

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 9:45 a.m., on May 28, 1998, at the Grant Sawyer State Office Building, 555 East Washington Street, Las Vegas, Nevada.

COMMITTEE MEMBERS PRESENT:

Senator William J. Raggio, Chairman

Senator Raymond D. Rawson

Senator Jack Regan

Senator Maurice Washington

Assemblywoman Marcia deBraga

Assemblyman Wendell Williams

COMMITTEE MEMBERS ABSENT:

Assemblyman Pat Hickey (Excused)

Assemblyman Richard Perkins
(Excused)

GUEST LEGISLATORS IN ATTENDANCE:

Lonnie Hammargren, Lt. Governor and President of the Senate

Senator Ann O'Connell, Clark Senatorial District No. 5

GUESTS IN ATTENDANCE:

Jeanne Ohl, Nevada Department of Education

Neil Stevens, Superintendent, Eureka County School District

Lynda Pearson, Clark County School District

Holly Walton-Buchanan, Nevada Department of Education

Teresa Jordan, University of Nevada, Las Vegas

Kendyl Depoali, Washoe County School District

Martha Tittle, Clark County School District

Mary Peterson, Superintendent of Public Instruction, Nevada Department of Education

Mary Nebgen, Superintendent, Washoe County School District

Dotty Merrill, Washoe County School District

Moises Denis, Commission on Educational Technology

Stanley Chow, WestEd

Larry Spittler, Clark County School District

Alice Dollimore, Clark County School District

Allen Chandler, Clark County Association of School Administrators

Keith Rheault, Nevada Department of Education

Steve Rock, College of Education, University of Nevada, Reno

Chuck Fletcher, President, Commission on Professional Standards

Frank Follmer, Commission on Professional Standards

Robert S. McCord, Clark County School District

Stanley Rabinowitz, WestEd

Grant Richens, Saxon Publishing

Rose Payon, Educational Testing Services

Eugene Paslov, President, Education Management Consultants, Inc.

Charles J. Teryek, Educational Testing Service

Elaine Lancaster, Nevada State Education Association

Ken Lange, Nevada State Education Association

Ken Ward, Las Vegas Review-Journal

Terry Owens, Nevada Department of Education

David Smith, Nevada Department of Education

Pam Hicks, Clark County School District

Mary Snow, Nevada Department of Education

Warren Hardy, Hardy & Associates

Rick Bennett, University of Nevada, Las Vegas

Bea Babbitt, University of Nevada, Las Vegas

Ruth Wilson, Clark County School District

Bill Hanlon, Nevada State Board of Education

Bart Mangino, Commission on Professional Standards

Mark Langer, Clark County School District

Lois Tarkanium, Trustee, Clark County School District,

Ruth Johnson, Trustee, Clark County School District

Shirley Barber, Clark County School District

Dr. Brian Cram, Clark County School District

Exhibits:

Exhibit A - Second Revised Agenda.

Exhibit B - Attendance Record.

Exhibit C - Meeting Packet, Volume I and Volume II.

Exhibit D - Blue Folder of handouts regarding the Praxis Series, provided by Charles Teryek, Educational Testing Service.

Exhibit E - Informational Bulletin, Nevada Competency Testing Program for Educational Personnel 1997-98, provided by Mary Snow, Nevada Department of Education.

Exhibit F - Testimony of Charles Fletcher, Commission on Professional Standards in Education.

Exhibit G - Literature on Council for Basic Education, provided by Scott Craigie, Council to Establish Academic Standards for Public Schools.

Exhibit H - Summary to Final Report on Regional Workshops "Teaching to Higher Standards," provided by Jeanne L. Botts, Legislative Counsel Bureau.

Exhibit I - Report on the Commission on Educational Technology, provided by Moises Denis.

Exhibit J - Testimony of Elaine Lancaster, Nevada State Education Association.

Exhibit K - Eureka County School District, Budget Crisis Advisory Committee Report, and Memorandum to Neil Stevens from Dave Noonan, provided by Neil Stevens, Superintendent, Eureka County School District.

Note: All Exhibits are on file at the Fiscal Analysis Division of the Legislative Counsel Bureau.

Chairman's Remarks.

Chairman Raggio announced that a period for public comment was inadvertently not included on the Revised

Agenda. However, he noted that the Legislature always included a period for public comment at every legislative committee meeting, and there would be a period for public comment as specified on the Second Revised Agenda (Exhibit A). He added that in discussion with the Legislative Counsel, he was been informed that although the open meeting law is not applicable to the Legislature, it is the policy to make certain that all legislative meetings are open to the public. He has been advised by the Legislative Counsel that the meeting is in compliance with the policy of the Legislature and all applicable statutes. Chairman Raggio noted he had been furnished with the Attendance Record (Exhibit B), but if there were any additional persons wishing to testify, they should let the secretary know of that request and the Committee would comply.

Roll Call.

The meeting commenced in Room 4401 at 9:45 a.m., with a quorum present.

Approval of Minutes.

Chairman Raggio noted that Volume II of the Meeting Packet (Exhibit C) contained Draft Minutes for the meeting held on March 26, 1998. He deferred approval of those minutes until Committee and Staff had the opportunity to review. Approval of those minutes, together with the minutes from this meeting will be considered at the next meeting.

Chairman Raggio asked if there was anyone that needed to be heard out of order from the posted Second Revised Agenda. Seeing none, he proceeded with the next agenda item.

Presentation on Teacher Competency Testing.

Senator Raggio announced that the Committee would hear a presentation from Dr. Charles Teryek, Program Administrator, Teaching and Learning Division, Educational Testing Service (ETS), from Princeton, New Jersey. Dr. Teryek thanked the Committee for allowing him to present information from ETS. He stated his position at ETS provides him with specific responsibility for validating and setting standards, and meeting legal requirements for the *Praxis Series* in professional assessments. These are tests used to assess teacher knowledge in approximately 31 states. The State of Nevada currently utilizes 44 tests out of approximately 140 tests that are offered through the *Praxis Series*. He provided the committee with a folder containing materials that he would be referring to during his presentation (Exhibit D).

Dr. Teryek stated he hoped to familiarize the Committee with procedures used across the country, and particularly in the State of Nevada, to validate and set standards, and review the use of tests in the state. He would be sharing with the Committee selected data on tests that show the performance of Nevada teacher candidates, along with national data, so comparisons can be made.

Turning to his packet of materials, Dr. Teryek said he would be looking at three particular tests: The *Pre-Professional Skills Tests* (PPST), which is the basic skills test involving reading, writing, and mathematics; The *Computer-based Version* (CBV), which is the computer-based version of the PPST; and The *Elementary Education Test* (EET), which is one of the 44 tests used in the State of Nevada. Dr. Teryek noted that the *Praxis Series* was the name given to the testing program for licensing teachers through the ETS process. He stated "Praxis" is a greek word, not an acronym, and simply means putting theory into practice. The process is specific, is designed to be legally defensible, and provides for the development, review, and approval for teacher licensure.

Dr. Teryek showed a chart from his hand-out material which sets forth the process taken determining in teacher licensure requirements. ETS follows these steps when developing teacher licensure requirements:

1. State Licensing Requirements: The *Praxis Series* is a national testing program, which requires a review of all state licensing requirements for the states participating in the program. The requirements for the State of Nevada were provided to the Committee by Mary Snow, from the Nevada Department of Education (Exhibit E).
2. Job Analysis: A job analysis is performed nationally, involving groups of teachers from across the country. Job analysis includes looking at what teachers do everyday in the course of their work to determine what should be tested as content.
3. Test Specifications: Once the job analysis has been completed, ETS determines what needs to be tested and how by using multiple choice tests and constructive response tests. On-site observation is also utilized which usually occurs after the teacher has passed the initial hurdles and is allowed to go into the classroom. This process develops and identifies major content areas.
4. Item Development: Dr. Teryek stated this area deals with identifying specific questions to be asked to measure the content. Questions are written by teachers who are trained to write questions; many teachers from the State of Nevada participated in this process.
5. Test Construction: Dr. Teryek stated normally there is a large pool of questions to draw from in designing a test for prospective teacher candidates. Teachers need to decide what an appropriate sample is from the large pool of questions. There are usually several forms of a test because using the same test repeatedly can result in test security problems and reliability concerns.
6. State Test Reviews: Once a new test is introduced, a group of teachers is comprised by the State Department of Education to analyze various bias concerns such as gender, ethnicity, and geographic regions. This group of teachers reviews and scrutinizes the test, then determines if the test can be validated.
7. Standard Setting: Once a test is in place, determinations are made regarding how many questions must be answered correctly in order to declare that a person is appropriate to teach in the State of Nevada. Dr. Teryek explained there is a process in place to train teachers in Nevada to make these choices.
8. Test Administration: Next, the test is administered to prospective teacher candidates from the training institutions in that particular state. That data is used in conjunction with other information to ensure that the test is performing the way intended and that the standard set is appropriate.

Proceeding with the material in his handout folder, Dr. Teryek went on to discuss the "Minimally Competent Entry-Level Teacher." He stated that for teacher licensure and for entry into the teaching profession, case law has determined that measurement is needed for only that which is adequate to do the job, and the job analysis aspect is the genesis for ETS's work. "Minimally competent" means that teachers are competent, but they are not the "superstars." He noted there are varying levels of competency across the spectrum of knowledge that is required to teach. For example, a math teacher is able to teach fractions at a level of minimal competence, however, her skills in calculus may be much better than her skills in fractions.

Dr. Teryek said many people think it is easy to set up a standard for a teacher test, and to raise teacher standards only requires the passing score to be raised. He said it was not that simple. During a standard-setting study, Dr. Teryek stated job relevance is an important factor. Case law requires that everything that is tested be related to the job. In other words, no frivolous, impertinent questions will be asked. If questions are not determined to be job related, as decided by Nevada's Decision Rules, then the test cannot be used in the state. After the content of the test is determined to be appropriate, training and procedures must be implemented to determine the passing standard. In summary, a panel working to determine passing

standards is provided a test to review. Each panelist is asked to look at each question and determine the probability that a minimally competent teacher would know the correct answer to the question. Once each panelist makes his/her probability judgment, an average for the panel is determined and then presented to state decision-makers in the form of a report with back-up information. State decision-makers use the information to determine the passing score.

