

**MINUTES OF THE MEETING OF  
THE LEGISLATIVE COMMITTEE ON EDUCATION**

A meeting of the Legislative Committee on Education (created as a result of Senate Bill 482), was held at 8:18 a.m. on January 13, 1998, at the Legislative Building, 401 South Carson Street, Carson City, Nevada.

**COMMITTEE MEMBERS PRESENT:**

Senator William J. Raggio, Chairman

Senator Raymond D. Rawson

Senator Jack Regan

Senator Maurice Washington

Assemblyman Patrick Hickey

Assemblyman Richard Perkins

Assemblyman Wendell Williams

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Marcia  
deBraga (Excused)

**GUESTS IN ATTENDANCE:**

Eugene Paslov, EMC, Inc.

Archie Lapointe, American Institutes for Research

Dorothy Dermody, Washoe County School District

Jeanne Ohl, Nevada Department of Education

Anne Loring, Washoe County School District

Mary Nebgen, Washoe County School District

Dotty Merrill, Washoe County School District

Colleen Stockton, Carson City Republican Women's Club

Stanley Rabinowitz, WestEd

Stanley Chow, WestEd

Debbie Cahill, Nevada State Employees Association

Gloria Dopf, Nevada Department of Education

Chris Valtin, Nevada Department of Education

Judy Costa, Clark County School District

Dan Fox, Pershing County School District

Pendery Clark, Douglas County School District

Carole Gribble, Washoe County School District

Debbie Smith, Nevada PTA, and Academic Standards Council

Larry Spitler, Clark County School District

Helen Glen, Nevada Federal Republican Women

Fred Dugger, Commission on Educational Technology

David Smith, Nevada Department of Education

Thomas Klein, Nevada Department of Education

Mary Peterson, Nevada Department of Education

Kati Haycock, Education Trust

Nat Lommori, Lyon County School District

Bob Dickens, University of Nevada Reno

Cy Ryan, Las Vegas Sun

**EXHIBITS:**

Exhibit A - Meeting Agenda

Exhibit B - Attendance Record

Exhibit C - Meeting Packet

Exhibit D - Copy of Overhead Displays used in the presentation by Archie Lapointe

Exhibit E - Copy of Overhead Displays used in the presentation by Kati Haycock

Exhibit F - Copy of opinion article of Eugene Paslov, from the *Reno Gazette Journal*, January 6, 1997.

Exhibit G - Nevada Proficiency Examination Program and Testing information provided by the Nevada Department of Education

Exhibit H - Nevada High School Proficiency Examinations--Reading and Mathematics, Standard Setting Principles, providing by Dr. Stanley Rabinowitz, WestEd

Exhibit I - Projected Tasks for Council to Establish Academic Standards, provided by Debbie Smith, Chairperson

Exhibit J - A Primer for Testing: Policies and Professional Expectations, provided by the Washoe County School District

Exhibit K - Report by the Commission for Educational Technology, provided by Fred Dugger, member

## **1. Roll Call**

Chairman Raggio announced that Assemblywoman deBraga was excused from the meeting and Assemblyman Williams and Senator Washington would be arriving late. With a quorum present, the meeting proceeded.

## **2. Approval of Minutes**

Chairman Raggio asked if the committee had an opportunity to review the minutes from the November 25, 1997, meeting. If so, he indicated he would entertain a motion to approve the minutes.

SENATOR RAWSON MOVED TO APPROVE THE MINUTES FROM THE  
NOVEMBER 25, 1997, MEETING.

SENATOR REGAN SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY BY THOSE PRESENT.

Chairman Raggio announced the topic of the meeting was student assessment. He stated the assessment of what pupils have learned was a key component to school accountability. The Nevada Education Reform Act of 1997, S.B. 482, strengthened Nevada's statewide testing programs. In addition to testing all fourth and eighth grade students with a nationally normed achievement test, tenth graders are now being tested, as well. The product, *Terra Nova*, provides the scores upon which the schools' academic performance will be based. Chairman Raggio reminded the committee that these national tests are used throughout the country. The process was not intended to be punitive but, rather, a therapeutic process designed to alert a school that may have a problem. When dealing with the lives of young children, formulating their future, any delay in attending to a school that was not measuring up was a terrible tragedy.

Chairman Raggio continued by stating that S.B. 482 required that science be included in the testing of fourth, eighth and tenth graders, as well as reading, writing and mathematics. Funding was provided by the last legislative session for a direct writing test in fourth grade, such as the one currently administered in eighth and eleventh grades. He recalled that students were not writing well when the state created its direct writing test for fourth graders. This resulted in teachers learning better ways of teaching writing to students. Also, the students' writing improved so much that the passing score on the examination had to be raised. He praised those in the education community and the Nevada Department of Education for that achievement.

Chairman Raggio stated that S.B. 482 compelled the implementation of the new eleventh grade high school proficiency examination which had been funded during the 1995 legislative session and developed by the

Nevada Department of Education. However, the implementation of that examination was met with fear that the students in Nevada would fail the examination. He stated that students must pass the eleventh grade exit exam in order to earn a high school diploma. He stressed that was the threshold and students would not be graduated in the state if they did not pass the exit exam.

The Nevada Education Reform Act of 1997 (NERA) also provided funding to develop and implement new criterion-referenced tests that would be tied to higher statewide standards. Senator Raggio indicated this was not to discourage any other testing that school districts wished to perform. However, where criterion-referenced tests were used, they must be tied to statewide standards. He stated those standards would be established by the newly created Council to Establish Academic Standards for Public Schools. Chairman Raggio noted that the Council had been working diligently, even though they started out with a lack of an understanding or confusion as to the direction in which they should be headed. However, the latest information to the committee was that the Council is performing and is now in line with the charge of establishing higher standards.

Senator Raggio noted that the charge from the Legislature to the Council to Establish Academic Standards was clear--they are not to rubber-stamp standards that have been worked on by others. The Council will begin by looking at exemplary standards from other states that have gone through the process. Hopefully, that will put Nevada in the forefront when the final product is finished.

Chairman Raggio pointed out that there were definitions of norm-referenced tests and criterion-referenced tests at tab 6 of the meeting packet ([Exhibit C](#)).

### **3. Presentation on Assessments - Archie Lapointe**

Chairman Raggio, introducing Archie Lapointe, stated that Mr. Lapointe was the Director of the Center for Assessments, American Institutes for Research (AIR) and project director of the voluntary national tests in fourth grade reading and eighth grade mathematics. Previously, Mr. Lapointe served as the Executive Director of the Education Testing Service Center for Assessment of Educational Progress, housed at the National Assessment of Educational Progress (NAEP), which has been endorsed by the Nevada Legislature. Mr. Lapointe recently directed two international comparative studies of math and science involving students from 20 countries and he was responsible for the national adult literacy survey. That survey was funded by the United States Department of Education.

Mr. Lapointe, Senator Raggio continued, has consulted on assessment issues with ministries of education in over 50 countries. From 1976 to 1983, Mr. Lapointe was President and Chief Executive Officer of the National Institute for Work and Learning, in Washington, D.C. As Vice-President of Science Research Associates, a subsidiary of IBM, and as General Manager of McGraw-Hill's California Test Bureau, Mr. Lapointe published textbooks in several foreign countries. Senator Raggio stated Mr. Lapointe has attempted to make tests more relevant to instruction and learning objectives, and to make test results more comprehensible to teachers, parents and students. He has initiated several research projects designed to improve the effectiveness of test results used in

decision-making. Mr. Lapointe has taught in New Jersey public schools and has trained teachers at universities. Mr. Lapointe holds degrees from Fordham and the University of Massachusetts. He completed graduate work at Rutgers in educational administration and senior executive programs at Stanford University. Mr. Lapointe has authored numerous articles and publications.

Mr. Lapointe congratulated the committee on undertaking the difficult task of education reform, acknowledging that such action was, at times, met with resistance and objection.

Mr. Lapointe indicated that perhaps his presentation would offer the committee relevant ideas as they begin

implementing education reform. He stated that he had read the legislation, been briefed by persons familiar with the situation, had perused the minutes from Chris Cross' presentation and was informed as to the tests recently implemented in the state. He stated he would share with the committee ideas he derived from other states going through the same processes as Nevada. A copy of Mr. Lapointe's overhead displays used during his presentation is attached hereto as Exhibit D.

Chairman Raggio asked that the committee hold questions until after Mr. Lapointe's presentation. Mr. Lapointe stated his objective was to improve the education of students. Increasingly, it is becoming important to educate **all** children the same, regardless of their ethnic or cultural background, regardless of whether they live in urban or rural areas, and regardless of any physical, mental or psychological handicaps they have. He stated as he traveled outside the United States, he became more and more proud of the rhetoric in the United States relative to the importance placed on the concern for the education of our children.

Mr. Lapointe stated schools were present to accomplish certain objectives. Those objectives are defined as standards. He stressed that standards should be rigorous and curriculum should reflect the standards. Assessments, he continued, are a way of finding out if the objectives in achievement have been accomplished. He said that in France the purpose of schools was academic--not to provide social services, health services, or counseling for young people. In Germany, the purpose of school is to train people for either the work force or an academic future. In Italy, the objection is academically confined as well.

However, in America, schools are trying to serve multiple purposes. While this is not necessarily wrong, Mr. Lapointe continued, that made the setting of standards and the measuring of results more complex.

What are standards? Mr. Lapointe stated he did not want to repeat Chris Cross' presentation on standards; however, standards have two parts:

- 1) **Content** - What do we want children to know?
- 2) **Performance** - What level of skill or content knowledge do we want children to perform?

Mr. Lapointe commented that it cannot be expected that all children will perform at the same level. When NAEP set the achievement levels (basic, proficient and advanced), it was recognized that three levels were necessary. The basic level represented youngsters having difficulty or coming from disadvantaged backgrounds. The proficient level represented other youngsters, and the advanced level represented those youngsters most able to handle a challenge. He acknowledged it was difficult to decide what percentage of the children in Nevada should be at the "proficient" level. Mr. Lapointe opined that the percentage of students the state wanted to achieve at a certain level had to do with performance standards.

Mr. Lapointe stated that standards must be clear, measurable and achievable. That meant standards set too high could become irrelevant in that educators would view them as unattainable. He stated that the curriculum needed to match the standards and teacher behavior should reflect the priorities set in the standards. He commented that the three million teachers in the United States will not be able to agree on every element of standards as they usually become negotiated arrangements between teachers. There are enforcement measures that could be invoked but there needed to be compliance with the teacher groups, administrative groups, and superintendents. Those are the people that need to feel that what they are being asked to do is achievable.

Mr. Lapointe said that assessments needed to be aligned with the standards. Those assessments can be either norm-referenced or criterion-referenced, which was a choice many states were making presently, with some states opting for a combination of both. Whether the assessments are norm-referenced or criterion-referenced, the choice then became whether to use multiple-choice questions, open-ended responses, performance tasks or portfolios. That decision was made based on the objectives determined to be

measured, as well as the financial cost associated with each. Mr. Lapointe indicated that most states collect other information to permit fairer comparisons of achievement results. Such as, what percentage of children take the test, how well were other schools doing in keeping children in school, demographics and other related matters.

Mr. Lapointe explained that a norm-referenced test showed how a student tested in comparison to other students in the state or in the nation. For instance, a school participating in the National Assessment of Education Progress exam (NAEP) might have results that show that its the fourth graders or eighth graders can read or do mathematics as well as half of the states in the country. Mr. Lapointe noted that norm-referenced tests could be understood intuitively, but did not clearly show the achievement of the student. Whereas, a criterion-referenced test will show that a student has achieved the stated criterion for a certain subject and provide an example of what that state criterion is.

Mr. Lapointe discussed the strengths and weaknesses of norm-referenced tests and criterion-referenced tests:

## **NORM-REFERENCED TESTS**

### **STRENGTHS**

- Easily understood and encourage competition.
- Politically essential since people desire to compare their schools and children to other students in other states.

### **WEAKNESSES**

- Quality of the norms could be seen as a weakness.

Mr. Lapointe explained that the major standardized achievement tests by the major test publishers, CTB, McGraw Hill, Riverside, were outstanding presently. The quality of the norms is a problem because when a new edition of Terra Nova or any other test is prepared, they have to ask 350,000 to 500,000 youngsters to participate. They do the best they can to achieve a 100-percent level of participation. Therefore, the norms are variable instead of perfect and different results could be seen from different publishers in terms of student performance on the national norm. That is measurement error and is an unfortunate part of the business. The comparisons made with norm-referenced tests are against moving targets even though schools become better at administering tests every year. Yet, the norm is being measured against a norm created two to five years ago.

