

COMMENTS TO THE INTERIM EDUCATION COMMITTEE

September 20, 2020

The Nevada State Education Association has been the voice of Nevada educators for over 100 years. In our history, there have been few more challenging times than the one we find ourselves in right now. We thank the Interim Education Committee for your work during this difficult period. We have attached NSEA's 2020-2021 Legislative Priorities and hope it can serve as a guide for legislators who care about public education and educators working with students across Nevada.

NSEA appreciates that several items from our Legislative Priorities are reflected on the Committee's work session document, including Teacher Professional Supports (C1); Assessments on Evaluations (C4); Nevada Education Performance Framework (NEPF) (C5); Student Learning Goals/Objectives (C13); Pause on Assessments (G1); Review of Assessments (G2); Assessment Impact on Students (G3); Charter Employment Requirements (H1); and Pause on School Ratings (I1). We strongly request the support of the committee for these items.

MORE LEARNING, LESS TESTING

A top concern of classroom educators has been too many standardized tests shifting the focus in the classroom away from student learning toward a culture of high-stakes testing. NSEA has been actively working to reduce the burden of standardized testing, helping pass a bill to require an audit of student testing during the 2017 session. However, during the last interim and the early parts of the 2019 session, the former administration at NDE delayed and scuttled our efforts to reduce and streamline the amount of time and resources spent on testing. While small changes have been made over the last several years, the current crisis calls for a more substantive overhaul of state testing requirements.

NSEA has previously expressed our concern that existing policy on student assessments, teacher evaluations, and school star ratings compromises the safe operation of schools during the COVID-19 crisis. These mechanisms have failed to foster the improvements in either achievement, or student engagement they were intended to deliver. With a continued reliance on these old schemes, students and educators have counter-incentives to come to school when sick; to teach to tests instead of teaching and reinforcing health and safety; and to maximize numbers and time in classrooms, even when that may be outside of the guidelines. Suspension of elaborate sorting and rating mechanisms, including federal, state, and district mandated assessments, use of SLO/SLG's in teacher evaluations, and school star ratings during the COVID-19 public health emergency is the right thing to do.

Last session NSEA won a hard-fought victory to lower the use of student data in teacher evaluations from 40% to 15%. We launched an aggressive member campaign that resulted in over 1200 emails to legislators calling for the use of student data to be lowered. This led to the amendment of the Nevada Educator Performance Framework (NEPF), so teacher evaluations are based more on instructional practice, leadership, and professional responsibilities. However, there are still significant concerns about the validity of teacher evaluations generally. When asked for a summation of his May 2020 report by the Teachers and Leaders Council, Dr. Brad Mariano from the UNLV College of Education stated, "the NEPF is not currently valid."

EDUCATOR BILL OF RIGHTS

During regular times of classroom learning, student discipline has long been one of the more vexing issues for all educators. During the 2017 session, NSEA worked to improve Nevada's system of progressive student discipline. Last session, this was replaced with a restorative justice model. Unfortunately, school districts were not provided with the resources necessary to successfully implement, and student and educator safety has been compromised. NSEA is proposing an educator "Bill of Rights" modeled on the Louisiana law that ensures the safety and wellbeing of educators at work, while we continue to pursue restorative justice systems at school.

THE GREAT EQUALIZER AND CHARTER ACCOUNTABILITY

Charter schools were initially promoted by educators who sought to innovate within the local public school system to better meet the needs of their students. Over the last 22 years, charter schools have grown dramatically to include large numbers of charters that are privately managed, largely unaccountable, and not transparent as to their operations or performance. Many charter schools have devolved far from the original concept as small incubators of education innovation. The explosive growth of charters has been driven by deliberate, billionaire-backed efforts to ensure that charters are exempt from the basic safeguards and standards that apply to public schools. This growth has undermined local public schools and communities, without producing any overall increase in student learning and growth. It is important to note, that most recent studies have shown that public schools outperform charter schools when accounting for student demographics, and public schools educate every student, including English learners, students in poverty, and students with individualized education plans. While charters are prohibited from discriminating, they serve far fewer students in poverty, English language learners, and students with disabilities. Recent discussions at the State Public Charter School Authority about diversifying charter school student populations are a response to the public attention on this injustice. However, use of weighted lotteries or similar mechanisms won't address the structural inequity that is built into the system of charter schools and their relationship to neighborhood public schools. Meanwhile, virtual charter schools are some of the worst performing schools. According to a report from the Guinn Center, "Virtual charter schools around the country have faced increased public and legislative scrutiny, largely due to low academic performance, particularly when compared to other schools... In Nevada, the inconsistent (and often low) performance of virtual charter schools operating in the state has also received the attention and scrutiny of some lawmakers..." Virtual charter school underperform both brick and mortar charter schools and virtual public schools, operated by school districts