Factors Considered When Setting Passing Scores:

- Passing scores recommended by panelists in standard-setting study.
- Size and composition of panel (was there an accurate representation of Nevada's teachers regarding race, gender, ethnicity, or geographic representation).
- Test reliability and standard error of measurement.
- Passing scores used in other states.
- Test performance of examinees.
- Policy of equal ability or difficulty levels for each test.
- Supply/Demand considerations.

Senator Raggio asked how the panel in Nevada was selected. Dr. Teryek replied he worked with Dr. Mary Snow from the Nevada Department of Education, who submitted a list of names of panelists (teachers from the state) to work with ETS. Then, ETS pays to get the group together for one-two days.

Responding to Senator Raggio, Dr. Teryek confirmed that the above procedure was used in all the states to which ETS was involved. However, panel composition varied by state as far as ethnicity and age, but the guidelines that are presented initially to each state are the same throughout. Senator Raggio asked if only teachers served on the panel. Dr. Teryek replied that teacher trainers are frequently represented. Senator Raggio asked if any other education persons would be eligible to serve on the panel, such as school board members. Dr. Teryek responded that ETS often asks those types of people to serve as observers. In further response to Senator Raggio, Dr. Teryek stated a typical panel is comprised of a minimum of 15-20 participants, and school administrators may serve on the panel, depending upon the test. For example, a test for educational leadership and supervision, or a principal's test, may have school administrators on that panel. Dr. Teryek specified that in Nevada the panel is comprised of teachers and teacher trainers, but he does not recall any board members or others on the panel for the State of Nevada.

Dr. Mary Snow, Nevada Department of Education, stated she has been the coordinator for the Competence Testing Program since the late 1980's and she has worked with many ETS personnel. She explained that in developing a panel to review tests, a letter is sent to superintendents of all the school districts, the teacher associations, the universities, and commission members, asking for nominations. She stated that, depending on the test, there are certain criteria, nominees must meet. For example, if it is an English test, the panelist must be licensed in English, and he/she must have experience teaching English. Once the nominations are returned, they try to select those nominees who will comprise the balance required by ETS (ethnicity, region of the state, gender). Usually, there is a university teacher preparation person on each panel. The bulk of the panel is made up of classroom teachers, unless it is a speciality test, such as Educational Leadership.

Dr. Snow confirmed Senator Regan's inquiry, that the panelists are qualified by having a subject specific background.

Responding to Senator Raggio, Dr. Teryek stated that it takes 18 months to develop a test, and changes are

made periodically to the test for security purposes. Further, he stated there are multiple forms of the test in use, and ETS spends several million dollars per year in developing new questions for the tests. Lastly, in regard to panel composition, when a test is used across disciplines, such as the PPST exam, the panel is larger (25-40 teachers) and must be comprised of every kind of teacher that is licensed through that testing process.

Dr. Snow interjected that the State of Nevada has a competency testing review committee comprised of ten people representing all the major educational associations. This committee studies the data from the teacher panel review, and taking into account other considerations, makes a recommendation to the Commission on Professional Standards in Education, which makes the final decision as to whether the test will be used with the recommended cut score. The entire process takes approximately one year.

Dr. Teryek added that the entire idea of test content has to do with the belief that "you can't teach what you don't know anymore than you can come back from somewhere you ain't been." Quote from Will Rogers. He stated that "if you don't know it, you can't teach it." In summary, Dr. Teryek stated that ETS makes sure the test is fair. Fair means that it does not offend any group. The panelists are trained to look at test questions and make fairness judgment. If a panelist relates that a question is unfair to women, the item is flagged to be reviewed by fairness and content experts at ETS.

Senator Regan stated in determining fairness, he notes there are different methods of teaching, and asked if different teaching methods were tested to determine which method is proper or correct, to determine if a certain method is superior. Dr. Teryek replied that concept does not involve fairness necessarily, but rather involves pedagogy. He stated that tests in the *Praxis Series* are free of pedagogy, and are specific to content knowledge. They do have special tests whereby specific content and pedagogy are melded together into one test and those teaching concepts are what is generally agreed to across the country, through job analysis and teacher review. He stated that ETS has a test which tries to cover both approaches to reading, the whole language approach and the phonics approach. There is also a series of tests called "The Principals of Learning and Teaching Tests" which are by grade level and measure the prospective teacher's ability to pick what is currently considered to be the appropriate way to present subject matter in specific situations. Those tests are generally constructive response tests and may include some multiple choice. Senator Regan stated that the Committee has heard repeatedly that just because someone knows subject matter, does not mean they can teach it, and that seems to be a problem.

Senator Raggio announced that the State of Nevada was in process of creating higher standards. So, necessarily, the Committee is concerned with raising the standards of teaching, which works together with the process. He said he was concern that if the procedure Dr. Teryek described for teacher licensure was "static" and did not take into consideration the raising of standards, then it would not serve the purpose to which it was intended. In other words, the level of competency must increase, along with the raising of standards. In regard to setting passing scores, Senator Raggio noted that based on some of the information provided (test performance of examinees and supply and demand considerations), it seems to infer that the passing score would be tailored or adjusted so more people could pass. He stated that was a familiar dilemma that the state has been involved in with the proficiency testing of students--setting the passing score to be sure enough people pass. He asked for comment on that issue, as that is a major concern.

Dr. Teryek replied that issue should be considered seriously and any governing body should address it. He stated the following could be done when setting a standard: 1) Set the standard so low, resulting in incompetent teachers in the classroom; or 2) Set the standard so high that no teachers will be in the classroom. In this case, alternate routes to certification will usually surface. For instance, a teacher certified in one area will be accepted to teach in another area; regulators need to be aware of this issue. He concluded it was not as simple as pushing the passing score up or lowering it. Even though a passing score has been set, data are reviewed yearly, and the standards reviewed in Nevada have resulted in a need to review current passing score. This is necessary because the perception of what is minimally competent

changes from time-to-time.

Assemblyman Williams said he recently spoke with a Principal from an elementary school in Clark County who was losing teachers on her staff because of this test. One individual had been evaluated by four different administrators, receiving extremely high remarks. The Principal was frustrated to lose teachers, who in her opinion, were some of the best teachers she had worked with. He asked how that problem could be resolved, when good teachers were being lost due to testing. He asked if Dr. Teryek could provide staff with the names of the states that were finding alternatives to that situation.

Jeanne L. Botts, Fiscal Analysis Division, Legislative Counsel Bureau, pointed out that an analysis was provided on the PPST examination (Tab 11, Volume I of the Meeting Packet Exhibit C). She reminded that the Committee had requested the Fiscal Analysis Division to provide this information during a previous meeting. The chart shows the passing score and percentile rank for various states. In reading and writing, Nevada's passing score is 172, which corresponds to the 12th and 15th percentile on reading and writing, respectively. In mathematics, the passing score is 170, and the percentile rank is 12.

In response to Assemblyman Williams' question, Dr. Teryek replied the state system used in Oregon is currently under review in the area of basic skills, where a portfolio assessment process is in place. The State of Oregon, has set a band of scores (a range) and has announced that anyone who did not obtain the passing score, but did score within the band, could submit a portfolio for review which could determine if a temporary license would be issued or not. Assemblyman Williams asked that information be provided to the Committee.

Senator Rawson inquired into the percentile ranking listed in the analysis at Tab 11 of the Meeting Packet (Exhibit C). Ms. Botts clarified that the 12 percent listed in the analysis indicates the percentage of teachers failing the test. Dr. Teryek suggested the Committee review the data he provided (Exhibit D). He noted that for PPST--Mathematics, Nevada's passing score is 170, the reporting scale is 150-190. Based on last year's data, 43,721 people took the test. Taking Nevada's passing score of 170 and applying it to that distribution, 80.5 percent of the people would have passed at that passing score. Looking just at the male population, 87.5 percent would have passed, and the next column showing females, indicates that 78.4 percent would have passed. He continued with more gender distributions set forth in his handout (Exhibit D). In addition, the same data is presented in more than one chart form of his packet, including national and Nevada data. He said what was confusing about the other analysis (Tab 11, Meeting Packet) was that states have different passing scores.

Dr. Teryek pointed out his handouts included national summary data breaking out the data by ethnicity. He stated the information was important to decision-makers that needed to determine what would happen to a particular ethnic group if the passing score was lowered or raised. In addition, the information he provided included the PPST exam for computer-based testing (CBT) and for those who take the test with paper and pencil. Senator Raggio asked if there was any substantial difference between the two. Dr. Teryek answered there was a slightly higher pass rate for CBT candidates and ETS believed that is associated with a self-selection process--candidates that have different backgrounds and different trainings tend to be better prepared to take the test.

Dr. Teryek concluded that defining new standards for teachers and for students is going on across the country. It is important to ETS that what is being tested relates to the standards for that state. He indicated that once the standards are implemented in Nevada, ETS will have a process to review the new standards with test content. This process will involve groups of educators from the state to make decisions about the appropriateness of test content to standards.

Chuck Fletcher, President, Commission on Professional Standards in Education, stated they are the ones who look at test scores in the State of Nevada, and have begun to look at raising standards in the state. Mr.

Fletcher provided prepared testimony for the Committee (Exhibit F), and highlighted those statements. He informed the Committee that he has been a member of the Professional Standards Commission for the past five years, and this was probably his last year on the Commission. He said when he first began his work as a Commission member, he was subpoenaed to testify regarding the test scores that had been implemented. The outcome, as specified by the judge in that case, if someone did not pass the PPST, they would have an opportunity to take necessary course work to pass the test. He said that was not true for the National Teacher Exam (NTE) and the other required tests. He indicated that the standards-setting process that is occurring across the country is a complex issue and his involvement began several years ago. Recently, he was invited to attend meetings of professional standards boards throughout the United States (17 states have professional standards boards). The host of the organization vowed to make the meeting annual, because they saw the dialogue among these groups was valuable. He said currently there are 17 states that have compiled professional standards boards. Mr. Fletcher stated during the last annual meeting, participants were provided a copy of the book, *What Matters Most: Teaching for America's Future*, and that book helped bring into focus many matters Nevada is attempting to implement. Mr. Fletcher stated that as President of the Commission on Professional Standards in Education, he has attempted to bring together, with the aid of the Nevada Department of Education, dialogue on various subjects. He said there are three basic areas of importance that the book discusses:

1. Nationally, much of the work on professional standards has been completed. For example, a Nation-At-Risk Report was published in the mid-1980's, and as a result, the National Board for Professional Teaching Standards was established. This organization took a close look at teaching, and set standards that teachers should know and be able to perform. This organization also established a National Board of Certification, which a teacher can attempt at a cost of approximately \$2,000 and one year's time. Slightly less than 1,000 teachers have obtained that certification to date.
2. Based on the national board standards, a group called the Interstate New Teacher Assessment and Support Consortium (INTASC) prepared standards for beginning teachers.
3. Based on standards designed by INTASC, the National Council for Accreditation of Teacher Education (NCATE) designed standards for institutions of teacher education.