Mr. Lapointe shared a story that several years ago the "Lake Wobegone effect" was discovered by a dentist in West Virginia who called all the state test departments and found out that 85 percent of the children in America were above-average--a statistical impossibility. That was discovered because of the "moving target" effect and the different national norms.

- Norm-referenced tests are not specific or clear. In other words, a norm-referenced test indicated a student was "doing as well as or better than" but did not specify what the criteria are.

## **CRITERION-REFERENCED TESTS**

### **STRENGTHS:**

- These tests are clear and specific.
- Progress can be measured as the target is fixed. In other words, the criteria could be that 80 percent of the children in the fourth grade in Nevada should be able to do multiplication by two-digit numbers.
- Norms can be developed from the criterion-referenced tests.

## **WEAKNESSES:**

- Difficult to set standards to criterion-referenced tests.
- Difficult to interpret the results. For instance, the examples must be read in order to illustrate the criteria.

He suggested the state would benefit from using a form of both criterion-referenced and norm-referenced tests. Mr. Lapointe stated the types of questions used on either or both tests included:

- **Multiple choice** These types of test questions are efficient, inexpensive, objective, valid and reliable; however they are limited in scope.
- **Open-ended and**

**Performance Tasks** These types of test questions are more engaging to the pupil which leads to better measurement. They measure broader skills, and have face validity. On the down side, these types of questions are expensive and subjective since humans are writing the questions and scoring the answers, as opposed to computers. That brings the issue of validity into play as to whether they are as reliable as multiple choice test questions. He concluded that research was continuing in this area in that there had not been as much experience with this form of question as the other forms.

- **Portfolios** These types of assessments measure results over time. An assumption cannot be made based on one measurement in that with portfolios a collection of evidence and student work over a period of months or years was needed. The portfolio could include multiple choice, an examination of work, exhibits, performance tasks. These types of test assessments were expensive and subjective. Further, the validity and reliance could be questionable since it is too soon for experts to make a statement as to validity and reliability.

Mr. Lapointe suggested that the state could adopt a variety of all of the above question formats--keeping in mind that the rule in measurement had not changed in the past forty years of his involvement which was to use whatever type of question measured the objective best. For instance, obtaining factual information from youngsters might best be obtained by multiple choice tests. Whereas, a problem-solving question might be best measured by an open-ended question and research might be best shown with a performance task.

To measure growth over time, a portfolio would be the best assessment to be used. Utilizing a combination of these test questions was dependent upon a variety of factors, such as: 1) The

standards to be measured; 2) How much money was allocated for the purpose? 3) What are the objectives and data desired?

Lastly, Mr. Lapointe stated that consequential validity was a factor in dealing with writing tests. For years, writing tests were measured with multiple-choice questions. However, determining whether a youngster could write should be done by viewing their writing. Therefore, most states have insisted that every student take a writing test every year. Scoring those tests is expensive. For example, it cost a penny to score each answer sheet through a scanner; whereas, it costs \$1 to \$2 to score an essay--100 times more expensive. However, when teachers knew their students were going to have to write an essay and be tested on it, they began requiring students to write essays throughout the year. He concluded the consequential validity was that these tests had an impact on what teachers taught and how classroom time was spent, which was very worthwhile.

Mr. Lapointe concluded his presentation and indicated he was available to answer questions.

Senator Raggio asked if Mr. Lapointe had any recommendations based upon what he may have read about the Nevada Education Reform Act of 1997 and what was being done by the Council to Establish Academic Standards for Public Instruction, as well as what was being done in the area of technology, in the area of future legislation or otherwise.

Mr. Lapointe replied that he would not recommend future legislation; however, he would discuss setting standards and implementing assessment packages. Based on other states' experiences, standards cannot be set on any given day two or three years from now that are then expected to be useable over the remaining five or ten years of a cycle. That was because the process involved much give and take and most standards ended up being too complex or too great. He explained that in the democratic process, many standards get put in as an easy way out of a debate. The end result was too many standards--one state has 49 standards in order to graduate from high school. When educators are asked which ones were most important, the answer will be that they will each be important to somebody.

Mr. Lapointe recommended that any state going through the standard-setting process publicly state that the initial standards will be the first phase. Based on experience, that led to critique and criticism which allowed for modification of those standards. The same was true of an assessment system--inevitably there will be adjustments based on the realities of the classroom. He stated this sometimes resulted in a burden being placed on local control.

He went on to explain that he was at a meeting of the Great City School's Council recently and the city test directors were at that meeting. The voluntary national test was being discussed, which includes algebra in the eighth grade. The national test assumed that eighth grade students have had algebra. However, a test director from the Great City school district noted they did not teach algebra in the eighth grade. Mr. Lapointe responded that was their choice and on the day the scores were presented, that test director would have to indicate that 15 percent of the questions measured algebra and then explain why they did not teach algebra. The test director responded that would be impossible because then the school would be viewed as providing less of an education than others. Mr. Lapointe concluded that persons at the local level made strong decisions every day as to what should or should not be taught.

Mr. Lapointe suggested that as Nevada went forward to announce standards and assessment programs, they should recognize that those standards and assessments will be changed over the years as experienced is gained.

Senator Regan asked how to avoid the process of "dummying down" when setting standards and



assessments. He said he continually heard complaints from his constituents that students were being passed along because the schools did not want to hurt students' feelings. Mr. Lapointe replied that every state was addressing that issue and there were many dimensions to the issue. He related that the setting of standards and the definition of the criteria to meet those standards was the first step in the process. There were two aspects that were intertwined in the process: "What is happening right now in Nevada?" and "What do we want for our children as they face the 21<sup>st</sup> century?" He indicated that many people believe what is currently happening in the state education system was irrelevant and the focus should be on what children needed to know when they were 20 to 22 years old and set standards accordingly.

Mr. Lapointe went on to explain that in the state of Kentucky when they set achievement levels, they were not interested in what American students could do presently, but rather, focused on the 21<sup>st</sup> century. The teachers, principals and superintendents responsible for achieving those goals often get discouraged after several years of failure and find the test scores irrelevant--an aspect that is disheartening to say the least. He stated there needed to be a balance between what was happening now and what was expected in the 21<sup>st</sup> century in order to encourage teachers and administrators to stretch. Further, once the standards have been set and if the criteria is that a student cannot graduate from high school without performing at a certain level, then that criteria had to be maintained, even if it was painful. The state and the school system had an obligation to improve the system.

Mr. Lapointe shared a story of what occurred in the state of New York which had dramatic successes with several schools that were on probation, resulting in 15-point increases in their test scores. In these instances, comparisons and the placement of schools on probationary lists was coupled with the objective of finding out what kind of help was needed to improve those schools. Mr. Lapointe suggested that the state had difficult decisions to make and once those decisions were made, implementation was required.

Assemblyman Hickey recognized the four components mentioned by Mr. Lapointe in setting standards--one of those being teacher behavior. He asked if there were any states or circumstances where teachers were successful in "buying into" the standards process. Mr. Lapointe answered the state of Maryland was one such state. Maryland is a small state geographically, with approximately 30 school districts. During their standards-setting process they had "tons of meetings" and it was a long, expensive process but holding many meetings allowed for everyone to be heard. That did not do away with the problems, however, since there will always be certain teachers that disagree based on principle, political belief, religious or ideological belief. However, when persons were afforded the opportunity to participate and be heard, then that was the best that could be done. The more participation in the democratic process occurred the more understanding developed. He said there was another state that had a law in place that, until a couple of years ago, did not allow the state to control curriculum. That state is now having a difficult time getting teachers to adhere to the state's control.

Mr. Lapointe stated the counter-argument was that there was so much mobility and immigration coming into the state that children would be traveling all over the country during their lives to find work and be successful, and they all deserve the same quality of education. Many states have laws, New Jersey for example, where every child in the state has the right to an equal and equitable education.

Senator Raggio commented that the state went through much discussion in past legislative sessions in reaching the point where the state is today with regard to education. Essentially, the state of Nevada was the last state to embark on setting meaningful standards. He recalled the discussion on

whether to use norm-referenced tests or criterion-referenced tests, and noted criterion-testing was fine but the state also needed to know what knowledge our students will have when they reach 20 years of age so they are able to compete with students from this state, other states, and throughout the country. He stressed that was why the Legislature supported criterion-referenced testing, as it was helpful to measure the individual students' achievement. While norm-referenced assessments allowed the state to know where our students stood in relation to other students in the country. The state currently used a combination of tests but insisted on statewide standards. That did not prevent individual schools or districts from administering their own tests.

Senator Raggio indicated he was concerned about the objectivity and honesty that went into assessments. He asked what efforts were utilized in other states to protect test security. Mr. Lapointe answered that using student test results for comparative purposes brought the issue into the high stakes arena which, understandably, increased the issue of test security. He stated NAEP has not been concerned with test security because their test is low-stakes. However, the new voluntary national tests that will be implemented will be a major issue. He said the most effective way of avoiding serious breaches of test security is prevention. When the new test is implemented, 20 to 25 percent of the schools will be visited unannounced on test-taking day. Further, there will be a person observing the classroom and checking to see that the test book packages are opened one-half hour before test time, the timing procedures are maintained, and the answer sheets are controlled before being repackaged and sent to the scoring centers.

Mr. Lapointe said every time it was announced that testing procedures were being monitored, people became infuriated that as professionals they were not being trusted. Yet, in reality people were grateful that such security measures were used.

Senator Raggio stressed it was a grave disservice to have testing impaired and he hoped that persons administering the tests maintained a high degree of professionalism. He indicated there had been breaches of security in the state. Mr. Lapointe said there were other test procedures being used throughout the country which enabled the computer to identify patterns of errors that suggest there has been cheating, especially with large numbers of answer sheets.

Senator Raggio stated he often heard that tests did not measure what was being taught. He said that was particularly apparent in the norm-referenced testing even though those tests are beneficial. He stressed that if the children were not required to meet a meaningful standard which was recognized at the state level and the national level, those children will have difficulties in later years and that was a compelling reason to get standards in place.

### **3. Presentation on Assessments - Kati Haycock**

Chairman Raggio introduced Kati Haycock, Director, Education Trust, Washington, D.C., as one of the nation's leading child advocates in the field of education. The Education Trust was established in 1992 to speak up for the rights of young people, especially minority and low-income children. The Education Trust provides hands-on assistance to urban school districts and universities desirous of working to improve student achievement.

Prior to acting as Director of The Education Trust, Ms. Haycock was the Executive Vice-President of the Children's Defense Fund, the nation's largest child advocacy organization. Ms. Haycock served as President of the Achievement Council, a statewide organization that provides assistance to teachers and principals in predominantly minority schools. Ms. Haycock has previously served as the Director of the Outreach and Student Affirmative Action Programs for nine campuses in the

University of California system.

Chairman Raggio noted Ms. Haycock's presentation was entitled "Is High Achievement Possible For All Students?"

Ms. Haycock stated when the Nevada Legislature passed S.B. 482 in July, 1997, a clear message was sent to the public and educators around the state that the Legislature wanted to raise academic standards and intended to hold schools accountable for improved results. In doing so, Nevada is joining a large number of other states heading down a similar path. Not surprisingly, some educators are resisting educational reform. Ms. Haycock stated her presentation was designed to help the committee respond to that resistance and she saw two options: 1) Ignore the resistance and stay the course; or 2) Give in. Ms. Haycock encouraged the committee to "stay the course."

She stated her presentation included national data as to achievement delineated by race and family background. The data and information she would present indicated that there is a large "gap" in achievement levels between races. Exhibit E is a copy of the 74 overhead displays used by Ms. Haycock during her presentation.

Ms. Haycock stated that the graduation rates for white children in this country over the past 15 years have remained the same with 80 to 85 percent graduating from high school. Among African-Americans, 75 percent of those students graduate from high school. There has been virtually no progress in the Latino population in that approximately 60 percent of those students graduate from high school.

Ms. Haycock stated that nationally, approximately 65 percent of high school graduates enter college immediately following high school graduation. She pointed out that Nevada's rates were considerably lower than that. She directed the committees' attention to the next graph which showed that African-American and Latino high school graduates entered college at lower rates than white graduates. However, 44 percent of all students entering four-year colleges do not make it to their sophomore year. Looking at college graduation rates for the past six years, between 60 to 65 percent of white and Asian students who enter college, graduate within six years. Among Latino, African-American and Native American students, 40 to 50 percent of those entering college graduate within six years.

