at the end of the period to measure how well those children had done on those standards. Therefore, a child moving from one elementary school in third grade to another elementary school in the third grade is going to be addressing the same content. These pacing guides plus the formative or interim assessments are a different and effective way to deal with learning and student achievement, and, I will reemphasize, especially with the transient-student population. The assessment itself is not just a number on a page as there are many other features involved with the decisions made using that assessment. Limiting the testing is just one of our concerns about this bill. How it affects our school district's decision-making ability is another.

CHAIR WASHINGTON:

There are merits in S.B. 110; there are merits in the testimony we have heard today. We will continue to work on this bill to streamline it while addressing the goals we seek for student achievement and while complying with the testing mandates from the federal government and the State. We need to be able to aggregate the information so it not only comports to the federal and State requirements, but it is also useable by the parents.

SENATOR HECK:

I am in agreement with the procedure you suggest, but I would like to make some observations. The bill does not say we are dropping any federal or State tests. It does allow the school districts to give one standardized test of their choosing in the school year. Obviously, there should be no redundancy of testing such as the assessment tests just before the CRTs.

I am wondering, what are the purposes of classroom work and homework? I thought both were predictors of what is going on in the educational process. I suggest assessments should not wait until every three or four months to determine student progress. While standardized testing is the quick and easy way to assess a school, I contend it is the daily interaction of schoolwork and homework that is the best way to track what is going on with individual student progress.

I agree about the loss of instructional time, but I also remember the discussions last session about extending the school year and the cost for each day. While I do not remember the cost exactly, I do remember it was a big one. The cost/benefit ratio of extending the school year versus eliminating some tests really has to be carefully weighed to make sure the students get the instructional time they need.

CHAIR WASHINGTON:

Dr. Lee, we will make sure you are notified as to when we will go over this bill, so you can be part of the discussion.

DR. LEE;

I would appreciate very much being a part of the discussion.

CHAIR WASHINGTON:

We have written testimony submitted by Mickey Cutler, a fourth grade educator in the WCSD, to be entered into the record ([Exhibit E](#)). The testimony supports limited standardized testing and raises concerns over the proctoring and test security required of classroom teachers. A suggested solution would be to hire retired educators to proctor and secure the process.

We will close the hearing on S.B. 110. We will open the hearing on S.B. 151. This bill was brought on behalf of the WCSD.

BRYN LAPENTA, (Washoe County School District):

I am submitting my testimony ([Exhibit F](#)) in support of S.B. 151. Senate Bill 151 provides the same flexibility for the WCSD and the CCSD as was given to the rural school districts two sessions ago. This bill would allow school districts to provide collaborative teacher time to further student achievement at no loss of instructional time to children. I draw your attention to the change in S.B. 151, page 2, lines 26-30. We have discussed this bill with the CCSD, and they are in support of this bill.

ELISABETH "LISA" NOONAN, Ed.D. (Superintendent, Elementary Education and Regional Center for Teaching and Learning, Washoe County School District):

As Superintendent of Elementary Education in the WCSD, I am presenting my remarks for the record in support of S.B. 151 ([Exhibit G](#)). We are piloting the flexible schedule in seven schools during the 2006-2007 school year. In a recent survey of parents representing 1,240 students in those schools, 815 surveys were returned. When asked if the delayed-start project created a need for before-school care that would not otherwise have existed, 74 percent replied no. In the 364 written comments, approximately 54 percent of parents responded that an early-release Friday was easier for the family's schedule than a late-start Wednesday morning.

TROY PARKS (Principal, Lemmon Valley Elementary School, Washoe County School District):

As one of the seven elementary schools in the flexible-schedule pilot program, we sent informative letters to parents last year with an explanation of the purpose of the schedule and how it would work. We have a 40-minute delayed start every other Wednesday. We keep parents updated through our newsletters, calendars and the Connect ED system. Connect ED is a system which calls parents in case we need to contact them.

In my handout on page 4 ([Exhibit H](#)), there is a picture of our at-a-glance system for tracking student progress. There are four colored sections of walls located in my office. The teachers place Post-it notes, which have the name and score of each of their students' on it, on the appropriate colored section of the wall. Then, together, we determine approaches to improve or enrich each student's progress. A sample of several Post-it notes is on page 5, [Exhibit H](#). Completed after each meeting is a Professional Learning Committee Report. A sample of

that report form is on page 6, [Exhibit H](#). This system allows me to track student achievement every day.

SENATOR WIENER:

Do you know the level of stability in your school?

MR. PARKS:

Yes. My school has about a 33-percent transient rate which means about 60 to 70 percent of the students who start the year with us, finish it with us. The beneficial thing about our formative assessments is if a child stays within the same school district, the teacher at the student's new school will know where that child is in the achievement continuum.

SENATOR WIENER:

Are many of those youngsters with Post-it notes in the "needs-improvement" sections of the wall part of the transient population?

MR. PARKS:

Yes, they are.

MS. MERRILL:

We are supportive of local board of trustees' decisions that will promote and extend student achievement without costing additional dollars. This is an opportunity to implement such a program; therefore, we strongly encourage your support of S.B. 151.

CHAIR WASHINGTON:

Although I see no problems with this bill, it will go to our work session, so all the Committee members can be present to vote.

We will close the hearing on S.B. 151. We will open the hearing on S.B. 150.

CAROL SALA (Administrator, Division for Aging Services, Department of Health and Human Services):

On behalf of the Aging Services Division, I am here to present S.B. 150. This bill adds to the statute this particular type of long-term care facility, so our ombudsman has access to and can investigate complaints. The Bureau of Licensure and Certification, Health Division, Department of Health and Human Services, had begun licensing homes for individual residential care. This

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bill includes the duties of our ombudsman responsible for long-term care in homes that have just a few people in them rather than the larger group homes.

CHAIR WASHINGTON:

Are these homes of extended families that are caring for people?

MS. SALA:

No, these are residential homes licensed by the State that only take two or three people.

CHAIR WASHINGTON:

We will hold this bill for the work session, and we will close the hearing on S.B. 151.

Hearing no additional public comment and with no further business to come before the Senate Committee on Human Resources and Education, the meeting is adjourned at 10:28 a.m.

RESPECTFULLY SUBMITTED:

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Betty Ihfe,  
Committee Secretary

APPROVED BY:

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Senator Maurice E. Washington, Chair

DATE: \_\_\_\_\_