Mr. Fletcher stated that all three of the above concepts have been brought together. The National Commission on Teaching to America's Future pointed out specific items:.

- 1. Get serious about standards, for both students and teachers.** Mr. Fletcher noted that Nevada has already begun that process.
- 2. Reinvent teacher preparation and professional development.** Mr. Fletcher noted that the Legislative Committee on Education has heard testimony regarding professional development. However, professional development will always be remedial if teacher preparation is not addressed. He acknowledged that veteran teachers had to be made aware of the standards, but also beginning teachers needed to be properly trained in the higher standards.
- 3. Fix teacher recruitment and put qualified teachers in every classroom.** Mr. Fletcher said the way the State of Nevada financed school districts is more equal than other states, so there tends to be less of a problem.
- 4. Encourage and reward teacher knowledge and skill.** Mr. Fletcher indicated this could be accomplished by developing a career continuum, removing incompetent teachers, setting goals, and providing incentives for National Board Certification.

5. Create schools that are organized for student and teacher success. Mr. Fletcher asserted that this deals with flattening the hierarchy and reallocating resources so more money is placed in the front lines of student/teacher contact, rather than non-teaching personnel.

Mr. Fletcher stated it is his personal belief that the state needs to address the full continuum of the field of teaching, K-16. He pointed out there was a recent article in the *Reno Gazette Journal* featuring Meggin McIntosh, who is teaching a program to refamiliarize professors at the University of Nevada, Reno, with current teaching methods. He said part of the problem involves veteran teachers who were taught differently than teachers are taught now. These veteran teachers have a tendency not to teach the more modern methods of teaching.

Mr. Fletcher opined that the entire university system needs to be accredited. In addition, an analysis of teaching, curriculum, and how information is delivered, is needed to create better communication between the colleges, specifically the College of Education and other colleges that relate to the training of teachers. He believes a portfolio form of assessment for new teachers would be most beneficial, and perhaps implement some of the standards developed by INTASC, NCATE and the national board. People in Nevada need to collaborate on how to implement change, rather than reinventing the wheel. There are many states, specifically Indiana, California, Texas, and Minnesota, that are making strides in raising standards for both students and teachers. The Commission needs to expect to collaborate with the Legislature, the Nevada Board of Education, teachers, the university system, and others to come up with a system to meet the needs of Nevada's students.

Mr. Fletcher stated he had six recommendations, based on his reading and presentation during the past year as a member of the Commission on Professional Standards in Education:

- **Support Veteran Teachers in Becoming Master Teachers.** He stated the Commission has put forth a Bill Draft Request (BDR) regarding obtaining national board certification.

In response to Senator Raggio's inquiry, Mr. Fletcher said there were currently no such teachers in the state, but there was one teacher in the "pipeline." The Commission's BDR is modest and they have attempted to balance many factors. At this point, they have determined that 20 teachers in this area was a good start, to enable the process to be encouraged and developed in order to receive more master teachers, or accomplished teachers, to come back into Nevada and allow them to be used to present information at professional development centers, to be used as mentor teachers, to be used as models of excellent teaching.

- **Require the Accreditation of Teacher Education Institutions.** Mr. Fletcher stated that without having teacher education institutions meet certain standards, there are no assurances that the teachers graduating from those institutions are meeting the state's needs.

Senator Raggio asserted that Nevada has two universities that train teachers, and these are only able to supply a small portion of the present need. He asked how that issue could be handled. Mr. Fletcher acknowledged that problem, adding that more and more states are going to systems requiring accreditation from different areas, and one such way of doing that would be to set standards and then let the universities write their own programs to meet the standards.

- **Bring Stakeholders Together to Adopt Teacher Education Standards.** Look at areas of licensure, specifically middle school licensure in addition to elementary and secondary. The licensure system could be simplified yet still meet the needs of Nevada's students. Teacher education standards should be reviewed to assure that they are modeled after the national board standards and the INTASC standards.

- **Support Implementation of Professional Development Centers Statewide.** Mr. Fletcher stated there needed to be a body of teachers to help staff the Professional Development Centers, and a model on which to base the teaching that goes on at those centers. He stated that at Fernley High School, where he teaches, they have implemented a program of portfolios for students, which requires students to make a presentation of their portfolio before they can graduate. He stated that the program is becoming the "norm" and would be a great idea for teachers as well--to have a portfolio to show what they know and what they are able to do. A portfolio could be adopted or included into the relicensure standards.

Mr. Fletcher stated there has been much discussion in the past few years surrounding the six credits needed for relicensure and whether those six credits should be in the area of teaching. He stated perhaps relicensure should not be based on what courses you take or the number of credits taken, but rather on what the teacher has learned during the past six years of licensure.

- **Don't Assess Students or Teachers on What Has Not Been Presented.** Parents and teachers should be given time to prepare to meet the standards.
- **Create Better Communication with the Professional Standards Commission and Make it Responsible for Licensure.** Mr. Fletcher stated he was not speaking as President of the Commission now, but based upon models of other states, the Commission on Professional Standards in Education should have its own staff and perform more functions. He noted that when he became a member of the Commission, they immediately began to adopt regulations. At that time he did not have any idea what the possibilities were. There was no communication with the Legislature, yet at times members of the Legislature would have recommendations that he did not hear about until it was a problem.

Senator Raggio asked if a change in the composition of the Professional Standards Commission was necessary. Mr. Fletcher replied that was possible, and he personally believes that the teaching profession has the desire and the means to govern itself as does doctors and lawyers. The majority of teachers are interested in seeing things done the best way possible and, he believes, would be willing to put in the time to regulate the profession. In addition, he opined the Commission should include other people besides educators; such as a legislator, a member of the State Board of Education, and higher education staff. Another suggestion is that the Commission, which currently has nine members, could be expanded. Mr. Fletcher noted that there are standards boards in the United States with 50 members and that would be too cumbersome.

Senator Raggio thanked Mr. Fletcher for his presentation and complimented his well thought-out testimony and handout ([Exhibit F](#)).

Senator Washington asked whether Mr. Fletcher's recommendations included implementing standards for measuring performance levels of school administrators. Mr. Fletcher replied that the Professional Standards Commission currently creates regulations for school administrators and he believes that every facet of education should be involved. He clarified that the recommendations provided in his handout ([Exhibit F](#)) were taken directly from the National Commission on Teaching to America's Future, and not his own.

Assemblyman Williams asked if there was information available on the evaluation of school district superintendents. Mr. Fletcher replied although he did not have personal knowledge of such information, he was certain that information was available and he could provide it to the Committee. Mr. Williams stated he would be interested in seeing that information.

Chairman Raggio announced the Committee would be deviating from the Second Revised Agenda, and directed the Committee to Item No. 12.

Status Report from the Council to Establish Academic Standards for Public Schools, and Request for Additional Funding.

Senator Raggio recognized Elaine Wynn and Scott Craigie, members of the Council to Establish Academic Standards for Public Schools (Council), to provide the report. Mrs. Wynn stated her membership on the Council has been one of the most challenging positions she has held as a volunteer in the education arena. The scope of the challenge has been greatly expanded. She informed the Committee that the Council has a finished product with Draft Standards having been completed for English language arts, math, and science. She stressed that finalizing the Draft Standards was a lengthy and arduous process, but that the efforts were collegial with many people involved.

Mrs. Wynn stated the first of four public engagement meetings was held last week and the next one is scheduled for June 2, 1998, at Clark County High School in Las Vegas. She advised that the meetings are designed for parents, teachers, and members of the general community, to provide input, information, and reaction to the Draft Standards.

Mrs. Wynn stated she was present to request funding for the consultants that were hired by the Council, Christopher Cross, of Council for Basic Education (CBE). Mrs. Wynn opined that without CBE the Council would not have progressed to the point they are today, since the research that is necessary to prepare a document such as the Draft Standards is enormous.

Mr. Craigie asked the Committee to approve and forward to the Interim Finance Committee (IFC) \$84,450 to be added to the program development side of the efforts of the Council. He stated there were two areas covered in the request as outlined in the budget documents (Attachment A and B) at Tab 10 of the Meeting Packet (Exhibit C). First, the Council is looking for supplemental expenses for content and performance standard writing activities. The writing teams used to develop the product included teachers, individuals from the Nevada Department of Education, parent group representatives, business representatives, and school board members. He informed the Committee that more people were added to the writing teams than were designed by the budget, and it was found that more time was needed to accomplish the tasks in Phase I.

Mr. Craigie stated he personally wrote the RFP for the project and they underestimated the amount of time the writing teams would need. He noted that portion amounted to \$67,000 of the overall request. Secondly, additional writing team activities were included in the process for content and performance standards and that accounts for approximately \$17,000 of the overall request.

Mr. Craigie said it was important to note that of the \$84,450 request, \$18,000 of it is merely for travel and out-of-pocket expenses. For example, when the writing teams meet, they must be flown into the meeting location and overnight accommodations and meals are often required as well.

Mr. Craigie provided information to the Committee (Exhibit G) regarding the consultant, CBE. He said in justifying what the Council is requesting and the need for using consultants, he feels strongly that the Council was fortunate to get CBE to work with them in Nevada. He advised the Committee that the Council now has three written products, each done by a different writing team group. These groups did not coordinate amongst themselves and worked intensely in their own content area. The Council did not want three different formats for the Standards and so required consistency in format.