Ms. Haycock said, when GED diplomas are added to the high school graduation statistics, of every 100 white youngsters starting in kindergartens across the country, approximately 88 graduate from high school or achieve a GED. Of those, approximately 58 complete at least some college, and approximately 25 obtain a baccalaureate degree. For every 100 black youngsters starting kindergarten, about 83 graduate from high school or obtain a GED, about 40 complete at least some college, and 12 obtain a baccalaureate degree--one half the rate of white children. For every 100 Latino youngsters starting in kindergarten, approximately 60 graduate from high school, about 30 complete some college, and about 10 obtain a baccalaureate degree. For every 100 Native Americans that begin kindergarten, about 58 graduate from high school and about 7 obtain a baccalaureate degree.

Ms. Haycock turned to statistics involving family income levels of students attending college. Children from families in the top economic quartile (household income of \$66,000 or more per year), 48 percent of students obtained a baccalaureate degree by 24 years of age. Looking at the families from the bottom economic quartile (household income of \$22,000 or less per year), 7 percent of children from those families obtain a baccalaureate degree by 24 years of age.

Ms. Haycock turned to what children were learning in today's educational system. She noted that between 1970 to 1988, African-American, Latino and low-income children made extraordinary

progress. During that 18-year period, there was a considerable narrowing of the gap between groups. Nationally, during that time, the gap between white and minority children declined. However, after 1988, the progress stopped. Since that time, although there is some variance between grade level and subject matter, the gap has either remained the same or begun to widen further.

Ms. Haycock indicated the national (NAEP) data showed that virtually no progress has been made in reading for 17-year-old white children for a very long time. By contrast, and looking at earlier years, stunning gains can be seen among the African-American and Latino students. In more recent years, however, the flat line of achievement for white students has begun to increase.

Turning to the NAEP data for reading levels at the end of high school, Ms. Haycock said that level one reading meant that students were able to read specialized text and understand what they read. She showed a graph depicting that 1 in 12 high school seniors master that level of reading by the end of high school. The next noticeable thing shown from the graph was the differences in the races. Only about 1 in 50 Latino students met that same standard. At level two (the ability to read relatively complicated text), which is the level most college professors and employers find essential, few students master that level of reading proficiency by the end of high school (17 percent of African-American students; 27 percent of Latino students; and 50 percent of white students).

Directing the committee to a similar graph relating to mathematics, Ms. Haycock explained the top level included multi-step problem solving and elementary algebra. It should be a concern that while most youngsters actually take and complete algebra in high school, the data show that about 1 in 11 white students and about 1 in 100 African-American and Latino students ever master that level of mathematics proficiency by the end of high school.

Ms. Haycock stated many people were aware of the problem with our students not reaching high levels of learning by the end of high school. However, most people did not realize that the problem persisted into college as well. She recognized the committees' focus during the meeting was not on the college student; however, she showed the research for college graduates. For level one and two, which are low levels of proficiency, the research shows that about 11 percent (1 in 9 college graduates) met that level of proficiency in language arts by the conclusion of college.

Ms. Haycock pointed out the more shocking research was seen in what the college graduate could not do in the areas of math and English language arts:

#### **COLLEGE GRADUATES - levels 1 and 2**

- Can't integrate information from lengthy or dense text.
- Can't generate response based on information easily identified in text.
- Can't match information when low-level inferences are required.
- Can't perform tasks where two or more numbers are needed and must be found in material.
- Can't use calculator to determine discount from an oil bill if paid in 10 days.
- Can't calculate miles per gallon using information given on chart.

#### **COLLEGE GRADUATES - level 3**

- Can't state in writing argument made in a lengthy newspaper article.

- Can't contrast views in two editorials on technologies available to make fuel-efficient cars.
- Can't compare two metaphors used in a poem.
- Can't determine shipping and total costs on an order form for items in catalog.
- Can't use information in news article to calculate difference in time for completing a race.

Ms. Haycock stressed that this research proved the myth in this nation that we have a perfect, internationally-renowned higher education system and a horrible K-12 system. In fact, both of these educational systems, in this country, are producing inadequate results. There are large numbers of graduates who do not have the knowledge or skills that are associated with a high school diploma or a college degree.

Ms. Haycock indicated the "gap" between the races as she discussed also persisted in college. She presented information regarding mathematics and reading proficiency among college graduates by race. She commented that it was difficult to understand why these "gaps" still existed after all these years, especially in light of all the programs and energies applied to the issue. She asked why the gap still existed. Ms. Haycock explained that her experience has shown that most adults believe the gap is present because: Children are poor, parents do not care, children come to school without adequate nutrition, there are not enough books in the home--reasons applicable to children and families. Interestingly, however, when the same question was posed to young people, the answers are very different: Disinterested principals, teachers without the knowledge to teach the subject they teach, counselors underestimating a student's potential and placing the student in low-level courses and low-level curriculum that bores them. Youngsters recognize that poverty and crime play a role in education, but they truly believe that teachers are teaching less.

Ms. Haycock asserted that the data coincided with what the children were saying. The educational system created in this country has taken youngsters that had less to begin with and then systematically gave them less in school also. Then, when those children achieve at lower levels, the system blames the children or their families.

Ms. Haycock indicated she wanted to share data with the committee on how children with less to begin with realize less in the educational system. She hoped the information she provided would assist in providing responses to educators who continually insist that children from lower incomes or minorities cannot learn. She stressed that the first thing noticeable in the research was that schools teach different children different things. For example, some children in early grades learn to read from interesting books. These children sit in groups and challenge each other, they are challenged by their teacher and they write about what they read. Whereas, other children learn to read by circling "m's" and "p's" on dittos. Logic indicates that those two teaching methods make a difference. Youngsters learning to read in the first example will develop a higher order of skills--an area seen in testing. Youngsters learning to read in the other example provided, will not likely develop those skills.

The most recent national data on the relationship between high school course taking patterns and performance on the NAEP shows that students that spend large amounts of time in traditional, vocational education courses never master the knowledge and skills they need for college or the workplace. Essentially, the more time students spent in these courses, the lower their performance. Not surprisingly, the reverse is true when reviewing the rigorous college-prep curriculum. In that instance, the more courses the student took, the better they performed. The graphs shown by Ms. Haycock (Exhibit E, pages 31-35) reflected the relationship between advanced mathematic courses taken in high school and performance on the NAEP. Students taking only algebra scored lower on

the SAT exam than students who took algebra through to calculus. Similar results can be seen in the area of science.

Ms. Haycock said students were not randomly assigned to courses. For instance, two-thirds of youngsters growing up in high-income families are placed in college preparation courses. By contrast, just under one-quarter of children from low-income families are placed in college preparation courses. Poor children are mostly warehoused in vocational courses which typically prepared the child for nothing. As a result, poor and minority children are less likely to take the courses necessary to develop higher-order thinking skills. Unfortunately, minority students are not taking courses such as geometry, biology, chemistry, physics and calculus and, therefore, are unable to ever master those skills.

Ms. Haycock shared data she received from a California school district where teachers believed a fair system for assigning students into college preparation courses was in place. However, not all students that performed in the top quartile on the math portion of the CTBS test were placed in Algebra I. As can be seen, all of the white and Asian students scoring in the top quartile were taking Algebra I. Conversely, the African-American and Hispanic students that placed in the top quartile, were not assigned to Algebra I. This evidence caused the teachers to research the issue further. That research revealed that white and Asian students performing in the second quartile (50<sup>th</sup> and 74<sup>th</sup> percentile nationally) were more likely to be placed into Algebra I rather than the African-American and Hispanic students performing in the top quartile. Ms. Haycock concluded that much of the gap in performance which was often blamed on children and families, was because teachers did not bother to teach those students the knowledge and skills included on tests. She suggested that addressing that one issue would have a major impact on narrowing the gap between student groups.

Ms. Haycock opined that improving curriculum would help in narrowing the gap between student groups. Having teachers knowledgeable in the subjects they taught and the availability of current textbooks was equally as important. Senator Raggio asked whether the placement of students into college preparation courses or other courses was solely an administrative decision or coupled with student or parent requests. Ms. Haycock replied that it was a combination in that the "sorting" of students varied from school to school and district to district. The "labeling" and "sorting" of students was done by parents, students and teachers beginning in kindergarten and was usually set by the time a youngster reached the eighth or ninth grade. Senator Raggio commented that he recalled that the option of what class to take was sometimes a student decision and a student may chose an easier class. Ms. Haycock concurred that was true; however, the question was why did educators allow that? She stressed that educators knew there was a certain curriculum that prepared the student for college and work and there was another curriculum that would not. Yet, students were allowed to take that other curriculum even knowing that it was a bad choice. If educators knew that certain curriculum or course studies were inferior, why would any student be placed in such a course?

Ms. Haycock presented data showing the relationship between the poverty status of a school and the likelihood that youngsters were being taught by under-qualified teachers. She informed the committee that the definition for "under-qualified" was that the teacher lacked the equivalent of a college minor in the subject being taught. In every subject shown on the graph, children attending schools with higher concentrations of poverty are much more likely to be taught by under-qualified teachers. The same pattern is true when viewing schools by race as well as by class. For instance, schools with 90 percent or more white students were taught by teachers certified in the courses they taught. These teachers are generally much more qualified than teachers teaching children attending predominately minority schools. Ms. Haycock emphasized that the children that are most dependent on their teachers for content knowledge, are being systematically taught by teachers with the least

content knowledge.

Ms. Haycock provided national data regarding the relationship between the poverty level of a school and the likelihood that teachers at these schools do not have the books to teach reading. The graph she presented depicted that as the poverty level of a school increased, more teachers reported that they did not have books from which to teach. The same is true in mathematics. Reports from teachers in disadvantaged, urban and extremely rural schools showed those teachers were less likely to have the school books and calculators needed to teach mathematics. She reiterated that educators not only taught some youngsters less than others, but the instructional resources being invested in children varied and is dependent on their family background.

Continuing, Ms. Haycock said the most damaging data she has seen is that society simply expects less from some youngsters. She explained that her staff has spent the past three years in classrooms working with teachers striving to improve their classrooms. During this time, her staff has observed the patterns seen in different schools and has collected assignments given to students along with students' responses to assignments. Her staff was stunned by the vast differences between schools with high numbers of low-income youngsters and schools with more affluent youngsters. In high-poverty schools, her staff routinely observed students given more "coloring" assignments than mathematics and writing assignments. She repeated that youngsters in high-poverty middle schools spent far more time coloring than doing mathematics, reading or writing. Even in high-poverty high schools, students were given an incredible number of coloring assignments.

Ms. Haycock related that an example of one coloring assignment was as follows: "Read *To Kill a Mockingbird* and when you are done, color a poster about the book." She said high school junior English teachers from these schools believed it was a "criminal act" to assign an essay of more than three paragraphs in length. Another example of an assignment given to students in Philadelphia was "Chose a historical figure of interest, do some research on that person, learn something about their life. Then, find a picture of that person and glue it to the center of a poster. Then around the picture, decorate the poster with colors, glue, glitter and paint. Then, on a 3x5 card stapled in each of the four corners of the poster board, write one or two sentences about that person's life or contribution." Ms. Haycock stated most persons would believe that assignment was appropriate for a third or fourth grader. In fact, the teacher that used that assignment found it in the Maryland assessment bank for fourth graders. However, the teacher that utilized that assignment was an eleventh grade teacher. Moreover, those eleventh graders spent one month on that assignment. The assignments given to them during the other months were equally intellectually anemic. When that schools' test data was received in the Spring, 1997, that was the first teacher to say: "See, I told you these kids were too poor to learn." Ms. Haycock said the test patterns show that youngsters were performing at the fourth and fifth grade level, in the eleventh and twelve grade. This is not because they are incapable of reaching high standards, but because they are being taught at a low level.

Senator Rawson acknowledged the description of the assignment given to eleventh graders was inappropriate; however, eleventh graders who had ten years of labeling and tracking were likely incapable of handling more sophisticated learning because they had not learned how to read, analyze or write. Ms. Haycock agreed but the question then became, "What do you do when that happens?" Does it make sense to continue teaching those students at a fourth-grade level, or should you aim higher and provide those students with extra help. Ms. Haycock related that there were schools dealing with this situation and they were making gains.

Senator Rawson added that there seemed to be a common consensus that a high regard was placed on Asian students and how well they achieve and progress. He noted that in the statistics presented, the Asian students had out-performed the white students and yet many of them came to the United States as poor and minority. He asked why the same prejudices shown to African-American and

Hispanic students did not apply to Asian students. Ms. Haycock replied that in general Asian students had highly educated parents. Secondly, what educators saw in Asian children was quite different than what they see in other minority children. Educators view Asian children differently and regardless of achievement level, they are placed into high-level classes. Lastly, the focus on school work and youngsters working together has a profound effect on achievement. Research has shown that Asian youngsters study together in groups and this promotes learning the subject more deeply. She concluded that educators in the United States could learn much from the Asian school systems on how to improve achievement among all students.

