

March 29, 2017

Nevada Legislature
Senate Education Committee
Assembly Education Committee

Re AB469

Dear Members of the Senate and Assembly Education Committees,

We support Leadership's decision to free up time of LCB to support important ongoing legislative work by enacting AB469 and end ongoing litigation. We vouch that CCSD is a collaborating partner in the ongoing process of reorganization. The mechanics of how to implement reorganization are complex, so it is not surprising that this has become an area of disagreement. It is in the interest of children, parents, and the future workforce of Nevada to resolve implementation details quickly and collaboratively.

AB 469 is a good start towards resolution; nonetheless, there is room to accommodate changes in this bill so CCSD reorganization process works for kids and sets up a structure that CCSD can live with. We respectfully submit the following recommendations for amendments to AB469, either in the current process or prior to the end of session:

I. BIG ISSUES

A. 80-20 Split in Budget.

CCSD has made the case before the State Board of Education that operationally it cannot follow the mandate in AB469 to split its budget 80-20 between precincts and centralized services. To resolve this impasse, we suggest that the law be amended to provide for a forensic study that would determine what is the appropriate budgetary split.

B. Per Pupil Weighted Funding

CCSD has argued that it should not be put in position to implement per pupil Weighted Funding without the Legislature allocating additional funds for a weighted funding formula. SB 178 is a vehicle for a fair and equitable funding formula, but it requires additional funds not in the Governor's budget.

A few would want to dismantle successful categorical funding in order to feed this section of the reorg law. We think that it would be a mistake to gut categoricals which have significant ROI. Zoom and victory programs are a key part of the reform architecture focused on turning around low performing schools that are high poverty and high ELL. There are currently 80,000 children in CCSD who attend about 35 two star schools that are high poverty and high ELL. These children,

who are the least likely to have supports (or choice) outside of their public schools need the help of the Legislature. Moreover, this focused categorical program will have effect on moving Nevada out of number 50, if our three, four and five star schools continue to perform.

Rather than raid from successful categorical programs that help our neediest children, we support CCSD's suggestion to Section 17 of the regs, made in yesterday's SBOE workshop, which would tie the operation of this provision to actions taken by the Legislature in funding a weighted funding formula through SB178.

C. Student Achievement.

It is imperative that CCSD reorganization allow CCSD keep making gains in student achievement and not undermine the architecture of reform.

We recommend adding a section 33(5) on accountability and student achievement:

The Superintendent of Education shall make recommendations to the State Board of Education to enact supplementary regulation metrics of student achievement at the precinct, the zones supervised by the school associate superintendents, and any other relevant reporting unit to ensure that the efforts of reorganization undertaken under AB469 further student achievement. These metrics shall be reported under demographic categories reported under ESSA plan. In consultation with CCSD, NDE shall recommend interim measures, not required under ESSA, which will allow reporting of student achievement on a quarterly basis. All information shall be made public, on each precinct's, CCSD's and NDE's websites.

Also, the associate superintendents should be evaluated based on student performance. Please consider adding to Section 23(2)(c),

"The progress made by the local school precinct in student achievement"

II. Making Sure that Regulations Work Before Freezing into Law Rules that Can't be Changed until Next Session.

A. Parent participation in SOTs

We have monitored CCSD reorg process and at this time the picture is unclear whether there is parent participation in all SOTs that have been created, particularly in schools where there is no existing PTA or PTO. According to CCSD, about 150 schools do not have a PTA or PTO. An informal survey conducted by NDE found that 80% of underperforming schools do not have a PTA or PTO.

We suggest that the Education Committees request this information from CCSD so that the Legislature can make changes to legislation and ensure that parents are true partners in all SOTs.

B. Accountability for \$ spent.

CCSD has made the case that its accounting system does not allow it to account for \$ spent, for efficiently preparing budget books, and that accountability at precinct level would be compromised. We also understand that the shift to actual salary \$, which make up 90% of each precinct budget, cannot happen without modernizing CCSD accounting system.

We recommend that the current bill appropriate a sum to retain a consultant (chosen by Legislature) who would make a third party recommendation to the Legislature prior to the end of session of the appropriate sum that would support modernization of CCSD's IT system to support this law. We ask that you support this one-time appropriation.

C. Ensuring that Selection of Associate Superintendents reflects the Diversity of CCSD community and that talents match the communities they serve.

We recommend adding to Section 22, line 11

“the principals that are selected must constitute a diverse body that reflects the demographics of the community served by CCSD.”

And add to Section 22, line 40:

“The Superintendent shall be responsible that searches and vacancies filled shall be drawn from a diverse pool of candidates to ensure that appointments reflect the demographics of the community served by CCSD and that the talents and capacities of appointments match the educational needs of the students served.”

D. Remove Restrictions on Staff and Teachers who serve on SOTs

We support concerns raised by Trustee Edwards and HOPE that current provisions that restrict representation of Teachers and Staff to union members in Section 26 are unduly restrictive, and limit true collaboration between principals and teachers/staff.

III. Open Questions.

A. Please clarify whether SOTs have the authority to hire and fire principals.

Section 16 seems to “transfer authority to each local school precinct to carry out responsibilities” such as hiring principals. Is the function of SOT advisory, or do they have actual authority to procure services, hire and fire principals?

We agree with CCSD’s concerns that this much transfer of authority undermines its operational soundness, and would ask that the Legislature clarify whether it is its intent to transfer that much authority to the SOTs.

B. Are Principals ready for Reorg “new” world?

The law greatly expands the responsibilities of principals who will lead precincts. Now, principals will pivot and have to do much more, budget, comply with laws in how they structure school operations, become collaborative managers, and learn how to co-govern democratically with community input.

The community appreciates private contributions made for professional development of principals. Still, public accountability would mean that NDE should review the responsibilities, skills and competencies, so we recommend that the Legislature delegate authority in enacting regulations to require appropriate principal endorsements and competencies for principals in the CCSD empowerment reorg, and the associate superintendents who supervise them.

C. Elephant in the Room: Who Pays for the \$1.2 million consultant?

Enuff said.

We appreciate the opportunity to collaborate and provide input on this important bipartisan effort.

Respectfully,

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