Turning to his handout (Exhibit G), Christopher Cross' resume, Mr. Craigie pointed out that Mr. Cross was the director of the Education Initiative of the Business Roundtable--one of the great leadership organizations in this education reform effort. He was Assistant Secretary for Educational Research and Improvement with the United States Department of Education, and he is an expert in the areas of government research, technical assistance and training. In addition, CBE is working with the following locations: Maryland, Los Angeles, Cleveland, Cincinnati, and Iowa. Also, prior standards projects include Education Week--the entity

that ranks the states' standards in English, Arts and Mathematics for rigor. The jurisdictions CBE has worked include: Pennsylvania, Alaska, Ohio, Colorado, Delaware, Massachusetts, Oregon, Illinois, Virginia, California, South Carolina, Kansas, Milwaukee, Mississippi, and Chicago.

Mr. Craigie stated the efforts of the Council will directly affect the education experience for over 260,000 Nevada children from K-12. This project needs to be done correctly; it is a technical science. The Council has hired the expert needed to accomplish the task correctly. Further, the state should go through this process only once and there is a short period of time to do the process and do it right. They believe they have hired the best. He informed the Committee that the Council has paid less to CBE for this project than similar efforts, even with the additional funds requested.

In conclusion, Mr. Craigie stated that the Council has conservatively put together an effective program, with a product now "on the table" and going to public hearing for the first time. The deadline will be met and the product will be solid.

Mrs. Wynn reminded the Committee that the additional funding request will only accomplish the Standards work for Phase I, the assessment portion (Phase II) will be performed in October 1998. The second set of Standards need to be written during Phase II as well.

Senator Raggio stated the Committee had no concern about the qualifications of the consultant hired by the Council, as those were reviewed when the initial recommendation was made. He agreed that the state was fortunate to have Mr. Cross' experience available for the project. He stated his concern was whether the scope envisioned for the Council has changed sufficiently to warrant the additional expenditure. Having briefly reviewed the Draft Standards provided to the Committee, Senator Raggio stated he was impressed with the manner in which the writing teams were composed and recruited, and he was aware that those teams worked extraordinarily diligent in the tight time lines outlined. Although he has not reviewed the Draft Standards in total, they look good. He asked what the consequences would be if the Committee did not recommend the additional funding.

Further, Senator Raggio stated he was aware of criticism surrounding the issue of additional funding requests by the Council for the hired consultant and he wanted to ensure that the Council was not derailed in achieving their ultimate goal. He does not believe anyone, even if they object to the additional funding request, oppose the goals under Senate Bill 482. Senator Raggio opened the meeting to public comment on the issue.

In response to Senator Raggio's comments, Mr. Craigie replied that the scope of the activities of the Council has not changed, but the thoroughness in those activities has changed somewhat, resulting in more time needed to complete all the steps. In terms of the amount of money and what is available, Mr. Craigie stated he believed it would be difficult to finish the cycle without having the ability to draw on the professionals that have progressed with the Council to this point. Further, he is aware that there is only \$63,000 available from the money that has been appropriated and they are asking for \$84,450.00. Mr. Craigie indicated the Council has scheduled a two-hour administrative meeting before the public hearing on June 17, 1998, and they will be asking the Nevada Department of Education to discuss the budget and what revenues or funds might be available for them to contribute.

On the issue of Phase II, Mr. Craigie related that Section 55 of Senate Bill 482 recommends for use by the Council \$271,000.00. The Council would like to come before the Committee at a later date to present thoughts and recommendations on how that money might be used for Phase II.

Mrs. Wynn commented that when the writing teams first began, each of the Council members was asked to serve on a writing team in order to observe the actual process. She informed the Committee that she served on the English Language Arts team, and all three teams met simultaneously at the first session--scheduled

for three days. However, it was clear that the work would not be completed in three days. She explained it was frustrating to be involved in the development of the product, all the while knowing that it was late while it was being done. It was also frustrating that at the end of the first session the Council did not have an opportunity to meet and review the work of all three writing teams, but they knew there was more work involved than what was originally contemplated in the actual constructing, debating, and creating of these products.

Senator Raggio recalled there was also an issue regarding standards as to each grade or cluster and the decision-making needed for developing performance indicators. He asked for the status on the development of performance indicators. Mr. Craigie stated the development of the performance standards is in Phase II.

In visiting schools recently, Mr. Craigie advised that they feel the Council did the wrong thing by not setting standards grade-by-grade, and some believed that first grade should not be tested. He asserted that the Council is constantly looking at the decisions they have made, while at the same time, the writing teams are constantly revisiting what they have already produced. Those concerns are a direct result of action taken by the Council in setting performance indicators.

Senator Rawson stated he was impressed by the Draft Standards he was provided. He added that there is a great wealth of knowledge that continues to be pressed into the younger grades. However, the continuity of doing things in order seems to have been lost. For instance, reaching a certain intellectual maturity must be met before moving to the next subject. He said the Draft Standards appear to have that concept in clear focus. He asked if a hierarchal approach to knowledge has been contemplated by the Council. Mrs. Wynn replied that the Council began the process with the "exit standards" which is: "What do we want our children to know by the time they graduate high school?" The Council then worked backwards. This method was accepted by the writing teams, with the expertise and technical assistance of the consultants.

Senator Rawson commented that children cannot memorize all the facts, so if they do not learn problem-solving, they will graduate with facts, but they will not be prepared for life. The Draft Standards appear to organize the process systematically--and he is impressed with those Standards.

Assemblyman Williams recalled Mr. Craigie's earlier comment regarding the additional funds requested, and that the amount supersedes prior efforts. He asked how much was spent in prior efforts before the activities of the Council began. Mr. Craigie answered that he did not have those figures in detail, but perhaps the Department of Education staff would have that information. He indicated that he is aware of a grant for the English Language Arts development process that involved many instate resources and involved an \$800,000 grant. In those efforts, there was input from 100 people on writing teams. He reiterated that the efforts of the Council have not had anywhere near that sum, and they have had a time line, which included expert help. He added that the Council was able to build from what had been previously done by the Nevada Department of Education, and used that information as a starting point. In addition, a number of people from the Department's writing teams were utilized by the Council in the same fashion and the Council certainly benefitted from some of that effort.

Senator Washington asked when using the exit exams and working backwards, will the *Terra Nova* exam be used as a checkpoint to make sure the students are achieving the required results? Mrs. Wynn replied that the Council was just now beginning to address the issue of assessments. It is the understanding of the Council that there is a variety of assessments in place throughout the state and through district-to-district, and that all must be evaluated.

Senator Washington asked whether there were any "checkpoints" as students progress through their grade levels. Mr. Craigie answered that each classroom teacher in the grade levels tested (2, 3, 5) or every class year, if a change is made, will be tested at the end of the year to see if they have met the requirements for their grade level. Those tests, unlike the *Terra Nova*, which is a test of general knowledge, will be written

specifically to test the skills that were to be taught in that class year. One teacher he talked with while visiting schools stated she would be held accountable as long as students who were "pre-tested" were also "post-tested."

Senator Regan stated he would not vote for the money if the standards were not implemented. Mr. Craigie replied the bill requires implementation of the standards and that is set to go; however, the part he is discussing is the development of assessments. Senate Bill 482 mandates that the Council determine how the assessment is to be conducted and they likely will come before the Committee in the fall of 1998 to recommend how that assessment piece will be completed with the \$271,000 set forth in the bill. Senator Regan reiterated that the main concern was implementation. Mr. Craigie acknowledged Senator Regan's concern and stated that implementation was a very difficult task as standards affect so many classrooms and families, and there are some people who would like the steps taken in that regard to slow, or at least not have the strict time lines enforced. However, his own point of view is that the Council is ready to stay within the time line.

Senator Raggio stated the time lines were determined after long input from the 1997 legislative session and after reviewing efforts and results from across the country. So, there is no attitude within the Legislature, that he is aware of, to change that schedule. Yet, he is aware that the State Board of Education has requested a BDR contemplating just that. He opined that will be a "hard sale," based on input from the last legislative session.

Chairman Raggio recognized Mr. Hanlon to speak on the issue.

Bill Hanlon, speaking as a private citizen, addressed Assemblyman Williams' comment about good teachers in Clark County that did not pass the PPST. He stated he is an instructor at University of Nevada, Las Vegas, and teaches Math 123, the "gate" for the PPST. His class is designed for teachers who cannot pass the PPST. The majority of the students in his class are foreign language teachers, physical education teachers, and special education teachers. In order for a teacher to maintain a license, they must obtain at least a "B" in Math 123.

Mr. Hanlon stated with regard to the topic being discussed presently, he has a concern with the payment of an extra \$80,000.00 for consultants contracted by the Council. He informed the Committee that he is a member of the math writing team set up by CBE so he is familiar with the entire process. He stated it was his understanding that standards were expected to be written in a 3-day period, and as a writing team member, he went into it with that goal in mind. The first thing presented to the writing teams from CBE was that the task would not be completed in three days. Therefore, the writing teams did not complete their task in three days.

Mr. Hanlon acknowledged Mr. Craigie's comments regarding whoever wrote the RFP was not that familiar with RFPs and that was why the estimate was low. However, it was Mr. Hanlon's understanding that the Council hired a consultant for \$5,000 to help them proceed with the RFP, and that person probably should have had more experience in that area.

As a member of the math writing team, Mr. Hanlon asserted he was familiar with the document. He stated he had no problem with CBE, or any of the groups that program standard evaluations. However, when they grade them state-by-state and those reports are listed in *Education Week*, one state may get an "A" for their standards, and the same state will receive a "D" from another evaluator--that is not uncommon throughout the nation.