Senator Rawson asked Ms. Haycock to comment on what happened in the late 1970's and 1980's that caused the peaking and decline we currently see in this country's educational system. Ms. Haycock replied that nobody was entirely sure why the system changed. However, the consensus is that essentially "we stopped trying." During the late 1960's and 1970's, much attention was given to education, specifically the education of poor children. It was during that time when the Federal Title I program was created and most states created their own programs, therefrom. The message to educators was "Don't leave these kids out. We have to make good on the promise of this country." Beginning in the early 1980's, however, the message to educators changed to "We've done equity, now we are going to do excellence." So, rather than moving forward with a twin focus on equity and excellence, the movement became solely focused on excellence. Ms. Haycock opined that when the focus changed, educators stopped trying. She concluded that if anything has been learned about education in the past two or three decades it would be "You get what you focus on."

Ms. Haycock presented national data on the grading patterns by poverty status of schools. Essentially, children in high-poverty schools received "A's" for work that would earn a "C" or "D" grade in low-poverty schools. She confirmed that practice was occurring in English language arts, mathematics and science. Ms. Haycock stressed this sent the wrong message to these students as to their level of preparation for the future.

Ms. Haycock asserted that the state's efforts for setting high standards and ensuring that all youngsters were educated to those standards often resulted in public dispute. In fact, some will be concerned that the state will be raising the bar on standards when there are children who cannot make it over the current bar. Ms. Haycock indicated she had evidence that disputed that. In fact, if standards are set high and curriculum is carefully aligned with the standards, and if educators provide those children who are struggling with the help they need, then poor and minority children can achieve at the same level as other children.

Ms. Haycock displayed a chart from a school in Mission, Texas, which set higher standards. This school is close to the Mexican border and is a very poor community with virtually all Hispanic students. The principal of one of the elementary schools informed her that only two or three of the children begin kindergarten knowing more than just a couple of words of English. In fact, many of the children from the school live in a "colonia," shanty towns in the desert with limited sanitation, running water, or paved roads. However, what differs from this community is that nothing in the circumstances of the lives of those children has deterred the educators and the parents in the community from being determined that the children can meet the standards in the Texas Assessments of Academic Skills. Ms. Haycock noted that not only did these very poor, Hispanic children perform higher than other high-poverty schools in Texas and higher than the statewide average for all schools, but these children actually performed higher than some of the state of Texas' most affluent elementary schools.

Ms. Haycock showed data from a school district in Milwaukee. She explained that a couple of years ago, after a concern about low-level math performance among their students, a new assessment was put into place and it was declared that students in Milwaukee would have to pass that assessment in



order to graduate from high school. The results from the first year were devastating and that placed immediate pressure on the school board and the superintendent to either lower the passing score, eliminate the test, or at least not deny graduation to students who could not meet the standard. The educators in that district informed Ms. Haycock and her staff that they almost gave into the pressure. However, instead they scrutinized the test and were surprised that their youngsters were unable to perform at the test level. They realized that if their students could not achieve that level of mathematical ability, they would not be ready to compete in the world upon graduation. Rather than change the scoring, the teachers revised their curriculum to make sure they were teaching the higher level of skills exhibited on the test. They also put into place careful systems to monitor each students' progress so they could identify students that were struggling with particular concepts. In addition, business community and community-based organizations helped out by providing "math buddies." These people worked with the children identified as struggling and provided them with extra help. One year later, the results were stunning--92 percent passing rate district-wide. Currently, Ms. Haycock reported, that passing rate has increased to 97 percent, suggesting once again that no matter how poor, no matter what kind of families or neighborhoods children come from, all children can reach high standards if they are taught to high standards and provided with a little extra help. Ms. Haycock commented that sometimes just 15 minutes is needed to help a child get over a hurdle and onto a clear understanding of what they are working on.

Ms. Haycock showed a chart representing data from one of the largest school districts in the country, New York. She stated that a couple of years ago the New York School District had an interesting Chancellor that drove teachers and principals crazy by spending time roaming around their schools and sitting in the back of classrooms. She recalled a conversation with him was unusual for such an optimistic man, but he was very worried at the low level of teaching in the high schools. However, he was even more worried by the response he received when he brought that concern to the attention of principals and teachers. In every instance, the response was the same--the principal pats him on the back and said, "Chancellor, these are very poor children, this is about the best they can be expected to do." He was tired of repeatedly hearing that response and declared that all ninth grade students would be placed only in regents or college preparation level mathematics and science in New York City, and nothing else. One year later, the number of Latinos in New York City passing regent's level science tripled. The number of African-Americans passing regent's levels doubled. There were significant gains for whites and Asians as well, and gains in mathematics. Although all the students did not pass the tests, the evidence was clear that when youngsters are taught high-level content, they absolutely can learn it. Ms. Haycock opined that one of the reasons there was success in the New York City school districts was because the effort was built on a foundation of a three-year partnership between the University of New York and the United Federation of Teachers in New York City and the New York School District; whereby, faculty from both sides worked together to be clearer about the content of those college preparation courses and about teaching methods in order to be more successful.

Ms. Haycock showed the committee data regarding a four-year partnership between the University of Texas, El Paso, El Paso Community College and the three school districts of El Paso, using standards to drive achievement upward in a high-poverty community located on the Mexican border. The progress between 1992 and 1997 showed that the number of schools identified as "low-performing" dropped from 15 to zero. The number of schools going into the "recognized" status increased from 2 to 41. The number of schools in the "exemplary" status increased from 0 to 6. She stressed that the requirements for "exemplary" status were difficult to obtain and maintain in that 90 percent of students in the school must pass all the pieces of assessment of the Texas Assessment of Academic Skills, plus no group can have a pass rate lower than that. This had a profound impact on achievement levels. She said although these Texas schools have not eliminated the gap between minority children and whites, the gap has significantly narrowed between the 1995-96 school year as

compared to the 1992-93 school year. She stressed the success of these schools was due to a focus on standards--the same standards for all children.

Ms. Haycock said that between 1992 and 1995 major increases were seen in the numbers of students taking Algebra, from 59 percent to 94 percent of Latino students and from 62 percent to 99 percent of white students. Essentially, educators have determined that all students needed to take Algebra before the ninth grade. Also, major improvements were made in the pass rate. She showed evidence that when children were placed in Algebra courses and provided teachers with plenty of professional development, children can master the content and the pass rates will increase.

Ms. Haycock asserted that the challenge for Nevada would be to make the schools that are the exception, become the rule so that all educational institutions worked for all youngsters. She stated that around the country there are a number of leaders in the K-12 setting joined by leaders in higher education and leaders in business and community ready to meet the challenge.

In an effort to discover what is effective in improving academic achievement, Ms. Haycock said the following was important:

- Realize that significant changes cannot be seen in K-12, without also changing the way higher education conducts business. Often, K-12 and higher education are seen as two separate systems, but in fact they are so tightly intertwined that those persons interested in bringing about change or educational reform, need to remember that the two systems are linked. As the state proceeds to implement higher standards, many students in high school will say "Why do we need to pass this exam because we can go to college no matter what." Ms. Haycock related there were many colleges that admitted students regardless of what they have learned in high school. That posed the question: "How can higher education institutions reinforce what schools are attempting to do by bringing admissions requirements into line?" The message being sent is that students can go to college no matter what, so aligning college admissions with new standards was important. The clear link between K-12 and higher education, was that higher education produced teachers. It will become evident that as teachers begin to implement new standards, they are not educated in ways that will enable them to teach to those standards. Ms. Haycock commented that higher education needed to be involved with K-12 for preparing new teachers to teach to the standards. Also, providing help to the existing teacher force is an area that cannot be overlooked. Ms. Haycock acknowledged that the Board of Regents and the State Board of Education recently approved a new K-16 initiative. The state and the Legislature must stay focused on supporting those efforts and understand the relationship between the two educational systems.
- Standards are powerful levers for youngsters to obtain high achievement and for changing educator's practices. Standards must be set high for all children. The goal should be for all youngsters to reach at least the proficient level. Otherwise, there will be no strength to the standards.
- In order for all children to reach high standards, it must be acknowledged that some children will need more time and more help than other children. Ms. Haycock stated it may be worthwhile to review what the state of Kentucky has done to ensure that extra time, help and resources were available in high-poverty schools. In that state, schools with high levels of poverty are provided extra funding to use for after-school, Saturday or summer enriched, extended learning classes.
- Teachers will need time and assistance in implementing standards. They will need help from higher education faculty on deepening their content knowledge and more importantly, time to

work together to review the work they assign their students and compare those assignments to the standards. She stated it was important that time was structured into the regular school week and that teachers are encouraged to develop skills necessary to succeed in getting all children to reach high standards.

- The accountability system in the standard-setting process needed to measure results as to what the state required. Ms. Haycock suggested that the accountability systems in both the state of Texas and the state of Kentucky were worthy of review because of the clarity of their messages. In the state of Texas, 90 percent of all youngsters must reach clear levels of achievement. As a result of that focus, Texas is the only state in the country that has made significant progress in the last few years in narrowing the gap between groups. Similarly, in the state of Kentucky, there is a strong focus on raising achievement among poor youngsters. The Kentucky Legislature is watching what is happening with all children, specifically poor children. Because of their accountability system, they are beginning to see a narrowing of the gap between poor and rich in the state of Kentucky.

Ms. Haycock said the State of Nevada needed to put great thought into the message they were sending to educators and the public--is general improvement okay and is progress only necessary for some children? Also, what are the consequences if a school does not succeed? What are the consequences if a school makes extraordinary progress? Those are the guiding questions.

Chairman Raggio thanked Ms. Haycock for her presentation, indicating that her comments were illuminating and confirmed much of what the supporters of the Nevada Education Reform Act of 1997 have dealt with and had in mind for a long time. Recently, he noted the results of the "report cards" were printed in the newspaper. He noted there was a time when the school districts in the State of Nevada did not want to make that information public and resisted any form of an accountability law. He opined that results of educating the students of this state are not only for those in the education field but also for the public, whose tax dollars fund education; the Legislature, whose primary responsibility, pursuant to the constitution, is education; and the parents, who are entitled to know how the school their children attends is matching up. The results of education of our youth ultimately becomes an interest of the entire community. Senator Raggio stated when the report cards were printed from Washoe County schools, it was clear the high-poverty schools scored lower.

Senator Raggio acknowledged that Dr. Eugene Paslov, former Superintendent of Public Instruction, was in the audience. Dr. Paslov recently wrote an article (Exhibit F) and Senator Raggio quoted therefrom: "Poverty, frequent moves, lack of mastery of English and low test scores are linked." "These are not causal factors, these links represent a descriptive correlation, not an important predisposition, to poor academic performance." Senator Raggio said he often heard the alibi, ". . . yes, but these are poor kids . . ." He commented that he was not from a wealthy family back in the 1930's, and if someone had told him he was not smart because he was poor he would have thought they were crazy.

Continuing to quote from Dr. Paslov's article, the Senator said: "Many people believe, including far too many professional educators, that schools that have high concentrations of poverty, or transience or limited English-speaking children are doomed to mediocrity and poor performance."

Senator Raggio acknowledged that he was glad to hear from Ms. Haycock and he wished more could hear her presentation. He stated the statistics revealed that if high achievement is the goal, it can be accomplished. He said that the fact that no changes have occurred in Nevada was not due to the Legislature or the Executive Branch not providing funding. For example, the Legislature recognized that some children will fall behind once higher standards are implemented. However, money has been appropriated, and there will be as much money as is necessary for remedial purposes so those

students lagging behind will have the opportunity to succeed. He stated that educators and the public needed to stop accepting excuses and alibis that students were unable to learn because they are a minority or because of the location of their school. He concurred with Ms. Haycock that all students must fit within the program and he concurred with her recommendation to "stay the course" and both houses of the Nevada Legislature were determined to "stay the course" to provide better education for the youth of this state.

Assemblyman Hickey, addressing Ms. Haycock, indicated he saw her speak at the University of Nevada Reno College of Education during the K-16 conference, and he thought her comments were directed at persons responsible for education and changing the "mind set." He noted that recent statistics indicate that within the next decade, two-thirds of teachers, nationwide, will be replaced. In looking at our process and methodology of preparing teachers to teach to new standards, was there any specific recommendation for the Legislature or the College of Education in terms of focus or curriculum to prepare teachers in the next decade to help succeed in those efforts.

