# NEVADA LEGISLATURE
# LEGISLATIVE COMMITTEE ON EDUCATION
**(*Nevada Revised Statutes* 218.5352)**

## SUMMARY MINUTES AND ACTION REPORT

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The second meeting of the Legislative Committee on Education was held on Thursday, December 13, 2007, at 9:30 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" (Exhibit A) and other substantive exhibits, is available on the Nevada Legislature's website at www.leg.state.nv.us/74th/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Assemblywoman Bonnie Parnell, Chairwoman
Senator William J. Raggio, Vice Chairman
Senator Barbara K. Cegavske
Senator Bernice Mathews
Senator Maurice E. Washington
Assemblyman Moises Denis
Assemblyman Harvey J. Munford
Assemblyman Lynn D. Stewart

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Carol M. Stonefield, Supervising Principal Research Analyst, Research Division
Melinda Martini, Senior Research Analyst, Research Division
Kristin Roberts, Principal Deputy Legislative Counsel, Legal Division
Sara Partida, Deputy Legislative Counsel, Legal Division
Joi Davis, Program Analyst, Fiscal Division
Maryann Elorreaga, Senior Research Secretary, Research Division

## OPENING REMARKS

Chairwoman Parnell called the meeting to order and welcomed the committee members, staff, guest presenters, members of the public, and those viewing the meeting over the Internet. She said the meeting would focus on mandated testing in Nevada schools and on the role of school counselors in the administration of district testing programs.

## APPROVAL OF MINUTES OF THE NOVEMBER 15, 2007, MEETING

The Committee **APPROVED THE FOLLOWING ACTION**:

ASSEMBLYMAN DENIS MOVED TO APPROVE THE MINUTES OF THE NOVEMBER 15, 2007, MEETING HELD IN CARSON CITY. THE MOTION WAS SECONDED BY SENATOR CEGAVSKE, AND PASSED

## OVERVIEW OF TESTING, INCLUDING USES OF DIFFERENT TYPES OF ASSESSMENTS AND NATIONAL TRENDS IN ASSESSMENTS

- Joanne L. Jensen, Ph.D., Director of Test Development, WestEd, conducted a Microsoft PowerPoint presentation titled "Overview of Testing."(Exhibit B) She discussed developing a balanced assessment system using:
  - Norm-referenced tests (NRT) and criterion-referenced tests (CRT);
  - National Assessment of Educational Progress (NAEP);
  - Course-specific assessments; and
  - Computers for large-scale assessments.

## REPORT ON STATE-WIDE AND DISTRICT-WIDE ASSESSMENT PROGRAMS, INCLUDING EXAMINATIONS REQUIRED BY STATE OR FEDERAL LAW

- Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education (DOE), discussed State-mandated and district-mandated assessments for school years 2007-2008 and 2008-2009 (Exhibit C) and submitted a price quotation for a pilot program for online administration of the high school proficiency examination (HSPE). (Exhibit D)

Representatives from the Nevada Association of School Superintendents and the Nevada Association of School Boards, discussed assessment programs used in their districts.

- Sheila R. Moulton, Trustee, Clark County School District Board of School Trustees, said the Clark County School District (CCSD) used the Individual Data Management System (IDMS) to assess the individual growth of students; school and classroom accountability; and professional development needs. She said by working closely with the superintendent and utilizing the IDMS information the board has been able to implement its policy that 'students meet state and federal guidelines as well as appropriate

benchmarks for academic proficiency in all areas and all grade levels and pass the HSPE.' As a result:

1. There had been a 12 percent increase in the number of schools meeting AYP;
2. District-wide, four to fourteen percent more students scored at a proficient level in math and reading in every grade from third through eighth;
3. More seniors were prepared to enter higher education and the workforce; and
4. Graduation rates had increased to 63.5 percent.

· Sharla Hales, Member, Douglas County School District (DCSD) Board of School Trustees, commented on the computerized formative assessments used in the DCSD and how the school board used policy to drive the assessments and used the results to formulate new policy and other board action that supports those assessments.

· Mary Pierczynski, Superintendent of Schools, Carson City School District (CCSD) and President of Nevada Association of School Superintendents, said the CCSD used the measures of academic progress (MAP) system of the Northwest Evaluation Association. She said MAP testing was critical to be able to determine a student's growth and to help a teacher in the classroom form instruction through the formative assessment.

· Paul La Marca, Assistant Superintendent, Public Policy, Accountability & Assessment Washoe, County School District (WCSD), commented on the WCSD's balanced assessment approach to data management. He said it included CRTs and the HSPE, quarterly benchmark assessments, and formative classroom assessments.

**REPORT ON THE STATUS OF NEVADA'S APPLICATION TO THE UNITED STATES DEPARTMENT OF EDUCATION FOR USE OF THE GROWTH MODEL IN STUDENT ACHIEVEMENT TO DETERMINE ADEQUATE YEARLY PROGRESS**

· Carol Crothers, Director, Office of Assessments, Program Accountability, and Curriculum, DOE, said early in 2007 the DOE applied to the United States Department of Education (Department) for use of the growth model to determine adequate yearly progress (AYP). That request was denied in an April 5, 2007, letter from the Department. (Exhibit E) She said the DOE will re-apply in the spring of 2008.