Mr. Hanlon related that his greatest concern was that they had the goal of writing standards in three days, and "zero work" was accomplished the first day because they were "facilitated" all day long. Because the first day was wasted, not much was accomplished the second or third day. The math team broke into five

different groups, with each group preparing standards for the second, third, fifth, eighth, and twelfth grades, as directed. After three days, the groups did not have a chance to review a complete document, and that caused some difficulties. Next, CBE set a second meeting in March 1998, without any consultation of the math writing team members. Consequently, many of the members did not make the second meeting. At the end of the second meeting, the math writing team members were sent a copy of the group's work, with directions to make comments and suggestions on those drafts and return them to CBE by April 1, 1998. Mr. Hanlon said upon receipt of that document he called three other members of the writing team from southern Nevada and they decided they were not happy with the document as written. Thereafter, they spent one full day rewriting the standards prepared by the group. That product was then sent to CBE as requested. That document, which the three writing team members worked on in southern Nevada and returned to CBE under the premise of suggestions and comments, ended up being the product of the full group's work. He said that caused some problem with some of the other math writing team members, because they felt new standards were created without their knowledge and understanding. The three of them have been termed "rogues from the south."

Mr. Hanlon stated he was not overly-impressed with CBE, because they went into the writing team process with the knowledge that they were working within a time frame of three days, and were immediately informed that could not be done.

Mr. Hanlon also related he wished to comment on the term "fairness" as there has been mention of the English Language Arts standards that were prepared by the Department of Education at a cost of approximately \$700,000 to \$800,000 which were never acceptable to the State Board of Education. Frankly, as a member of the Board, he did not believe those standards were acceptable because they left out phonics, grammar, punctuation, and spelling. Previously, in 1991, when math standards were prepared by the Department of Education, they deleted the math facts and those were returned to the standard course of study approximately two years ago. The State Board of Education argued to get those standards improved. The comments that are being mentioned now about those efforts is that \$700,000 was spent and no product resulted. He clarified that a product was received, and it was more expensive and took longer to obtain. Now, the discussion surrounds the original \$130,000 paid to the Consultants for the Council, with the additional request of \$84,000.00. The insinuation is that the first group spent \$800,000 and a comparison is being made between the two efforts and the cost of those efforts.

Mr. Hanlon recalled that two years ago the Legislature passed an unfunded mandate designed so school districts would not have to pay for items not identified in the revenue stream. He said that with the enactment of Senate Bill 482, and the implementation of the Standards Council and writing teams, the costs of the writing team members has been passed on to the school districts. Mr. Hanlon surmised that the writing team members from Washoe County and Clark County were being paid by the districts. So, that amount of money is not factored into the equation of CBE's costs. Therefore, a true representation of the total sum expended for these current efforts of writing academic standards is not fully represented. He concluded that some may call that "new math," but he understood it to be "an abuse of statistics."

Nationwide, Mr. Hanlon asserted, consultants are being hired. His feeling is if a consultant is hired to do a job, that job ought to be done.

Assemblywoman deBraga asked Mr. Hanlon if the fact that the goals have been accomplished justify the method used to get there. She commended him for the contributions made by the math writing team "subcommittee," and acknowledged that there was a consensus to use the additional expertise of CBE. She asked if the chapter could be closed now and progression continue, and then error on the side of caution to make sure the end result is the desired result. Mr. Hanlon responded that he does not want CBE or anyone cheated out of any funds due them; however, he is concerned that RFPs not be supplemented with "change orders" because that results in low bids raised to high bids.

Mr. Hanlon stated he contacted members of the Academic Standards Council to see what their response was regarding how CBE presented to the writing teams. He reiterated that he was greatly bothered to begin a meeting with the expectation that the task would be completed in three days, to be told in the first 15 minutes of the first day that would not be done. In response to Mrs. deBraga's remarks, he has no problem with moving on now.

Mr. Hanlon commented that the math standards are much like the standards developed by the State Department of Education. His understanding is that approximately 95 percent of the science standards are the same as the previous science standards developed by the State Department of Education. With regard to the math standards, he believes statements were made stronger and language was changed and better linked together.

Senator Raggio commented that there was no issue with Mr. Hanlon's dedication, and he appreciated his comments and involvement over this period of time. Acknowledging that Mr. Hanlon had every right to raise these issues, Senator Raggio asked what recommendations Mr. Hanlon had to obtain the goals of Senate Bill 482 because there is a temptation to "finger-point" those who have not done what they were supposed to; this would not serve any useful purpose. Senator Raggio stressed that would not serve the students of this state, or the teaching profession. He said Mr. Hanlon had raised legitimate concerns and has done so credibly through his efforts as a writer and an educator. Although people do not always agree with him, the joint purpose is to get the job done. He said the Legislature will take the heat if someone determines that extra dollars were spent to obtain the goal, but he would like to see a good end product that will make everyone proud. He reiterated that Mr. Hanlon has brought up some good points and perhaps the issue should have been discussed earlier, but he would like to get on to the ultimate goal. He asked if there was anyone else wishing to address the issue of the additional funding request by the Council

Senator Washington commended Mr. Hanlon for his excellent work on the math standards.

Senator Raggio announced the Committee would have to recommend whether or not to approve the request for funding. He asked staff if they had reviewed the request from the Council to Establish Academic Standards. Jeanne L. Botts, Fiscal Analysis Division, replied that she had reviewed the request and sent a letter to the Department of Education to which Christopher Cross responded with additional information (Tab 10, Volume I of the Meeting Packet Exhibit C). She pointed out that of the \$330,000 available to the Committee for contractual services, approximately \$63,000 is remaining. The request by the Council is for \$84,000 so there is a shortage of approximately \$19,000 for that line item. If it is the Committee's wish to fund the request, it could be made contingent upon the Fiscal Analysis Division and the State Budget Division working with the Nevada Department of Education on how that funding could be accomplished. She added that it may be necessary for the Department of Education to appear before the IFC.

Ms. Botts continued that in terms of items relating to Phase II of the efforts by the Council to Establish Academic Standards, that would require more money because there is no more money, and that would necessitate the legislative committee to look for additional funding through IFC.

Senator Raggio asked Mary Peterson, Superintendent of Public Instruction, Nevada Department of Education, if she was amenable to working with the budget office on funding; she affirmed that she would. He asked that she also work with the staff of the Fiscal Analysis Division to provide a solution. Chairman Raggio stated he would entertain a motion to approve the request.

SENATOR REGAN MOVED TO APPROVE THE REQUEST OF THE COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS UP TO THE LIMIT IN THE BUDGET OF THE LEGISLATIVE COMMITTEE ON EDUCATION, AND TO WORK WITH THE DEPARTMENT OF EDUCATION TO FUND THE REMAINDER.

SENATOR RAWSON SECONDED THE MOTION.

Senator Raggio asked if the Committee understood the motion. Senator Washington asked if the sum was \$63,000 or whatever was in the budget. Senator Raggio stated the \$63,000 was remaining in the budget and had been approved.

Assemblyman Williams stated he would be voting for the motion, noting that Mr. Hanlon drew attention to interesting points and he would caution the Committee, prior to approving anything, to question whether the increased amount would still be the lowest bid. In addition, if the funding was approved, it would be with the hopes that the Council would not be returning with a request for yet more additional funds, and this would be the final sum needed to complete the project.

Senator Raggio commented that there did not seem to be any indication of additional funding requests from the Council at this point. However, they must rely on the Council as they enter Phase II of the goal. He did not want anything that was said or approved today to limit the Council's efforts, and he wanted them to proceed in a manner they believe necessary to accomplish the goals. If they run into difficulty, they should let the Committee know soon enough so efforts could be made to solve the problem.

Senator Raggio urged everyone who had an interest in education to put aside existing differences in an attempt to work together on these efforts. There being no further discussion on the motion, the Chairman brought the motion back for a vote.

THE MOTION CARRIED UNANIMOUSLY BY THOSE PRESENT. ASSEMBLYMEN PERKINS AND HICKEY WERE NOT PRESENT FOR THE VOTE.

Ms. Botts pointed out that the Draft Standards had been provided to the Committee members, but those standards were now available through the legislative website. Should anyone wish to access the Draft Standards, they can contact Joi Davis, Secretary to the Committee.

Senator Raggio, on behalf of the Committee, thanked all those persons who participated in the process to develop the Draft Standards, and those efforts are greatly appreciated.

Report on the performance of Nevada's pupils on the Terra Nova test administered in Grades 4, 8 and 10 in October 1997.

Mary Peterson, Superintendent of Public Instruction, Nevada Department of Education, introduced Dr. David Smith, who would present the results from the *Terra Nova* test. In providing background information, Mrs. Peterson stated that Assembly Bill 523, passed by the 1997 Legislature, made various changes regarding how test scores are reported at the state level and the local level. The results of the *Terra Nova* given to students in November 1997, are contained in the report at Tab 2 of Volume I of the Meeting Packet (Exhibit C).

Dr. David Smith, Nevada Department of Education, stated a copy of his report had been provided to the Committee. He said major changes to *Terra Nova* testing occurred, namely tenth grade was added as a testing grade, science was added at each grade level, and distribution of the results must be returned in a timely fashion. He stated that CTB, which scored the *Terra Nova* test, had an agreement with the Nevada Department of Education to get results back to the districts within 15 days of receiving all of the test scores from the districts, and that was accomplished within 14 days. Dr. Smith informed the Committee that the districts did a good job getting the information to the parents on student reports, and there have been indications from each of the Superintendents of the school districts that parents received the reports within ten working days of the district receiving the information.

Dr. Smith said there was more information in the report than the Committee had time to review; however, district results can be found in the text area on pages 13-16. Senator Raggio asked Dr. Smith to withhold further comments while the Committee took a five minute recess. The Committee recessed at 12:15 p.m. and reconvened at 12:35 p.m.

Senator Raggio apologized to Dr. Smith for the interruption during his presentation and asked him to continue with his report. Dr. Smith stated the Department was happy with the job performed by CTB. For instance, there were areas in which districts had accidentally mis-coded information on grading sheets or the information was put in the wrong place, and CTB would rerun the district again, at no charge. They accommodated for the different time frames used in year-round schools and still were able to get the information back within 14 working days. In addition, CTB expanded the reports being provided. For example, the home reports provided to parents now include not only strengths and weaknesses in major areas, but also subareas within a subject area. He reiterated that CTB is doing a good job for the Department of Education presently.

Dr. Smith informed the Committee that the district results are provided in the "text section" at pages 13-16. School results are provided on pages 48-59, and Appendix C at the back of the report. Also, as required in Assembly Bill 523, the results for students tested under special conditions is listed on pages 60-61, at Appendix D. He said to use caution in interpreting those results because they compare students who needed special conditions and were tested under special conditions, with students in the national group which did not need special conditions and were tested under normal conditions.