Ms. Haycock answered first there needed to be a vehicle whereby K-12 folks and university folks could work together on the issue of what teachers had to know and be able to do and how that would be delivered in their preparation. She commented that the K-16 structure, such as the one set up in Washoe County, could be an effective vehicle for that. Secondly, most states are finding a need to change their initial certification requirements and to rather dramatically increase the amount of content teachers are receiving. In Virginia, for example, the state doubled the number of mathematics and science courses that teachers will be required to complete. In El Paso, Texas, similar action has been taken. She stated it was important that educators became more clear about the content side of teaching and that teacher courses be clearly linked with the standards. Also, states are demanding that teachers pass more difficult assessments to receive teaching credentials. In some states, institutions of higher education whose graduates do not have good pass rates, are being forced out of the business.

Assemblyman Williams thanked Ms. Haycock for her testimony and commented that most everyone supported higher standards. He noted that Nevada has not entertained the issue she described in the "success stories" surrounding the activities the State of Kentucky did in providing extra help to students that needed it and the issue of the difference between equal and equity. He stated he supported the concept of "staying the course" and that all students can achieve regardless of where they live or what race they are. However, he believed that when tracking occurred, it was almost impossible for those students to get out of those "tracks." Although the state has attempted to deal with the issue of tracking he was interested in hearing her position on the issue of eliminating tracking in schools. In addition, he acknowledged the earlier discussion about students in high-poverty schools having the least qualified teachers as their instructors resulting in the students with the greatest need getting the least qualified teachers. Senator Washington commented that issue has never been dealt with in the State of Nevada and it is unfair to say "stay the course" unless at the same time the discrepancies and disparities that exist in our school system are fully addressed.

He asked what the state should be doing in order to maintain the course with standards, and provide students with the resources needed to succeed. He noted that during the 1995 legislative session, the Clark County School District went forward with a program to allow students to obtain much needed remedial help and tutorial services. However, that program was not considered during the 1997 legislative session. Therefore, those students are now without that benefit.

Assemblyman Williams went on to state that approximately one month ago he held a town hall meeting in his district and several people in the audience today were at that meeting. One of the deputy superintendents was present also. He stated that parents repeatedly questioned the aspect of S.B. 482 dealing with testing, not so much about security, but how those tests would be used in other

ways--such as tracking purposes and ways that could hinder a student's progress. Most of the testimony at the town hall meeting centered around students that were disadvantaged. He asked how the state could move forward to emulate some of the ideas formulated by Texas and Kentucky--noting those states were able to "stay the course" but also provided help and considered the existing disparities.

Ms. Haycock replied that some states have tried to eliminate tracking and many superintendents have declared it illegal and many school boards have outlawed it. However, teachers always found a way to do it in anyway. Therefore, some folks have decided to hold teachers accountable for improving results--make the consequences "big time serious." For example, schools in the state of Kentucky that make big gains on assessments give their teachers bonuses equivalent to 40 percent of their annual salary. So, there is incentive for teachers in Kentucky to work hard to improve achievement.

There are also serious consequences when schools in Kentucky do not progress. That state has determined that rather than outlaw tracking or declare other practices inequitable, they implemented a rigorous accountability system and provided extra resources to schools in challenged neighborhoods, giving them the leeway to determine the best method for their students. After close monitoring, if the school does not proceed, the state intervenes. She stated most states use a blended strategy. Such as, the main vehicle would be accountability with a strong focus on achievement. At the same time, it is recognized that some youngsters will need extra time and help.

Ms. Haycock continued by stating that the teaching equity issue must be addressed. The state must determine that it is not acceptable for the best educated teachers to teach the youngsters who are easiest to educate. Further, the state needed to make it clear what teachers were required to learn in professional development. In most parts of the country, teachers are rewarded by re-certification or with salary credit dollars, just by taking classes in rafting and basket-weaving.

Assemblyman Williams asked if Ms. Haycock could forward to the committee examples of the blended strategy that has been successful along with reform in alignment with standards. Ms. Haycock replied that she would provide that data.

Senator Raggio noted that one of the important elements of the Nevada Education Reform Act of 1997 was the recognition that there must be appropriate funding and resources for remediation programs. He stated that at least \$3 million was appropriated and there was more in other areas for remediation. He stressed that he was insistent that remediation funding be a major part of the legislation. He agreed with Assemblyman Williams that remediation had to be included for those students who, for any reason, did not measure up.

Senator Raggio complimented the higher education institutions and the K-12 educators for their participation in the K-16 concept. He agreed that the cooperation and commitment from both levels was needed in order for education reform to be successful, both in the training of teachers and the retraining of teachers. He commented that the State of Nevada had one of the lowest percentages of high school graduates who went on to college. Then, of that very low amount, a little more than one-third, almost half, were required to take remedial courses. He acknowledged that Senator Regan was very concerned with that statistic, as were many others.

Senator Rawson emphasized that in reading the Kids Count publication recently, the figures were similar for students not proceeding to high school from elementary school. The problem was more serious than just looking at the number of high school students not making it into college.

Senator Rawson asked that the material Ms. Haycock presented be made available to the committee

members.

Senator Regan asked whether parental involvement could be improved through either legislation or testing. Ms. Haycock replied often parents do care but do not know how to translate their concerns and hopes for their children into day-to-day activity that will support their children in school. She suggested that what El Paso schools have done may be appropriate for the State of Nevada. For instance, in El Paso they began with standards and enlisted community-based organizations to conduct "house meetings" in neighborhoods with groups of parents gathered together to review draft standards and discuss the ramifications of implementing standards. Ms. Haycock pointed out that these groups consisted of low income, poorly educated parents, most of whom only spoke Spanish. The school district was stunned at how much these parents contributed to the discussion on standards. In fact, many of the suggestions parents made to strengthen the standards are now reflected in the final standards implemented in El Paso. The house meetings served as a first step in that community to involve parents in the education of their children.

The next step, Ms. Haycock continued, was the creation of teams consisting of teachers and parents at each school level. These groups worked together to review existing test data and develop the goal of where they wanted those test scores to be. That involved discussion of what was needed in the classroom and also what needed to happen in the home. The possibility of "homework houses" in the neighborhood was discussed whereby parents that were home could work with youngsters.

Ms. Haycock suggested that educators could use standards as an opening to commence conversation and communication. In her experience, that usually resulted in good strides being made and helped parents to understand what they needed to do to assist in their child's education. This also reduced the problem of parents requesting that their child be removed from a class they may believe is too difficult.

Senator Washington stated he enjoyed Ms. Haycock's presentation and the information she related had enlightened him. He said he has had the experience of dealing with minority children and impoverished children. These children are readily accepted into Sunday School classes even though they cannot read. He announced that his church has embarked on a program of remedial reading beginning at pre-school through to secondary school to assist these youngsters.

Senator Washington acknowledged Ms. Haycock's discussion as to the "narrowing of the gap" between white children and minority children. He stated it was a known fact that sometimes in the educational system, teachers or the academia have a tendency to stigmatize or stereotype youngsters by placing them in either high performance or low performance classes or studies. He said it was a mistake that the darker someone's skin is, the less ability that individual has to achieve. Because of this stereotyping, youngsters reflect that stigmatization in their discipline and their abilities to learn. Unfortunately, most often the parents play into the stereotyping and foster that conclusion which continues to create a disciplinary problem.

Senator Washington opined that setting standards and assessments was a three-prong approach. The first prong is dealing with the stereotyping. The second prong is dealing with the parents and engaging them in the process of their child's education. The third prong was the students. He acknowledged, as in Ms. Haycock's presentation, that students often relay that they are bored, are not being challenged, or are not expected to reach higher standards. The evidence has shown that once students are engaged in the philosophy of achieving higher standards, they respond quite well.

Senator Washington noted another issue. He has heard from teachers that even though they are certified and proficient in a certain core subject, when they apply for a position at any of the school districts in the state, they must accept a contract for whatever is available in order to "get their foot

in the door" instead of teaching the subject they are trained to teach. He asked how that issue could be addressed while attempting to set standards to which teachers can adhere.

Ms. Haycock concurred that there was a serious problem throughout the country in terms of teacher speciality areas and what was actually needed. She commented that approximately two million teachers needed to be created over the next ten years. However, what was not being done was matching the supply to the demand. In other words, there may be many history teachers being produced, but in fact, what is needed are math and science teachers. The need for particular subject areas is too serious and a structure to match that supply to demand is needed. Perhaps incentives could be embarked upon to focus on students studying to be teachers. She pointed out this could be done by aggressive recruitment, providing extra scholarship money, repayment of loans in a generous fashion, and other similar ways. The point is, no one should be teaching a subject for which he or she does not have a strong content foundation.

The committee was in recess at 11:00 a.m., and reconvened the meeting at 11:20 a.m. Chairman Raggio continued to the next agenda item.

### **3. Presentation on Assessments - Nevada Department of Education**

Chairman Raggio asked David Smith and Thomas Klein from the Nevada Department of Education to come forward. Jeanne Botts, Senior Program Analyst, Legislative Counsel Bureau, Fiscal Analysis Division, interjected that tab 3 of Exhibit C was a brief overview on the state's proficiency examination program, the state-mandated tests for pupils, which included the changes enacted by NERA. Also, tab 4 Exhibit C was a report prepared by the Department of Education on the tests administered by each school district in Nevada. She informed the committee that this was a new requirement of law which was contained in Assembly Bill 523, although the department, per request by the Legislative Counsel Bureau, for several years has been preparing that information for the Legislature, and the information did show, in addition to the state-wide mandated tests, what the school districts are doing in testing.

Senator Raggio asked why there were no tests results for the Storey County School District. Mr. Smith replied that the results from the survey they received from Storey County indicated the only tests administered in that district were the state-mandated tests.

The following persons introduced themselves as the panel addressing the overview information: Stanley Rabinowitz, Director of Assessment Programs, WestEd, and contractor with the Nevada Department of Education, Thomas Klein, High School Proficiency Examination Program, Nevada Department of Education, and David Smith, Proficiency Testing, Nevada Department of Education.

Mr. Smith stated he would begin with an overview on the proficiency examination and the Terra Nova examination, a norm-referenced test. The committee was provided with copies of his overhead displays (Exhibit G). He stated there were three main areas of testing in the Nevada Proficiency Examination: Reading, Language and Mathematics. In October, 1997, the area of Science was added to testing. There is annual testing using the Terra Nova examination, for grades 4, 8 and 10. He pointed out that many of the expansions that have occurred in the statewide testing program have been as a direct result of the legislature and the enactment of S.B. 482.

Mr. Smith pointed out that the testing results the department receives contain a fair amount of demographic information regarding students taking the test, including characteristics of the schools. In that regard, they receive information on ethnicity, socio-economic status, student classification (whether or not they are participating in a special education program, limited English proficiency program), testing conditions, migrant education and Title I participation, class-size reduction and the

number of years in the district.

Mr. Smith explained that on April 1, 1998, there will be a full accounting of the Terra Nova test results that look at the impact of a variety of these demographic characteristics. He stated the next phase of the Nevada Proficiency Examination Program is the writing performance assessments--a performance test with annual assessments in fourth and eighth grades. Mr. Smith went on to state that the writing examination scored proficiency on each of four writing traits: ideas and content, organization, voice and conventions.

Turning to the High School Proficiency Examination, Mr. Smith said in order to receive a high school diploma, a student was required to pass each of the areas of the Nevada High School examination. One of the changes this year included a more rigorous examination. This was piloted with the eleventh graders in the fall of 1997. The examination covers the areas of reading, mathematics and writing performance, with science to be included during the 1999-2000 school year. He added that in the past there was only one form of the high school proficiency exam. However, due to test security problems, the department is developing six forms of the high school proficiency exam. This will help with students that need to re-take the examination so they will not receive the same test each time.

Mr. Smith stated another area the Department of Education has developed as a result of S.B. 482 is an Academic Standards Assessment. This is slated to begin on July 1, 1998, and will include a review of criterion-referenced tests that are matched to statewide academic standards for, at this point, two grade levels. The subject areas to be reviewed are reading, mathematics and science. Eventually, the department will review the areas of social science, computers, physical education and health.

Senator Raggio asked how the department will be developing the program commencing July 1, 1998. Mr. Smith answered that he anticipated that staff will contract with persons to develop item banks for the assessments once the standards are in place. In addition, the area of teacher development will be reviewed.

Thomas Klein, Department of Education, stated the writing portions of the Nevada High School Proficiency Examination will remain unchanged. However, as to reading and mathematics, in the past there had only been two forms of the test and students who had taken the test more than twice wound up taking the same form of the test more than once. In addition, those tests were norm-referenced, not criterion-referenced tests based on standards. To date, two new forms have been developed. Form B was given in a Diagnostic Administration in October, 1997. The purpose was to provide students with feedback as to their strengths and weaknesses in the areas of reading and mathematics so that remediation could take place before they take the examination in April, 1998, which is when the test will count toward their satisfaction of graduation requirements.