The Committee members, Ms. Crothers, and Gloria Dopf, Deputy Superintendent of Instructional, Research, and Evaluative Services, DOE, engaged in a discussion of the use of a growth model in determining AYP.

**REPORT ON TESTING IRREGULARITIES AND A PLAN FOR TEST SECURITY**

· Gloria Dopf, Deputy Superintendent of Instructional, Research, and Evaluative Services, DOE, referred to a document titled "Report of Test Security for Nevada Public Schools,

School Year 2006-2007" (Exhibit F) and noted there had been a 10 percent reduction in the number of test security violations during the 2006 – 2007 school year. She said the DOE was committed to test security and the integrity of the administration of the State examinations and would continue its proactive approach to training personnel at the district and school levels.

**REPORT ON NEVADA SCHOOL DISTRICT POLICIES CONCERNING DUTIES OF SCHOOL COUNSELORS AND TIME AND TASK MANAGEMENT OF STATE AND DISTRICT TESTING PROGRAMS**

- Garry Wyatt, Consultant, Office of Career, Technical, and Adult Education, DOE, referred to a document titled "AB 212 Survey Results" (Exhibit G) and noted several of the school districts had not yet fully complied with the requirements of Assembly Bill 212 (Chapter 439, *Statutes of Nevada 2007*).

Chairwoman Parnell said AB 212 clearly stated that every school district was to have a policy in place to limit the testing duties of school counselors by October 1, 2007. She expressed her concern over the number of school districts that had not yet implemented such policies.

**REPORT ON COUNSELING SERVICES IN NEVADA PUBLIC SCHOOLS, INCLUDING IMPLEMENTATION OF THE FOUR-YEAR ACADEMIC PLAN FOR INCOMING NINTH GRADERS**

- Susan Rusk, Counseling Coordinator, High School, WCSD, said the WCSD plan would probably be conducted when students pre-registered for high school. She said the plan would involve:
  - Inviting parents into the school;
  - Demonstrating a variety of different plans;
  - Allowing the parents to review their child's transcripts; and
  - Updating their plan annually.

- Kim Boyle, Director, Guidance and Counseling, Clark County School District (CCSD), demonstrated and gave a brief overview of CCSD's Online Educational Plan (please see paper version Exhibit H).

**REPORT ON THE WORK PLAN FOR THE COMMISSION ON EDUCATIONAL TECHNOLOGY AND CONSIDERATION OF THE REQUEST FROM THE COMMISSION FOR FUNDING SUPPORT FOR FISCAL YEARS 2008 AND 2009**

**(**At the direction of the Chairwoman, this item was heard out of order)

- Gloria Dopf, previously identified in these minutes, referred to a memorandum from Dr. Keith Rheault, Superintendent of Public Instruction, DOE, to the Chairwoman and members of the Legislative Committee on Education regarding a request for funding support to enable the Commission on Educational Technology to conduct a needs assessment of school district technology (Exhibit I). She said requests for proposals had been submitted to the Deans of the Colleges of Education at both the University of Nevada, Las Vegas and the University of Nevada, Reno, to conduct the needs assessment. She noted Senate Bill 184 (Chapter 420, *Statutes of Nevada 2007*) specified the 2008 assessment must include:

  - The need for computer-based assessments, including, without limitation, the use of computers for the administration of the high school proficiency examination;
  - The integration of educational technology to improve the achievement and proficiency of pupils; and
  - The feasibility and costs associated with using laptop computers in lieu of traditional textbooks.

Jhone Ebert, Vice Chairwoman, Commission on Educational Technology, commented on the discussions during the Commission's November meeting. The Commission considered how it would obtain the needs assessment information required by Section 27 of S.B. 184 and how that information would be incorporated into the State plan for the use of educational technology in the public schools.

The Committee **APPROVED THE FOLLOWING ACTION**:

SENATOR RAGGIO MOVED TO APPROVE THE REPORT ON THE WORK PLAN FOR THE COMMISSION ON EDUCATIONAL TECHNOLOGY AND TO ACCEPT THE REQUEST FOR FUNDING SUPPORT FOR FISCAL YEARS 2008 AND 2009. THE MOTION WAS SECONDED BY ASSEMBLYMAN DENIS AND CARRIED.

**STATUS REPORTS**

- Senator Barbara K. Cegavske, Chairwoman, Council to Establish Academic Standards for Public Schools, presented the report from the Council to Establish Academic Standards for Public Schools on the Retreat to Consider Direction of Future Council Activities, held November 16, 2007. She said the Council, along with consultant Christopher Cross and Dr. Keith Rheault, reviewed the activities, actions, and policy

decisions made by the Council over the past 10 years. As a result of the review, the Council had determined it will:

1. Evaluate national reviews of Nevada's standards to determine areas for improvement;
2. Work closely with the regional professional development programs to better understand how teachers are trained to teach standard-based lessons;
3. Begin discussions with the Nevada System of Higher Education (NSHE) on teacher preparation programs
4. Increase communication with other entities that are stake holders in the standards-based environment (Commission on Educational Technology and the Commission on Professional Standards in Education); and
5. Review data from the study approved through Senate Bill 184 (Chapter 420, *Statutes of Nevada 2007*) which will show the extent to which classroom assignments in Nevada schools meet the content and performance standards approved by the Council.