Turning to page 30 of his report (Tab 2, Exhibit C) the criterion that was derived for the high-achievement schools was that in reading, language, math and science, 50 percent of the students, or more, at the school fell into the top quarter in the nation, in all four areas. Dr. Smith pointed out that his report provides indications of schools which had over 50 percent of its student population regularly tested in the top quarter in any area in his report.

Directing the Committee to pages 31 through 33 of his report, Dr. Smith stated the notion of "Inadequate" schools involved over 40 percent of the student population in the lowest quarter, and a list is provided of all schools which had over 40 percent of their students in the bottom quarter in any subject area. These show tables of the schools that may be designated as "Inadequate" and also provides information on other schools that may have areas needing attention.

Senator Raggio asked for clarification between several tables in the report. Dr. Smith stated in order for a school to be designated as "Inadequate" there must be over 40 percent of the population in the lowest quarter in all four subject areas. Senator Raggio asked whether a school that was over 40 percent failing in three out of four subjects would be designated as "Inadequate." Dr. Smith replied no, not at the present time. He indicated that the Department of Education has proposed a BDR which would allow for less than all four areas to be considered. Senator Raggio agreed, stating that in fairness to the schools the designation was not designed to be punitive, and was developed to identify schools that needed special assistance. Dr. Smith stated that he provided Table 16 in his report to give the Committee an idea of areas where schools are performing well or not doing well, even if it is not in each category.

Senator Regan asked whether there were any tables contained in Dr. Smith's report that indicated how many students were tested of the total student body. Dr. Smith acknowledged that there could be a draw-back to his report in that regard; however, in viewing Appendix A (Exhibit C), you can see that Sunrise Acre School located in Clark County, the figure for fourth grade enrollment is based on the 22 students tested under regular conditions. He added that there was input from the Department of Education and the Legislative Counsel Bureau, which agreed there had to be at least ten students tested per grade level in order to be considered for analysis.

Senator Raggio asked why there was such a high number of students who did not test at Cheyene High School in Clark County--noting that there was 768 students listed as enrolled with 166 students not taking the test. Las Vegas High School has 820 enrolled with 104 not testing. Rancho High School, 145 did not test. He asked why those numbers were so high. Dr. Smith replied that he has not looked at the figures in detail, especially the numbers of those who did not test. His assumption is that those that did not test were likely absent. However, the schools would have to be audited to see if the students were absent or whether they were present and not tested. He advised the Committee that no such audit has occurred. Senator Raggio stated he would like to explore the reasons why students were not tested.

Senator Rawson commented that in reviewing the Appendix, it appears that approximately ten percent of the students were not tested. Senator Raggio countered that was true and pointed out that at Western High--625 enrolled and only 31 did not test.

Dr. Smith turned to state figures in his report on *Terra Nova* results. Figure 1 compares the results of the fourth graders for 1996-97 in percentile ranks. National percentiles above 50 indicate performance above the national comparison group. He noted that in language, our students are higher than the comparison group for math Nevada students are right on, and in reading and science Nevada students are somewhat under in terms of percentile ranks. He reminded the Committee that percentile ranks need to be carefully reviewed because the closer to the mean, not much difference is needed to change the score.

Turning to Figure 2, Dr. Smith noted for the eighth graders the scores are lower than desired, but fairly average. In Figure 3, Nevada's tenth graders begin to show a bit of a climb over the national average. He stated that often in the lower grades, Nevada students score average, but in the higher grades, performance improved in several subject areas.

Dr. Smith stated his report also contains demographics throughout the grades, but he would only discuss one grade during his presentation. Senator Rawson asked if the reason test results appear to improve by the tenth grade is because of the high dropout rate; so, eliminating the dropouts makes the results look better. He asked if this was a factor. Dr. Smith agreed that could be a factor; however, on the other hand, looking at the number of special education students in the elementary school, they appear to decrease in the upper levels. Also, looking at the characteristics of students who drop out of school, there is a proportion of those students who are likely to be in the English as a Second Language (ESL) category. He concurred, however, that the dropout rates in Nevada are high and could play a role in the tenth grade scores.

Dr. Smith directed the Committee to Figure 4 of his report and stated that a breakdown was compiled for socioeconomic status (SES), which accounts for many of the differences between students, and is a characteristic of the schools and the differences of their performances in the area of reading. He pointed out Figure 5 covered language, Figure 6 for mathematics and Figure 7 for science. Figures 9, 10, and 11 depict gender differences. In the fourth grade, females tend to score higher than males in language and the males tend to score higher than females in science.

Senator Washington, returning to Figures 5, 6 and 7, asked if the low scores had anything to do with the fact that some teachers are less qualified than teachers in other schools. Dr. Smith replied that he was not qualified to answer that question. He said generally, when dealing with norm-referenced tests (NRTs), characteristics of teachers such as degrees held, and length of teaching, do not reflect any differences between the schools in terms of *Terra Nova* testing. Senator Washington recalled Kati Haycock's presentation before the Committee previously that indicated the expectations and standards of students and teachers teaching in low poverty level schools were generally low, but when those standards were raised, the *Terra Nova* test scores increased. Dr. Smith said the test results reported in the *Terra Nova* exam have important ramifications to schools, teachers and students, and it will be interesting to see how that impact affects teachers in the future.

Dr. Smith continued to Figure 11 of his handout, and stated that at the tenth grade level, females tend to outperform males in reading and language, and the males tend to outperform the females in math and science. Some of the differences seen in math are not as high as in the past, as a change has been seen in math/science indicator reports in the state in increases of females taking higher order math and science classes.

Directing the Committee to Figure 12, Dr. Smith stated this figure deals with racial groups in reading. Generally speaking, in all three grade areas, white and Asian Pacific Islander students tend to have higher scores, and that is true for the language arts, math and science results as well.

Senator Washington asked whether there was any indication why the drop off in the numbers of African/American students taking the test was so dramatic. Dr. Smith speculated that would have to do with dropout and non-attendance during the test. However, since he did not have the population characteristics of some of the schools referenced, he was reluctant to comment. Senator Raggio noted that he had asked a similar question earlier and asked Dr. Brian Cram, Superintendent, Clark County School District, to address the question.

Dr. Cram stated that approximately 60 percent of the population of the schools discussed by the Committee in Appendix A were minority. As to the number of students who did not take the test, usually that is because the attendance rates tend to be lower in schools where there are lower income students. He said the relevant factor is not race, but rather income level. He said the best predictor of attendance, dropout rate, and achievement overall was that there is a strong association between income level and performance. Senator Washington stated if that was true, then what is the attendance rate of the students actually attending schools daily and is that reflected in the figures reported? Dr. Cram replied that students' attendance rate does play a role in student achievement but overall, the highest performing schools tend to be the highest income schools. That does not mean that students from low-income homes cannot be high achievers.

Senator Raggio acknowledged that the results displayed in Dr. Smith's report represent the second year of scores since Nevada chose *Terra Nova*, and asked if Dr. Smith had an opportunity to compare the first year of testing to the second year of testing. Dr. Smith replied that on a statewide basis he was able to make that comparison, and that the analysis is represented in his report; however, that information is not available for school-by-school. He noted that he did not have an opportunity to look at the test scores for the schools that have been designated as "Inadequate." He was able to look at the percentage of students those schools had in the lower quarter for the 1997 school year, against the percentage of students those schools had in the lower quartile for the previous year, and those results vary.

Senator Raggio asked if they had the capability to compare the current *Terra Nova* results with results from the previous year, and to the previous test performed by CTB. Dr. Smith replied that could be done and the results could be reported in each area for each school, and last year's results for each one of the areas, for each of the inadequate schools. He stated that generally a database is created which includes all source of information, including testing results, and is reported by the district-wide accountability reports. An analysis could be derived from the database to see what is going on school-by-school.

Senator Rawson inquired into Figure 16, the differences in the national percentile. He noted that chart shows the effect of those students tested in the fourth grade if they had no class-size reduction, in second grade only, or only in grades 1 and 2. In the English language arts category, there is a change from 50 percent to 56 percent which seems to be a significant increase. He asked whether that was a figure that posed interest.

Dr. Smith replied that his perspective is that the increase in that area was reviewed by the Department of Education, and not much difference is shown in students with second grade only class-size reduction, and those students with grades 1 and 2 class-size reduction, but there is a significant difference with students with no class-size reduction. He stressed that it is difficult to differentiate between the effects of class-size

reduction and the effects of transiency rate. Dr. Smith pointed out that the chart depicted in Figure 17 shows transiency rates within the district: Students New to the District, Students in the District for Two Years, Students in the District for Four Years, and the similarities can be found there as well.

Turning to Figure 18, Dr. Smith pointed out that the results reported for eighth graders, which is outside the realm of class-size reduction, shows the impact of transiency rate on achievement.

Report on the High School Proficiency Examination

Mrs. Peterson stated Dr. Klein was unable to attend the meeting, so Dr. Stanley Rabinowitz, who has been working closely with the Nevada Department of Education on the high school proficiency examination, would be presenting the report. Senator Raggio noted there had been significant reporting in the media on the high school proficiency examination and wanted to hear highlights in that regard. Mrs. Peterson continued by informing the Committee that Assembly Bill 523 passed by the 1997 Legislature required that the new high school proficiency exam be administered for the first time in the 1997-98 school year. The exam was administered to high school juniors in April, 1998. That bill also required that a moderate passing score be established the first year, and in subsequent years that passing score will be raised. Mrs. Peterson stated the presentation would explore the high school proficiency examination, and the results of the exam administered to high school juniors in April 1998. She informed the Committee that the High School Proficiency Examination (HSPE) was built on the course of study adopted in the late 1980's for English Language Arts, and in 1992 for Math.