Mr. Klein indicated the department just received the Beta test version of the scoring of these tests. Form A, Mr. Klein continued, will be administered statewide in April, 1998. This will be the first administration that will count toward the satisfaction of graduation requirements.

Senator Raggio asked whether Form A was significantly different than Form B. Mr. Klein replied that Forms A and B would essentially be parallel forms, although they will contain different questions. The State Board of Education will set the minimum passing scores after the April test administration. Results will thereafter be reported to districts and schools prior to the end of the school year. He stated that plans for raising the minimum requirements for passing the high school proficiency examination will be discussed at the March, 1998, State Board of Education meeting.

Finally, Mr. Klein reported that each new form of the high school proficiency examination will be different. However, each form will contain some items from other forms. That was necessary to



ensure that the tests were of equal difficulty and that the scores which the test yield are equivalent scores.

Senator Raggio asked how the State Board of Education would be establishing the passing score for the new eleventh grade test. Mr. Klein responded that the recommendation from consultants was that for the initial class the passing score should be based on a total percentage correct. Senator Raggio stated that in response to some concerns, the Legislature indicated they would like to sanction a moderate passing score in the April, 1998, exam but that would be increased to a more meaningful standard. He asked what discussions or recommendations the Department of Education was prepared to make to determine a moderate score utilized in the first year and then the augmented score.

Stanley Rabinowitz, WestEd, replied that the standard setting principles were set out in his handout (Exhibit H). He stated at this point the passing scores have not been set because it has been their view that scores are best set on a live administration. Which means the April, 1998, administration will be the first time the test counts. He stated his recommendations to the State Board of Education would be in compliance and consideration of the Nevada Education Reform Act of 1997 and other regulations, taking into account the three-year phase-in period and the State Board review and approval requirement.

Dr. Rabinowitz related there were a number of ways this could be done. For example, one method would be to set the long-term passing score and then in some way come up with a method of what a moderate version of that would be. Or, an appropriate first year standard could be set and then raised in the second or third year. WestEd will provide the State Board of Education with the pros and cons of each method.

Senator Raggio asked if the score was being set as a goal to be increased to what the state's expectations are, or is it set by accepting a certain percentage to pass.

Dr. Rabinowitz replied that in regard to what other states are doing, there was a combination of practices being implemented throughout the country. For instance, in the State of Arkansas, they set a very high passing score and delayed implementation of the test because of the percentage of students that were unable to pass. In Kentucky, which does not have a graduation test, they set a high standard that all students were expected to achieve but gave a 20-year period for schools to meet that standard. He concluded that there were combinations in setting an absolute standard versus setting goals to be met over time.

Dr. Rabinowitz indicated his recommendation to the Department of Education and the State Board of Education was to set the standard up front, then create versions of that which would allow those standards to be reached within three years.

Dr. Rabinowitz went on to state that it was important for the committee to understand that there are no set rules in implementing standards. He said WestEd would be looking at what other states were doing, keeping in mind that it is necessary to consider what the courts are doing and what is "acceptable practice" for setting passing scores. He explained the three-year phase-in period is consistent with court rulings.

Dr. Rabinowitz recommended the procedure for setting the passing score should be a combination of having content specialists indicate where the passing score should be and supplementing that with live-test performance to see how reliable and valid the test is to make sure it matches the content. Finally, he stated it was important to track the passing rate over time, to look at validity studies, to make sure that all groups are succeeding at the mastery level, and to modify the passing score as the

test is used over the two to three year period.

Senator Raggio asked for the definition of an "equating study." Dr. Rabinowitz replied that when there are multiple forms of a test, some statistical adjustment between the forms was needed and that was referred to as an "equating study." Senator Raggio asked if the "equating study" was used to ensure the comparability of tests as to difficulty or content. Dr. Rabinowitz answered that was correct.

Senator Raggio asked if an equating study was performed between the new Terra Nova examination and the test used previously. Mr. Klein replied a study was performed by CTB McGraw-Hill comparing performance of students on the CTBS test to the Terra Nova. Essentially, performance on the Terra Nova was slightly lower than performance on the CTBS in most subject areas.

Dr. Rabinowitz continued that the State Board of Education had the responsibility for setting the passing score and WestEd would be working with them at the March, 1998, State Board meeting to make sure they understood their options and to follow up with the Board after the April, 1998, administration of examinations to actually set the passing score.

Wanting clarification, Senator Regan asked if the passing score would be set after the test. Dr. Rabinowitz replied that was correct and that was his recommendation to the Department of Education. He explained setting the score could have been done with either the field test data or the content specialist's recommendations but it was more ideal to set the score when there are students who take the test knowing that it counts for them. This allowed for the truest performance on the test. Senator Regan asked for more explanation.

Dr. Rabinowitz explained further that the passing score that was set had to be legally defensible. Senator Regan asked him to explain "legally defensible." Dr. Rabinowitz replied that in the process of the proficiency examination, schools will be denying high school diplomas; therefore, the process used in developing and pilot-testing the test must meet all acceptable practices for a graduation test. Part of that process is ensuring that the technical requirements of the test are sufficient to make reliable estimates of passing versus not-passing.

Senator Regan commented that he understood that part; however, he wanted more explanation as to the legality of the issue. In other words, was the score being set after the test was taken simply to defend against the possibility of being sued? Dr. Rabinowitz answered no it was more than just defending against the possibility of lawsuits, but also there was an obligation to prove to those students who do not pass the test, that the test has technical merit. It was a significant decision and it must be demonstrated that the test is technically adequate and field data would not provide the information needed to make that determination.

Senator Raggio acknowledged that the October, 1997, Terra Nova exam had been given and there were approximately 8,000 students that did not take the test and asked what percentage of students actually took the test. Mr. Klein replied approximately 17,300 students took the Terra Nova test in October, 1997. He stated the few exceptions were inmates. He added there were a number of blank answer sheets submitted but those could reflect students who were absent on the day of the test.

Senator Raggio asked if the scores for the October, 1997, test of eleventh graders were available. Mr. Klein replied that there were percentages available for items passed that were distributed to the school districts. However, that test was a diagnostic test so there are no "cut" scores indicating which percentage of correct answers would have been considered a passing score.

Senator Raggio asked to date, if school districts know which students did not "pass" the October,

1997, examination. Mr. Klein replied no they do not because that was not part of the question addressed with the October examination. However, the school districts do know in the strong and weak areas of students tested. That information varied from district to district and student to student.

Senator Raggio asked if the school districts did not know which students were not measuring up, how would they provide those students with extra help so they can pass the test in April, 1998? Mr. Klein responded the Department of Education did not know which students passed the test. Senator Raggio countered that someone must know because they had to compile the information. Mr. Klein asserted that no standards have been set for passing and that was a critical component.

Senator Raggio continued that he was concerned with the message that was being sent. In other words, do we want 90 percent to pass the examination in April so in that way, the standard will be set for passing. Mr. Klein replied that was not his recommendation inasmuch as that has been the basis for setting the "cut" score for the previous examinations and that was one reason for revising the reading and math examinations--to get away from that norm-referenced approach.

Senator Raggio asked who created the examination. Mr. Klein replied the Nevada Department of Education created the examination; the items were written by teachers and curriculum experts throughout the state. Senator Raggio asked if there were content areas all students were having trouble with, then would those areas be made easier so that 90 percent pass. Mr. Klein replied he hoped not. Senator Raggio opined that standards would never be raised if that was the case.

Mr. Klein reminded the committee that Dr. Rabinowitz will be recommending to the State Board of Education that a standard approach be to set the final target cut scores for the third year as the highest level of achievement. He stated the question was, "How do you get from the current point to that point in the three-year period?" Additionally, Mr. Klein recommended that clear definitions be set for "moderate standard," "intermediate standard" and the "final standard" that is the target for the third year of the application of the examinations.

Dr. Rabinowitz apologized for any implication from his testimony that the passing score would be set around a "pre-approved" level. Senator Raggio stated he has always heard that standards cannot be raised because someone will sue. He opined if that was the case, standards will never be raised. Dr. Rabinowitz agreed completely and went on to explain his strategy. Recollecting Ms. Haycock's testimony about the importance of expectations and making students aware of what they will be held accountable for--that is why the October test was given. That field test was a "wake-up" call to everyone that the test would count. While, at the same time, procedures will be established to ensure that the integrity of the test can withstand the people who may want to destroy it. By having that field test in October with a warning that the test in April will "count" and a diploma will not be issued without passing that test, everyone will be aware that the Legislature meant what it said.

Senator Raggio asked whether the parents, teachers and students knew who has not measured up so that they can get the help needed prior to the April test. Dr. Rabinowitz stated they knew the percentage of the skills on the test and how well they scored. He said they were not ready to set a passing score because the test had not been around long enough to know the full, statistical properties of it. Senator Raggio asked if the April test would be made easier in certain areas. Dr. Rabinowitz responded that the April test will be identical, statistically equivalent, to the October test which was part of the equating procedures. The field test data from the October test can be applied to the April administration then they can prove that the test has adequate statistical rigor to withhold a diploma.

Senator Washington asked if setting the test score related to fairness or setting standards to improve the educational system. Dr. Rabinowitz replied that one did not preclude the other in that fairness

ensured that students knew what they were going to be held accountable for. Setting the passing score in alignment with the standards is independent of the October field test. Now, they must look at what content experts say and what the technical feasibility of setting the passing score is.

Mr. Klein suggested that he continue with the presentation relating to the framework for examinations and the state writing results which might clarify the information being discussed. Mr. Klein presented the statewide averages for the content areas and mathematical abilities that were assessed in the new examination in mathematics for the high school proficiency examination. He noted that each student received a report indicating the percent of items that students answered correctly in each category. For example, on the average, students were much weaker in problem-solving than they were in conceptual understanding (Exhibit G). Similarly, in looking at the five content areas, the chart represents that geometry, data analysis, probability and statistics were considerably lower than numbers and operational abilities, algebra and functions.

Mr. Klein presented a similar chart for the content area of reading, specifically, reading for literary experience, reading for information, and reading to perform a task. When only a sample of students were tested one year earlier in November, 1996, or the entire set of items proposed for the high school proficiency examination in reading, the lowest score came from the category of reading to perform a task. However, recent data shows that the lowest score is for reading for literary experience. He concluded that proved it was necessary to verify that the test is both valid and reliable before the cut score is set.

Senator Raggio asked if the chart presented was an actual chart or just an example. Mr. Klein replied that it was the actual chart of the average statewide results. Senator Raggio asked if each student received such a chart for his or her own results and Mr. Klein indicated that was true. Senator Raggio commented with that information, then each student should know what areas in which they are deficient. Mr. Klein restated that the student knew what area of the October, 1997, exam in which they were weak but did not know whether they would have passed the test or not.

Senator Washington asked if results of the tests, as presented, were designed to ensure the test was meaningful. He recollected that Mr. Christopher Cross, during a presentation to the committee previously, stated the importance of having "meaningful" results and expectations. Dr. Rabinowitz interjected that "meaningful" was determined by the committees of educators who looked at all the courses of study and the materials that could be tested and determined the expectations of high school graduates in Nevada. Therefore, "meaningful" is built into the development of the test. The passing score is built around finding a level that separates those who will be successful if they pass the test versus those who would still need additional remediation or assistance.

Mr. Klein added that "meaningfulness" is built into the examination by the content of Nevada's framework. There are questions within the examination that measure each combination in reading such as provided in the example shown. He stated the framework was approved by the State Board of Education approximately three years ago and that is what gives "meaning" to the test. That is also the basis for using the test to measure the standards that are being developed, as well as the current course of study.

#### 4. Problems with Test Security - Department of Education

Turning to the subject of test security, Senator Raggio asked if there were three cases still pending and under investigation with the Attorney General's office. Mr. Klein replied that there are two cases in the process of settlement which cannot be discussed. Senator Raggio asked how a breach of security case was settled. Mr. Klein replied that in his handout on test security, it indicates that the Department of Education is limited regarding the types of sanctions it can impose for a breach of test

security by professional personnel. The limits are: suspension or revocation of a teaching license for someone who purposely violates professional ethics in the administration of an examination. The process is lengthy in that it can involve the appointment of a member from the American Arbitration Association. Senator Raggio asked where that provision was in the law.