· Senator Barbara K. Cegavske, Vice Chairwoman, P-16 Advisory Council, presented the report from the P-16 Advisory Council regarding recent activities. She said the Council had met three times since September and had received presentations from representatives of Nevada economic development authorities, NSHE, and the DOE. In addition, the National Conference of State Legislatures and the Education Commission of the States had also provided information on what other states have done with their P-16 councils. She said the members of the Council had indicated the areas they were interested in studying including:

- Understanding data and setting goals;
- Funding, including public/private partnerships;
- Staffing, including recruiting and retaining teachers and a review of substitute teachers;
- English language learners and cultural differences;
- Graduation rates including counseling and parental involvement; and
- Business and industry workforce development.

Chairwoman Parnell noted the Committee had voted to send a letter to the State Board of Education regarding its intention to impose a moratorium on approval of any new charter school applications. She said the State Board voted on November 30, 2007, to suspend temporarily the approval of new charter school applications.

· Cliff Ferry, Ph.D., President, State Board of Education, explained the basis of the moratorium. He said there were insufficient staff and resources to process any new charter school applications in addition to the 11 applications currently under consideration.

Senator Washington submitted a list of questions to the State Board of Education and the DOE and asked that the answers be submitted for the February meeting of the LCE.

- Anthony Ruggiero, Member, State Board of Education, said the State Board of Education is a strong proponent of charter schools and the charter school movement. He said the State Board was acting responsibly when it made the decision to suspend considering new applications.

**COMMENTS FROM REPRESENTATIVES OF THE SCHOOLS OF CLARK ASSEMBLY DISTRICT NO. 22**

(At the direction of the Chairwoman, this item was heard out of order.)

- Assemblyman Lynn D. Stewart, Clark County Assembly District No. 22, introduced Kyli Augustine, and Brittany Keating, both students at Coronado High School, and Jordan Wenger, a student at Liberty High School. The students each commented on their personal experiences within the Clark County School District (CCSD).

  Assemblyman Stewart then introduced Andrea Demore and Scott Spigelmyer who both commented on their experiences as teachers in the CCSD.

**PUBLIC COMMENT**

Ray Bacon, Executive Director, Nevada Manufacturer's Association, commented on computerized testing and on MAP testing. He said the State of Idaho used the MAP program for the state proficiency test and for AYP compliance. He suggested Nevada may want to consider a similar program thereby allowing for the elimination of one test.

Caroline Rangen commented on the difficulties she had encountered when she attempted to obtain public education for her homebound son.

**ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 3:41 p.m.

Respectfully submitted,

Maryann Elorreaga
Senior Research Secretary

Carol M. Stonefield,
Supervising Principal Research Analyst

APPROVED BY:

Assemblywoman Bonnie Parnell, Chairwoman

Date: _____

## LIST OF EXHIBITS

Exhibit A is the Meeting Notice and Agenda provided by Carol M. Stonefield, Supervising Principal Research Analyst, Legislative Counsel Bureau (LCB).

Exhibit B is a Microsoft PowerPoint presentation titled "Overview of Testing" submitted by Joanne L. Jensen, Ph.D., Director of Test Development, WestEd.

Exhibit C is a chart listing State-mandated and district-mandated assessments for school years 2007-2008 and 2008-2009, provided by Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education (DOE).

Exhibit D is a price quotation for a pilot program for online administration of the high school proficiency examination, provided by Keith W. Rheault, Ph.D., Superintendent of Public Instruction, DOE.

Exhibit E is a copy of an April 5, 2007 letter from the United States Department of Education to Keith W. Rheault, Ph.D., Superintendent of Public Instruction, submitted by Carol Crothers, Director, Office of Assessments, Program Accountability, and Curriculum, DOE.

Exhibit F is a document titled "Report of Test Security for Nevada Public Schools, School Year 2006-2007, submitted by Gloria Dopf, Deputy Superintendent of Instructional, Research, and Evaluative Services, DOE.

Exhibit G is a document titled "AB 212 Survey Results," submitted by Garry Wyatt, Consultant, Office of Career, Technical, and Adult Education, DOE.

Exhibit H is a paper version of the Clark County School District's (CCSD) Online Educational Plan, submitted by Kim Boyle, Director, Guidance and Counseling, CCSD.

Exhibit I is a copy of a memorandum from Keith W. Rheault, Ph.D., Superintendent of Public Instruction, DOE, to the Chairwoman and members of the Legislative Committee on Education, provided by Gloria Dopf, Deputy Superintendent of Instructional, Research, and Evaluative Services, DOE.