Dr. Stanley Rabinowitz, Director of Assessment and Standards Program, WestEd, informed the Committee that he has been working with the Department of Education as a technical advisor on the High School Proficiency Exam (HSPE). He stated that when he last appeared before the Committee in January 1998, many concerns were raised about the High School Proficiency Examination. Since then, steps have been taken to address those concerns. Dr. Rabinowitz began by describing the HSPE review process. He said this process is consistent with, and almost identical to, the process Dr. Teryek described earlier regarding the *Praxis Series*. In developing and validating the HSPE, the Department of Education has followed the these steps:

1. Content Review of all Test Items: This has been done to make sure that each item is consistent with the course of study mentioned by Mrs. Peterson.
2. Technical Advisory Committee: This committee has met, and members of the Legislative Counsel Bureau were invited to participate in that meeting. He indicated that the meeting was helpful and changes to the test were made following the meeting.
3. Substitution of Test Items (Form B/Form A): Dr. Rabinowitz stated the original test form included items that would not count on the test. These items were designed to stretch the curriculum. However, for a high school graduation exam, the technical advisory committee decided it was not appropriate to include such items on the test so those items were substituted-14 items in mathematics and 13 items in reading. By eliminating these test items, there was a larger number of items to chose from and the best technical items could be included to count.
4. Development of Item Review/Selection Criteria: The committee had concerns about selecting items that would raise the test results; therefore, the items were selected to count, a set of criteria that would be used to select those items was established so the rules would be made clear.
5. Bias Review Committee: This committee met and included members of the State Board of Education, as well as staff from the Legislative Counsel Bureau, and educators. This committee read every item on the test to ensure that no items would be biased either based on gender or

minority.

6. Standard Setting Committee: This committee made a recommendation for setting the standard on the test. This committee had a diverse membership and included legislative staff.

7. Statistical Review of all Test Items: The test was administered for a statistical review of the test items. This involved reviewing the difficulty level of test items and to check if bias was present. Basically, two forms of bias review were performed: One for committee review and one for statistical review, to ensure that all test items were fair.

8. Final Review and Selection of Test Items: The process of selecting the items that would count on the test was performed--58 of which counted for math, and 51 for reading. Biased items and items that were considered inappropriate for the test were removed

Dr. Rabinowitz stated he was pleased to report that the reliability of the tests are .92 for math and .89 for reading, which are exceptional for a test of this nature. He said the reason math is higher than reading is because there are more items on the math test; a longer test is always more reliable than a shorter test.

Dr. Rabinowitz discussed the Standard-Setting Principles:

1. **Technically Sound** - The standard must be technically sound in order to stand up to the rigors of the profession.

2. **Inclusive** - The standard must be set inclusively, so as to include educators, citizens, and people from the business community.

3. **Independent** - The recommended passing scores were set independent of any knowledge of how many students would pass the test. Dr. Rabinowitz stated that when he made the recommendation after reviewing the results of the standards setting committee, it was made independent of knowing what the test results looked like at that point. The recommendation made to the State Board of Education was independent of how many students would pass or not pass the test.

4. **Legally Defensible and Fair** - The standard needed to be legally defensible and fair. So, if a student did not pass the test, the Department of Education could statistically stand behind that decision.

5. **Moderate** - Based on legislation, they were required to set a moderate passing score.

Dr. Rabinowitz commented that based on the standards-setting committee, the recommended moderate passing score was 70 percent for reading and 61 percent for mathematics. These numbers are actual percent correct, not a scale score where 70 really means 50.

Senator Raggio opined that most people would not consider 61 percent to be moderate. He asked why that was a moderate score and why it was acceptable as a passing score. Senator Raggio asserted that if the issue was not discussed, it may continue to remain a misunderstanding to many people, and most people would envision that a passing score of 61 percent equates to a "D" or an "F" according to the letter grading system.

Dr. Rabinowitz said that was a fair question and explained that a passing score on any test is a function of the content on that test and the difficulty of that content. In other words, the test could be manipulated to make the test easier, resulting in a higher passing score, or the test could be made harder resulting in a lower passing score. The expert committees during the review process, reviewed the test content and

determined that a 61 and 70 percent represented equivalent level of mastery based on the specific content of those tests reviewed. Dr. Rabinowitz went on to state that 70 and 61 passing scores represent as best as the committees could judge, identical levels of mastery, based at the moderate level. It is not that the old notion that 61 percent is a "D" is an incorrect assumption; rather, that in tests where the content, to some extent, is arbitrary, the passing score has to be set specifically connected to that content.

Senator Raggio inquired that if the Legislature had not mandated a moderate level for the first year, what would the passing score be? Dr. Rabinowitz replied that the expert committees were not put through that exercise. Senator Raggio said it would seem that should have been done before applying the moderation to reach 61 percent or 70 percent. Dr. Rabinowitz concurred and explained that the committees that were brought together based their decisions on where students presently are in terms of how long they have had to prepare for the test. He said his understanding of the legislative intent in setting a moderate level of passing was to insure that students were sufficiently prepared for the test, as far as how long districts had to implement the course of study and train their teachers to get students ready. That is why the process could only look at the moderate level because the students at the higher level, which would encompass the final, more appropriate and desirable passing score, provide no basis for comparison because the process used can only compare with the current population.

Mrs. Peterson added that there was considerable discussion on the issue of the passing score by the State Board of Education. When the recommendation was made by the expert review committee, through Dr. Rabinowitz, the Board was concerned that the score for math should be higher. The Board finally agreed with the recommendation of the expert committee, with the expectation that they must raise the passing score in future years. The decision was made in light of the knowledge that next year it will be raised.

Senator Regan commented that the Committee has repeatedly heard that "you can't teach what you do not know" and "you can't test that which has not been taught." He noted that if there is a subject matter that has not been taught and testing on that subject is occurring, then it appears that the "D" level of 61 is accurate. He acknowledged that he understood Dr. Rabinowitz's explanation regarding making a test harder, but regardless of the subject, if it has been taught and testing represents that, how can the test be made harder? "If you're not teaching it, how can you test for it?" and "If you're testing for it, and we've not taught it, shame on us." Dr. Rabinowitz stated that was the point behind the moderate passing level. There is insufficient evidence that the course of study has been fully implemented in every high school in the state, or that teachers are fully capable of teaching all the content of the course of study. If such evidence was available, then it would have been more appropriate to set the ultimate desired passing score. Absent that evidence, however, the moderate passing score is an appropriate step.

Senator Regan opined that either the course of study has not been taught, or those teaching it are not competent to teach it. He asked if those two criteria are being changed. Mrs. Peterson answered that the course of study has been in place since 1988 for English language arts and since 1992 for mathematics. By law, there is a requirement that school districts follow that course of study, and she is confident that schools in the state are following that course of study. In addition, the Department is knowledgeable about the fact that as the standards are raised, they will have to work hard to make sure teachers know what the standards are and have the skills to teach to the higher standards.

Senator Regan asked whether teachers were teaching to the standard or teaching to the course. He questioned if the "bar" is being lowered across the standards, or if it has been lowered across the subject matter. Mrs. Peterson responded that implementing the new standards will "raise the bar" and to teach to the standards, not to the course. She wants teachers to know the standards and can use effective methods that will enable students to achieve the higher standards.

Senator Washington said based on media reports on the HSPE, there was a certain percentage of students who did not even meet the standard set or pass the test. Therefore, if 61 and 70 percent is the moderate

level and those students are already below that, then the content knowledge is not present and the level of the standard should be set and teaching should be in conjunction with the standards. He asked why the level could not be set high now and then work toward that level.

Bill Hanlon, member of the State Board of Education, interjected that when the recommendations were made regarding the passing score to the Board, he did vote for it. He clarified that the HSPE is much more difficult than the previous test. He opined that the old test measured at best eighth grade math skills, and the toughest problem on that test was "how much would you pay for \$80 dress at 20 percent off." The new HSPE is significantly different. Personally, he believes it is a good representation of what high school exit standards should be. He informed the Committee that it was the Board's decision to set the score at 61 percent in math this year, and within two years increase the score to at least 70 percent. Continuing, Mr. Hanlon said the test questions are more difficult with the old passing score in math at 57 percent and the new passing score at 61 percent. He said one of the reasons he did not want the passing score set any higher, was that some of the students did not have the opportunity to learn the standards referenced. His personal belief was that the Legislature made two consecutive resolutions to support academic occupational credit, and the State Board did implement those courses and so students who were gaining math credit by taking a woodworking class, he believes, were not receiving instruction in probability, statistics and geometry. Therefore, it was difficult for him, personally, to set the score at 70 percent this year, when many of those students were not exposed to the subject.

Mr. Hanlon said he had a concern with having a fail rate of 40 percent. In addition, reviewing the breakdown on who failed the test, it was even more astonishing. He continued that the concept behind a high school proficiency test was not to see how many students could fail, but to see how many students could attain that level. The State Board wanted to make sure those students had the opportunity to reach the desired level. It was clear from the Board that setting the passing score at 61 percent this year, within two years in the area of math, the score would be at 70 percent. He concluded it was a fairness issue because it is not right to test students on subjects they have not had. It is his personal belief that students who had the academic occupational classes did not receive that information.

Senator Raggio said perhaps it would have been valuable to take a sample of eleventh grade students and test them on the old exam and the new exam, and compare pass/fail rates between the two. Mr. Hanlon said the old test, although it was supposed to be a criterion-referenced test, was actually normed, and 84 percent passed. The new test is a criterion-referenced test and is not being normed by who passes or fails.

Dr. Rabinowitz asserted there has been some comparison made between the two tests based on last year's results from students who took the old test last year versus the new test this year. He noted an approximate 30 percent increase in the failure rate in reading and an 85.5 percent increase in the failure rate of mathematics. So, as Mr. Hanlon related, the new test is much more difficult than the old exam, especially in mathematics. Therefore, the moderate level of 61 percent still raises the standard significantly.

In response to Senator Raggio's inquiry, Dr. Rabinowitz confirmed that students who fail the HSPE will have five more opportunities to pass the test. Mr. Hanlon clarified that in the past there were four chances to pass the **same** test, while now students will have four chances to pass a **similar** test.

Dr. Rabinowitz acknowledged that the results of the HSPE have been reported, and even with a moderate passing score, the percentage of students who have yet to pass the reading test is 21.3, and roughly one-third of the students, statewide, failed the math test. Combined, 40 percent failed reading and/or math.