Mr. Klein replied that NRS 389.015 limits the individuals to whom the content of the material is revealed. Therefore, when a teacher gives students answers to a test, that teacher has violated the law. When a teacher edits a writing sample for a student, that teacher has violated the law. However, there are no specific punishments or sanctions in the law so it is handled as a breach of professional ethics and as such, it becomes a lengthy process. Senator Raggio stated there should be a strong disincentive for breaching test security.

Mr. Klein said the Department of Education has taken precautions to strengthen test security. In the past, the Department used Principal Assurance Forms which are required to be signed by the principal of each school that administers proficiency examinations. The principal of the school certifies that the examination will be appropriately administered. Recently, the Department of Education designed a red watermark warning against copying any page of the examination containing content. Also, booklets for the high school proficiency test are now shipped directly to schools to maintain an inventory and ensure that the school received all booklets shipped, and the Department receives a written receipt for the materials. Thereafter, the schools directly return both the test booklets and answer sheets to the Department. The Department inventories those test booklets and then shreds them.

Senator Raggio asked how old the three pending cases were. Mr. Klein replied that two cases were approximately 18 months and the third case was approximately six to seven months old.

### 3. Presentation on Assessments - Department of Education

Returning to the previous agenda item, Senator Raggio indicated he would like a report on the number of students taking the *Terra Nova* test, number of students not taking the test, and the reasons therefore.

David Smith, Department of Education, provided a preliminary analysis of the *Terra Nova* results (Exhibit G). He noted that after the school reports are distributed by all the school districts in April, 1998, there will be a more comprehensive analysis of the *Terra Nova* test results. He provided data that in grades 4, 8 and 10, the total number of students taking the *Terra Nova* examination in October, 1997, under regular circumstances/acceptable accommodations was 57,920; the total number of students taking the test under special conditions was 1,671; and the total number of students that did not take the test was 8,115. He explained that the number of students that were not tested were students that were either absent, handicapped students with an Individual Education Plan (IEP), or students with Limited English Proficiency (LEP). He said approximately 12 percent of total students were not tested.

Senator Raggio asked how those percentages compared with last year. Mr. Smith related that in the fourth grade, the percentages that took the examination under regular and acceptable circumstances was lower than last year but not by much; whereas, at the eighth grade level, that category was higher, which is what was hoped for. He will be looking at the demographics of the students that did not test to determine how many of them were absent, had an IEP or were LEP. He commented that reviewing the last accountability report, approximately 7 to 8 percent of the students would likely be absent.

Senator Rawson asked how many years ESL students were exempted from the taking the test. In other words, was it possible that after five years those students would still not be considered proficient in the English language? Gloria Dopf, Team Leader for Educational Equity at the Department of Education, stated that the program for the English language learner (ELL) or limited English proficiency (LEP) youngster was under her department. She informed the committee that there was a provision in the regulations for the program which related to the administration of the Language Assessment Scales (LAS), the test used to determine if a youngster can participate in the statewide proficiency testing. The regulations require that the process must be reevaluated every two years and the program must provide remedial English tutoring for the student.

Senator Rawson commented that it would appear there is no absolute standard that after a time specific an ESL student is required to pass an examination. Instead, as long as that student shows a deficiency, the school continues to remediate. Ms. Dopf replied that if the student continued to show a deficiency, the Department would have to take a look at the program for the youngster. The Department would expect to see improvement over a two-year period, depending on circumstances such as the student's attendance and other factors. Two years should allow a student to pass into a higher level of LAS scoring that he could then participate in the proficiency examinations.

Senator Rawson asked if the expectations of LEP students were less or was there aggressive remediation aimed at bringing those students to a level whereby they can participate in the proficiency examinations. Ms. Dopf replied it was an area that was emphasized at the Department. She commented that the regulations on the LEP issue had been recently adopted so the standard is new to the process. Also, the Department is emphasizing the review of language enhancement programs for the youngsters and looking for improvement in those programs so there is a point of emphasis. She is concerned that the student will be penalized for a lack in proficiency, especially at the eleventh and twelfth grade level where there is a linkage to the high school diploma. She informed the committee that there is a statewide task force comprised of parents and educators to look into the issue.

Senator Rawson asserted that it is the sense of the committee that ESL or LEP students should be held to a higher standard than they previously were. The committee does not want to punish those youngsters but wants them to be held to a higher standard and want to prevent another cycle of the situation where they have been robbed of a chance to achieve. Ms. Dopf said she agreed and stated these students are held to the standard of graduation, and a diploma is not conferred unless the student participates in the proficiency testing program and attains a level of proficiency. Also, she hoped that there were opportunities in the educational system that allowed these students to access the tutorial programs along with the language enhancement programs so that they are being held to a fair standard.

Senator Washington asked for the total number of ELL students between the eighth and twelfth grades. Ms. Dopf approximated that ELL students comprised ten percent of the total student population--in excess of 15,000 statewide. She indicated the non-English speaking student was the fastest growing segment of the student population.

Senator Raggio asked that the Department continue with their presentation. Mr. Smith showed a chart representing the percentage of fourth, eighth and tenth grade students placing in the lower national quartile. He informed the committee that in these rankings, the lower the score the better. The state would want to have somewhere around the 25<sup>th</sup> percent in the bottom quartile. He pointed out that the performance for eighth graders was not what they anticipated. Senator Raggio directed the committees' attention to another chart which indicated that 28.4 percent of Nevada's eighth grade students fall into the lower quartile.

Mr. Smith noted that the other grade levels were within the national group or were lower. Pointing to the tenth grade scores, the percentages are low, 20.5, 19.2, 23.8 and 19.4 percent in the bottom quartile.

Senator Rawson expressed his concern that one-fifth of the state's students were in the lowest percentile in the country and asked how that was acceptable. Further discussion was held as to the percentile rankings. Mr. Smith clarified that nationally, 25 percent of the students fall into the bottom the score. In Nevada, only 20 percent of the students fall into the bottom quartile. Senator Rawson stated he understood the figures, in comparison with the rest of the country, but he was still concerned that 20 percent of the state's students were in the lowest quartile.

Senator Raggio asked if the information in the charts meant that by the Sophomore year of high school, 20 percent of the students have a problem reading. Mr. Smith agreed with that statement. Senator Raggio reiterated--one out of five students had a problem reading in tenth grade. Mr. Smith reminded that the information he provided was simply the results of a national comparison.

#### **6. Status report on activities of the Council to Establish Academic Standards for Public Schools**

Senator Raggio indicated he would be moving to item number 6 from the Agenda in order to accommodate Mrs. Debbie Smith, Chairperson to the Council to Establish Academic Standards for Public Schools.

Mrs. Smith provided the committee with a matrix of the progress of the Council (Exhibit I). She reported that the Council formalized the contract with the Council for Basic Education. She thanked the committee for funding that arrangement. She anticipated that Mr. Cross, and his staff would be a great asset to the efforts of the Council due to their knowledge base and the many contacts they have throughout the country.

Mrs. Smith informed the committee that after the Council's November, 1997, meeting they sought applicants to serve on the three writing teams in the subject areas of math, science and English language arts. A subcommittee met on December 26, 1997, and proceeded to select the writing team members. The writing teams were finalized and approved at the January 6, 1998, Council meeting in Las Vegas. At that time, the Council discussed whether the standards developed in the state should be benchmarked at a grade-by-grade level, or in grade clusters. That decision was a challenge for the Council. However, they established that at the high school level, standards would be written in subject areas, but they were unable to reach a decision on standards for the K-8 level.

Mrs. Smith advised that the Council would be meeting in Reno on January 16, 1998, to select the public engagement contractor that will work with the Standards Council and the Department of Education. The other agenda item will be to make the final decision on the benchmark issue. She added that Mr. Cross and his staff have provided the Council with additional information that will help the Council reach that decision.

Mrs. Smith went on to state that on January 27-29, 1998, the three writing teams will convene in Las Vegas and begin their 3-day process of developing a draft product. The writing teams will look at what has been developed in Nevada, as well as exemplary standards from other states, namely Virginia, and some standards that are specifically strong in certain subjects from certain states. In other words, they may review the math standards from one state and English language arts from another state, as long as they are considered exemplary. Mrs. Smith pointed out that a time line had been provided to the committee at a previous meeting but that she supplied it again for the committee review (Exhibit I).

Senator Raggio announced he had spoken Mrs. Smith previous to the meeting and was assured that the Council was working diligently. He stressed his concern that the Council revisit their decision relative to setting benchmarks for the early grades. He opined those grades needed to have standards developed in the basic subjects such as reading and math for each grade. Mrs. Smith responded that the issue of benchmarks for each early grade seemed to be an area of interest and concern for all the Council members present at the January 6, 1998, meeting--noting that two Council members were not present at that meeting. In fact, when the criteria for the writing teams was developed, having a solid base in the early grades was one of the criteria.

Senator Raggio commented that there was much discussion about remedial efforts, but if students had no intervention until the fourth grade that would remain a constant issue. Mrs. Smith acknowledged his concerns and would relay those concerns to the Council members. Senator Raggio reiterated that it was the charge of the Council to look at exemplary standards from other states, not necessarily to look at what has already been established in the state. He said the Legislature wanted to gain from the experience that has been helpful to other states. Mrs. Smith concurred that the Council had the same intent as the Legislature.

Senator Washington stated that at the November 25, 1997, meeting of the Legislative Committee on Education, the Elko County School District and the Douglas County School District made presentations relative to the standards set within those districts. He asked if the concerns of those districts had been addressed by the Standards Council. Mrs. Smith replied that the Council has been apprised of the concerns of the school districts and, in fact, the Douglas County School District made a similar presentation to the Standards Council at the January 6, 1998, meeting. She said all the school districts have been diligent about having staff at the Standard Council meetings to provide input and comment.

#### **4. Problems with Test Security - School Districts**

Senator Raggio returned to Agenda item 4 and asked Washoe County School District to come forward to talk about test security issues.

Mary Nebgen, Superintendent, Washoe County School District, stated that they take the issue of test security very seriously as it dealt with the honesty and integrity of staff members. She pointed out that the purpose of the assessment program was to provide schools and students with a true picture of academic achievement. She acknowledged that Mr. Lapointe's testimony earlier pointed out that the objective of an assessment is to improve the quality of learning. The only way to accomplish that goal was through reliable data. Not only do breaches of test security affect a school's test results, but then the student and their parents believe the student's scores are a true representation of that student's abilities when in fact they are not. A student that needs remediation may never get help because his test scores did not indicate the need.

Ms. Nebgen gave credit for the test security procedures in the Washoe County School District to the testing director, Dr. Dotty Merrill, and indicated Dr. Merrill was present to discuss those procedures with the committee. Dr. Merrill stated she would be sharing with the committee strategies they have found to be effective in testing procedures.

Dr. Merrill indicated that the Washoe County School District had a very serious breach of test security on April 23, 1997. She did not provide the details and status of that investigation; however, she explained the district's response to the breach. She said the district began to closely examine what the district was doing to prevent a breach of test security. An ad hoc committee was convened comprised of administrators, principals from all grade levels, and others interested in the issue. Dr.



Merrill stated the ad hoc committee's goal was to structure everything in order to be proactive, as opposed to reactive. She said the ad hoc committee met and reviewed the Nevada Revised Statutes, the Nevada Administrative Code, the Guidelines for Testing from the Nevada Proficiency Examination Program, and existing materials within the school district.

The ad hoc committee first discovered that teachers had too much information in many places and it was difficult to distill all those expectations and regulations into something manageable. After careful examination, the members of the ad hoc committee devised a primer for testing (Exhibit J). One of the goals was to strive for a higher degree of professionalism. Yet, the district could not expect professionalism if there was no clear definition of the expectations.

Dr. Merrill concurred with Ms. Haycock's comments that standards should be high, that clear messages as to accountability were needed, that we "stay the course," that serious regard should be given to any breach of test security, and that "you get what you focus on." Dr. Merrill said that the Washoe County School District has more determinedly this year focused with teachers and other district employees who handle tests to ensure that everyone is aware of their responsibilities. She indicated the district had worked with the teacher's association and asked each principal to review the primer for testing (Exhibit J). The primer was also provided to each teacher in the district. She pointed out that there was a tear-away portion so after the meeting at each school where the expectations have been reviewed, the teacher must sign that he or she has received the expectations and the signatory sheets are kept on file.

Dr. Merrill stated the testing program now requires that each principal certify that he or she has reviewed the primer document. In addition, the district has provided each school with a large, locked cabinet to which only the principal or test coordinator has the key. The testing program has also implemented unannounced visits as a way to heighten a sense of responsibility.

