

September 7, 2016

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Thank you for giving us this opportunity to speak about the pending regulations regarding the Achievement School District.

First, CCSD appreciates the collaboration between the District and the ASD so far in the process. We look forward to continuing this relationship in order to serve all children across Clark County.

After reviewing the proposed regulations, CCSD has a few suggestions that we hope the Department of Education will consider in order to make the regulations stronger and allow for further collaboration among all districts, including the Achievement School District.

I will first start with section 6. A few questions we have regarding the language that we believe need some clarifying language.

Section 6(1)(b) -- what is a "downward trend?"

Section 6(1)(c) -- what is an "identified subgroup?"

Without clarification, CCSD believes these terms are too broad and can be interpreted differently by the many parties participating in the ASD process.

Regarding section 6, part d. When AB448 was passed during the last legislative session the bill stated 5% of lowest performing elementary and middle schools shall qualify and high schools with a graduation rate of 60% or less. By expanding the list beyond these parameters to all 2-star schools and for any school that has a matriculation pattern that feeds into more than 1, 1-star school, CCSD believes the proposed regulation goes well beyond the legislative intent of AB448. We understand the bill allows for the Department to determine additional qualifications for a school to enter into the ASD, CCSD believes the regulation, as written is not treating the ASD as an **action of last resort** and asks the regulation to be re-written with just the parameters for the ASD, as set by the 2015 Legislature.

Next, we wish for you to reconsider how section 7 of the regulations is written. This section allows for the Nevada Department of Education to enter into an MOU directly with a school of their choice. Nowhere in the regulation does it mention working with and having agreement with the local school district in which the school resides. While schools in Clark County are moving to more autonomous precincts, the Board of Trustees continue to be the legal entity for agreements and contracts, and this includes school facilities as well. Beyond just legal action, without any coordination with the local school district, the Nevada Department of Education could negatively affect neighboring schools, as service and accountability must be balanced on the needs of an entire area of schools instead of just a single school at a single location. In fact, one of the mantras heard through the

reorganization process was, "No one school shall create harm to another." Also, what if the District or precinct plan conflicts with parts of MOU, which would trump the other? We would recommend adding language that the local school district, its trustees, and Superintendent must be involved in the improvement process of the MOU.

Regarding Section 8, part 3 – C, the Executive Director can take "any other measures" they deem appropriate to solicit input from parents and pupils before selecting a school for conversion or selecting a CMO/EMO. We would urge the state to add "reasonable measures" to that provision. Before conversion, those schools are still CCSD schools and we don't want the Executive Director or the Superintendent on the Executive Director's behalf, unreasonably interfering with school operations or disrupting the school year.

CCSD believes additional language needs to be included in section 9. Current NRS requires all charter schools to comply with laws regarding discrimination and civil rights. CCSD believes this should be made clear to any CMO/EMO looking to open an ASD school. This begins with the Executive Director and the selection of operators. In doing so, CCSD would suggest the following language to be added to section 9, ""In selecting a public school for conversion, the Executive Director must comply with all laws and regulations relating to equity, discrimination, and civil rights."

Moving on, I would like to draw your attention to section 10 of the proposed regulations. This section covers the performance goals and qualifications of any incoming EMO or CMO that will eventually take over an ASD school. CCSD would recommend adding to section 10 part 2, that the CMO or EMO must have clearly demonstrated success either here in Nevada or in another state in rapidly improving academic results in a school where a student body has a comparable demographic profile. Without well-documented results, the state **should** be hesitant in investing taxpayer dollars in an unknown and unqualified entity. Especially when there is the opportunity for the school to enter into a local or state turnaround program where taxpayer dollars can be easily accounted for and there is a strong history, at least in CCSD, of positive results.

Finally, I would like to discuss language in section 12, part 3 of the proposed regulation. This section speaks to the enrollment procedures of a school that has been converted into the ASD. The proposed regulation is seeking to allow ASD schools to enroll any student who wasn't originally zoned for the school by their own selection criteria. In doing so, language is being changed to give an ASD school authority to not follow the normal charter school lottery system that is currently in law. The concern here is that there will be an incentive for ASD schools to remove at-risk populations from their school either through expulsion, or through the judicial system, in order to self-select the students they wish to teach. This is by no means an assertion that the NDE or ASD intend to participate in such a lowly practice, however, seeing what has happened in other recovery districts such as New Orleans, their needs to be assurance that all incoming ASD CMOs and EMOs

behave accordingly. CCSD suggests requiring ASD schools to enroll pupils in the same order of preferences prescribed for all charter schools.

Thank you again for allowing CCSD the opportunity to help shape the regulations for the newest school district in Nevada. I am happy to answer any questions you may have.