Dr. Merrill stated that at the time the eleventh grade test was administered in October, 1997, she appeared at each high school to verify where materials were being kept, how answer sheets were being preserved and so on. In addition, the district has moved to establish a more controlled environment during testing. Formerly, teachers administered tests to their students organized by the class subject area. Now, the district tests students alphabetically. That greatly reduced the number of students in a given situation that any teacher will know. There are two teachers in each classroom, and training is provided regarding test administration prior to the time the test is given.

Dr. Merrill said the Washoe County School District was moving forward on the issue of test security at the same time the Legislature was proceeding on the issue. She said there was a clear need for written protocol from the Department of Education for all school districts to use when a breach of test security occurred. For example, the protocol should include:

- To whom is a breach of test security reported?
- How soon does a breach of test security need to be reported?
- What happens once a breach of test security has been reported?
- Who conducts the investigation into the breach?
- What are the dimensions of an investigation?
- What is the time line of the investigation?
- What is the range of consequences for a determined breach?

- If the investigation is conducted by the Department of Education, who should it be and what department should that person represent?
- Should testimony of investigation interviews be recorded?
- Should a transcript be provided?

She stated clear guidelines were necessary for instances when a breach of security was reported. Also, school districts needed clarity on what they were required to do when a breach occurred, what the Department of Education was responsible for and what the Attorney General's office was obligated to perform. Dr. Merrill said the district was more than willing to do what was required but those requirements are not clear. She stated legislators could assist in the issue of test security by making the consequences of a breach serious.

Judy Costa, Testing Director, Clark County School District, testified that Clark County has had a long history of concern over producing valid test results. Approximately ten years ago, the district had a serious problem which one school administrator called "artificial inflation of test scores"--cheating. This was seen on a very broad scale. The district undertook an investigation of the problem which involved a district-wide test, not a statewide test. That investigation revealed that teachers and principals felt a great pressure to achieve high test scores, even though at the time it was not "high stakes" testing. A thorough investigation was performed and the board recommended several changes in their test administration policy in order to prevent using tests inappropriately. She said that led to a very comprehensive prevention program. The chief component of that program was educating staff as to the proper way to administer tests and the importance of testing students to obtain accurate information.

Ms. Costa asserted that teachers have a lot of emotion and pride invested in each child so they sometimes need to be reminded that ultimately they only hurt a child if they inflate a student's test scores because that may deprive the child from getting needed remediation.

In addition to the education program, Ms. Costa related, the district also changed when students were tested from Spring to Fall. This was done in order to alleviate pressure from the teachers who believe that testing at the beginning of a grade level shows a cumulative effect, not just the student's experience with a teacher for one year. In some instances, the district also had someone other than the teacher administer the test. However, the length of the *Terra Nova* examination precluded the district from administering the test in that fashion. Ms. Costa stated that current testing practice includes a monitor in the rooms and the principal monitors the room as students are taking tests. In addition to the prevention programs, Ms. Costa related that the district implemented a follow-up investigation when needed.

Ms. Costa reported that the Clark County School District has had very few breaches of test security in the past few years and most of those instances were inadvertent. In other words, someone from the school made a copy of the test and left it in a file where someone else was able to retrieve it. Another such instance involved a teacher or counselor who felt sorry for underprivileged groups or students and deliberately violated appropriate testing procedures. In one case, the teacher "turned herself in" because she thought the testing procedure, as specified, was in violation of the student's rights. Ms. Costa concluded that the district has tried to keep close tabs on the issue and has used prevention as the key method in avoiding breaches in test security.

Senator Raggio congratulated the Washoe County School District on the guidelines they established (Exhibit J) and opined that the procedures for what happened when a breach occurred needed to be

clear, certain, timely and uniform. Test security is too important as schools will now be designated in categories of performance. Senator Raggio added that people need to know that if they violate testing practices, swift and certain sanctions will be imposed.

Senator Raggio invited the Department of Education and school districts to the next meeting of the Legislative Committee on Education to provide recommendations on the procedures for test security breaches. He concluded that at present it would appear that the procedures for a breach in test security were not clear in the regulations, and if regulations cannot be made clear, the law can be. Senator Raggio stressed that he would not tolerate that type of conduct from professional people, teachers or others in the process. The regulation should be clear and certain and should be applied uniformly so the districts know how to handle a breach. Senator Raggio invited the Attorney General's office for input on the issue of test security. He concluded that the committee would recommend a procedure if it cannot be done through regulations.

Senator Rawson recollected that several years ago he was surprised when most of the freshman class of the Air Force Academy was dismissed for cheating. He said that was a strong statement and perhaps it was necessary to make such statements so that people were more prepared. He mentioned that he teaches in higher education and he had a class of 75 students that was being taped for distance learning. When he edited the video-tape he noticed that during the quiz, half the class was sharing answers. He brought the video-tape into the class and showed it to the students then wrote a statement in his Syllabus that if cheating occurred in his class, the student would be removed from the class. He stated that was conduct unbecoming of professionals and that is an expectation to which he holds his students.

Dr. Merrill related that when the ad hoc committee for the Washoe County School District reviewed the various documents that explain what procedures were to be adhered to when testing, they discussed whether the new teachers coming to the district could be required to take a course that would provide for ethical and professional responsibilities and expectations about testing. She said the committee could not conclude whether that would be a realistic expectation. Dr. Merrill noted that medical school curriculum has moved toward courses in ethics and perhaps the Colleges of Education in the university system could look into that. She opined that it may not need to be an entire course but ethical issues were more complicated, especially relating to special education laws.

Senator Rawson suggested that it could be placed on the employment application that one of the conditions of employment was honesty and any breach of that is a breach of the ethical standards of the profession. He said the breakdown in society is often blamed on families, yet one of the country's major institutions has not sorted out how to teach the principle of honesty.

Dr. Merrill said the districts wanted to do as much as they could so that expectations were made clear about security test practices.

Senator Raggio indicated the committee would make the issue of test security an important part of its findings in its progress report.

Senator Washington asked if the Department of Education would be setting the regulations for breaches in test security or was the committee looking into it. Senator Raggio clarified that there are regulations in place with the Department and the committee would be asking to have those regulations reviewed and asked for recommendations from the Department of Education. The primer submitted by the Washoe County School District was an excellent example and he wanted those persons to get together, with LCB staff or otherwise, for submission to the committee. He said the problem was that the procedure is not made clear in the regulations as to what takes place and what time line is involved when a breach actually occurs. In addition, there are cases pending now that

have been unresolved for several months.

Senator Raggio opined that if there is breach there should be a definitive manner in dealing with that breach and there should be a severe sanction for a breach. Senator Washington asked if a "serious" breach would be cause for termination of employment. Senator Raggio said that needed to be clarified--licensing or termination of a contract. He said the committee was not ready to discuss that but wanted to make sure that the committee shared the concerns brought forth by the district.

##### **5. Status report on activities of the Commission on Educational Technology**

Fred Dugger, member, Commission on Educational Technology, provided a report on the activities of the Commission (Exhibit K) since their last report to the committee in November, 1997. He noted that at the November, 1997, meeting, the committee approved the Commission's request to contract up to \$155,000 for a consultant to assist in the preparation of the educational technology plan for the state for grades K-12, which will be submitted to the Governor and the Legislature. He noted that a number of requests for proposals were submitted to a variety of firms throughout the United States, and the Commission received nine responses. Interestingly, the estimates proposed by those consultants ranged from a high of \$398,000 to a low of \$114,000.

Mr. Dugger informed the committee that the Commission met for two days in Las Vegas in December, 1997. The primary reason of that meeting was to select a contractor. The contractor selected was WestEd. Although WestEd has not had a great deal of experience in the preparation of technology plans, they have a high degree of experience in working in the state of Nevada, including rural communities and with the Department of Education. Therefore, their familiarity with the state will place them in good standing and enable them to accomplish the planning for the Commission in the tight time frame required

Mr. Dugger stated that the contract between the Legislative Counsel Bureau and WestEd was being drafted by the legal division and they expected to have the contract negotiated and approved at the Commission meeting scheduled for the end of January, 1998. In addition, the Commission has held several subcommittee meetings regarding technology standards which has included involvement with the school districts, university personnel and the public. He reported that during the December, 1997, meeting of the Commission, the school districts expressed their appreciation for being allowed to be involved with the work of the Commission. He said the feedback the Commission received from the school districts was invaluable.

Mr. Dugger said there was another subcommittee underway to study methods to distribute the \$27.5 million for software and hardware for the schools. That subcommittee has met once but a report of that meeting has not been made to the full Commission as yet. Also, there was a subcommittee enlisted to issue the Request for Proposals. He asserted that the Commission has been extremely active in moving in many directions to accomplish their goals. He stated that the Commission has been scheduling two-day meetings and the members have shown great dedication in spending that time. However, there is disappointment that a staff person has not been assigned at the Department of Education as it has been difficult to hire a person with qualifications set for that position. He noted that Doug Thunder and other staff with the Department have been helpful in providing support.

Senator Raggio asked how close to completion the application forms were. Mr. Dugger responded that the application forms are in final draft and will be discussed at the next Commission meeting. Senator Raggio asked if that form dealt with the plans forthcoming from the school districts for the applications. Mr. Dugger replied there had not been any set requirements made with respect to what the plan must contain.

Senator Raggio noted that in reviewing the report provided by Mr. Dugger, it appeared the Commission has granted some funds. Mr. Dugger answered that for the current fiscal year an appropriation was made of approximately \$3.7 million for the purpose of repair, maintenance and contracting for training, which was predicated upon the school having a plan. However, many of the school districts did not believe they could produce a plan without funds to hire a consultant. As a result, the Commission authorized approximately \$240,000 to be distributed on the basis of the Nevada Plan to provide an allocation predicated upon school population and need of the particular district. Senator Raggio stressed that care was needed so that funds earmarked for specific purposes were not used for planning purposes. Mr. Dugger indicated that only 7 percent of the money was allocated for planning. In addition, the Commission authorized the distribution of 80 percent of this fiscal year's, \$3.7 million for the purposes of section 61(2) of S.B. 482 having to do with maintenance, replacement. Senator Raggio acknowledged that the Commission had authorized those funds and asked when the districts would actually receive those funds. Mr. Dugger replied the districts would receive those funds upon submission of a completed technology plan to the Department of Education.

Mr. Dugger noted there was wide disparity among the school districts because some schools have completed technology plans and there was no reason not to provide the funding to allow those districts to continue with implementing those plans. Also, the Commission is trying to meet the January 31, 1998, deadline for applying to the Federal Government for the telephone communications subsidy to allow 50 to 80 percent discounts from telecommunications systems for educational access to the Internet.

Senator Rawson noted that agencies must have their budget information to the Governor by August 15<sup>th</sup> and he was concerned that the time line for the Commission may be affected by that. Mr. Dugger responded that the draft plan was scheduled to be available to the Commission by July 1, 1998, which should allow enough time to have a final plan by December 1, 1998. Mr. Dugger acknowledged that the Commission was fully aware they were working within a five-month time line.

Mr. Dugger noted that S.B. 482 set forth that the distribution of \$27.5 million was predicated upon "population and need." He stated that much discussion has been held as to what constituted "need." He asked if "need" meant poverty or did it mean the Commission needed to do intelligent allocation of the money. He opined that he would like to see a concurrence from the Committee that need meant an intelligent allocation of money and if that meant allowing for some funding for special, innovative programs to see what is effective, then the Commission was desirous of that latitude. Senator Raggio responded that Mr. Dugger's interpretation of "need" was correct.

Senator Raggio pointed out that Jeanne Botts, Senior Program Analyst, Legislative Counsel Bureau, Fiscal Analysis Division, had prepared the annual report for the Legislative Bureau of Educational Accountability and Program Evaluation. Under S.B. 482, the bureau is required to report to the Legislative Commission on or before December 31<sup>st</sup> of every year. She noted that interviews have concluded for the two professional positions within the Fiscal Analysis Division and expected that those positions will be selected later in the week. She noted the report was included at Tab 5, Exhibit C.

Senator Raggio complimented Ms. Botts and H. Pepper Sturm, Research Division, Legislative Counsel Bureau, for a concise report and indicated the Committee would accept the report as prepared.

## 7. Public Testimony

There was no public testimony.

## **8. Directions to Staff**

Directions to staff were discussed throughout the meeting.

## **9. Setting dates for future meetings**

The committee tentatively scheduled February 24, 1998, for the next meeting. Senator Washington expressed his gratitude and appreciation for Ms. Haycock's presentation. Senator Raggio concurred and thanked all those making presentations at the meeting.

There being no further business to come before the committee, the meeting adjourned at 1:27 p.m.

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**Joi Davis, Secretary**

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**Senator William Raggio, Chairman**

**Date:** \_\_\_\_\_