Regarding gender breakdown data, Dr. Rabinowitz said consistent with most national and state tests, females perform better in reading, and males perform better in math. However, females are catching up faster in math than males are catching up in reading. That occurrence could be due to the reading component present on the math test. Items are almost entirely word problems rather than strictly

computation, and that tends to bring the girls' scores closer to the boys' scores.

Dr. Rabinowitz pointed out that the pass/fail rate was consistent with a number of states for the first time on a new graduation test. In some states, Arkansas, for example, had a pass/fail rate of over 50 percent when the test was first implemented. In New Jersey, they had a 40 percent failure rate its first time. Senator Raggio concurred that it would seem true that the first time a test was implemented, a lower pass rate would result.

Turning to ethnic breakdown data, Dr. Rabinowitz expressed concern that there are significant differences across ethnic groups, particularly African/Americans and Hispanics, both of which did not perform as well on the test. He said the first thing he looked at when he looked at the numbers was that even though the committees performed bias reviews prior to the exam, he was still concerned the test may be biased. Because of this, he compared the state's results with the national test, *Terra Nova*, and found an identical pattern between grade 10 *Terra Nova* and the HSPE. He said the problem was not bias, but rather was performance. Dr. Rabinowitz stressed that the reasons for low performance in these groups must be reviewed and addressed quickly and decisively.

Assemblyman Williams recalled Dr. Rabinowitz's explanation for the bias, and asked for more specific information on how the bias review process was conducted. Dr. Rabinowitz replied that he would provide a brief explanation now, and if Mr. Williams wanted additional information, he would be happy to supply it. He explained there were two formal procedures used to test the HSPE for bias. The first procedure involved the convening of experts on bias. This group was trained and was asked to read each test item and identify any possible bias. Based on those observations, items were removed from the test. No item that the bias review committee identified as biased, counts on the test. He clarified that the items it question did appear on the test because the test had already gone to print, but those items did not **count** on the test.

Secondly, a formal statistical analysis of each item was performed. He explained that a statistical analysis suggests possible bias. With those two procedures having been performed, he felt confident that the test was not biased. However, with differential performance being noted, he took a third step by comparing the results of the HSPE with the *Terra Nova* results, which is thoroughly reviewed even more than the HSPE, and the consistency of the results indicate to him that it is a performance problem, not a bias problem.

Assemblyman Williams asked for a profile of a bias expert. Dr. Rabinowitz answered that the bias expert committee included all ethnic groups: Women, ethnic minorities, special education, compensatory education, and different constituencies. These people received a thorough two hour training on the education of bias.

Senator Raggio asked for an example of a biased math question. Dr. Rabinowitz said originally questions involving sports were considered bias. However, progress has been made and now sports questions are no longer considered bias. A bias math item now would be if the word problem discusses subjects that are not in the experience of certain populations. For example: "Mary and her family are planning a cruise around the world. How much do you tip the person who carries your luggage?"

Senator Washington acknowledged that the low test results in minority groups are a result of performance, not bias. He expressed his concern in that regard surrounds teachers and teacher training, to make sure those particular students have the best teaching possible to assist them in performing at a higher level. It seems the tendency is that the students of a lower, socioeconomic school have the least qualified teachers, and those schools tend to be less supplied with tools and resources to enhance student performance. He said that most parents, regardless of their income level, want their children to have a better education than they did. In fact, Blacks made great strides between 1930 and 1960, because there was a push to provide adequate teachers and supplies, which increased the performance level in this ethnic group. He concluded that to insure that performance will be reached, another portion of the factor needs to be equated.

Mr. Hanlon agreed with Senator Washington and recalled the presentation of Kati Haycock before the

Legislative Committee on Education in January 1998, and he believes there is a significant difference in terms of the quality of teachers at different schools. He stated that teacher licensure has been a major concern for many years. There is no greater factor, other than the parent, than the classroom teacher. He said it was likely that math teachers at an affluent high school have doctorates, masters and bachelorette degrees. Whereas, it would be difficult to locate a math teacher at a lower income high school with a bachelorette degree. Teacher licensure standards have an impact on student performance.

Mr. Hanlon said there are school districts in the state that entice teachers to teach at lower economic schools. For example, the at-risk schools in Clark County School District have first choice of hiring. He acknowledged that effort helped in obtaining teachers, but often resulted in less-experienced teachers and zero resources. Mr. Hanlon informed the committee that the State Board of Education is suggesting a BDR to provide an incentive to teachers who have the knowledge, skills, resources, and experience to teach in at-risk schools and stay for five to seven years; this would provide the stability and consistency needed to achieve high student performance.

Mrs. Peterson added that the discussion highlights the importance of standards that will be implemented. The point of having standards is so that students in every school, no matter what part of town, are expected to reach the same high level of standards. That is why it is so important to accomplish the work of setting realistic, high standards for all students. She also pointed out that the Legislature provided funds for remediation for the schools designated as "inadequate" based on test results. She said those funds will allow the Department of Education to provide additional programs and instruction in a different way to the students having trouble reaching a high level of achievement. Mrs. Peterson pointed out that the Legislature has begun the process with standards-setting and remediation funds for those students who need extra resources. The Department of Education will be returning to the Legislature to ask for an expansion of this process as it is an essential component to raising the bar.

Senator Raggio announced that the Committee would need to vacate the room at 3:15 p.m., and therefore he would like to move on to the next item.

Mrs. Peterson acknowledged that the Committee had asked for a report on the writing assessment; Jeanne Ohl, Education Consultant for Writing Assessment, Nevada Department of Education would present that data. Ms. Botts interjected that pages from the Statewide Assessment were missing from the Meeting Packet. A complete copy was presented to the Committee for their use during Ms. Ohl's presentation.

Ms. Ohl said with all the discussion on the HSPE results, the Department of Education wanted to address the recent changes with the writing assessment and report on the results of that exam. She explained the process for how a high school writing assessment is scored.

Ms. Ohl stated that Ms. Botts asked her to compare the writing assessment this year to last year. However, no statewide writing report was produced last year. She said a passing score for the high school writing exam is seven, on a scale of one to twelve. She said the vast majority of 11th graders passed the test and most of the scores are above seven. The most frequent score earned is an eight, and the number of students in the 8.5 to 10 range has increased this year.

Turning to page six of her report, Mrs. Ohl explained the comparison between 1996 and 1997, whereby 14,316 students took the exam in 1996 and 15,617 took the exam in 1997. The number passing also increased. The average score for all students in the state was 8.2 which is exactly the same as last year. In 1996, 86.8 percent of 11th graders passed the test on the first try, and this year that went down slightly with 86.2 percent passing on the first try. However, the passing score, interestingly, in 1996 was 6.5 and in 1997 it was raised to 7 because teachers believed there was an improvement in writing performance.

Mrs. Ohl pointed out that her report also contained data for the fourth grade and eighth grade writing

assessments as well, and asked if the Committee wanted her to report on that. Senator Raggio asked that she provide a brief summary of those results. Mrs. Ohl reported that fourth grade and eighth grade writing assessments are scored differently than high school; they are scored by using four traits:

- 1) **Ideas.** This involves the content. What is the main message the student is trying to deliver?
- 2) **Organization.** How well is the piece of writing put together? What is the structure of the writing? Does it have a strong beginning and a good conclusion?
- 3) **Voice.** What is the presence of the writer on the page? How well does the reader connect with the writer?
- 4) **Conventions.** How accurate is the writing? Is the student able to demonstrate that he knows the rules and the mechanical process that shows he is competent in writing?

Mrs. Ohl said in comparing the previous year with this year testing for eighth grade, the test was given in October 1996, and this year it was moved ahead to the end of September 1997. The school districts felt there was a lot of testing already taking place in October and did not want certain grade levels overwhelmed with too much testing in one month. Therefore, the eighth grade writing assessments were moved forward approximately three weeks. She informed the Committee there was a slight decrease in scores and expected that to level out again by next year. Mrs. Ohl said it was her best guess that the reason for the slight decrease in scores was because the students were tested earlier in the school year, less than four weeks after school started so their review time was limited.

Ms. Botts asked when comparing the eighth grade *Terra Nova* test results in the English language arts section to the writing exam, was there anything significant which would lead to any conclusions regarding the test being administered in October? Mrs. Ohl responded that she did not compare the writing assessment to *Terra Nova* because they are two very different types of tests. Mrs. Ohl said another factor in the decrease in scores could have been the topics utilized.

Lastly, Mrs. Ohl shared results from the fourth grade pilot test. Senate Bill 482 mandates a fourth grade writing assessment to be given statewide for the first time in the coming school year. This year, a test was developed and in March 1998, and was piloted in 40 classrooms around the state. Using the same four traits outlined in the eighth grade exam, the percent of students who received adequate scores was similar to the eighth graders. She informed the Committee that test will be implemented statewide next year, and the Department of Education has planned for a November administration. However, there has been some discussion, from Clark County especially, that they might prefer to have the writing assessment administered in the spring.

Senator Raggio thanked Mrs. Ohl for her presentation and noted the Committee could review her report in more detail at a later date.

Update on Testing Issues - Report from the Testing Advisory Committee, and Summary of Findings concerning Professional Development of Teachers.

Jeanne Botts, Legislative Counsel Bureau, recalled that at the last meeting, the Committee appointed a Testing Advisory Committee (TAC) to provide information and advice to staff to assist the Committee with testing issues. She reported that the first meeting of the TAC was held on May 18, 1998 and another meeting is planned for June 8, 1998. She explained that the TAC will take an in-depth look at the types of tests used to see whether or not standards have been attained in criterion-referenced tests. The TAC also plans to look into issues surrounding test security, and analysis of test data. School districts have asked that details be

outlined regarding a test development cycle which would provide adequate time for planning and implementation of tests, as well as analysis of data and evaluation of the program.

Ms. Botts noted that other concerns discussed by the TAC surrounded the legal defensibility issue, the idea of minimum and mastery level scores, and concerns on how to develop adequate cost estimates and implementation time lines. In addition, the TAC discussed the use of the money contained in Senate Bill 482 for implementation of new tests and the time line scheduled in the bill for those tests.

Ms. Botts informed the Committee that after the TAC meeting on May 18, 1998, the Education Commission of the States (ECS) provided a workshop on testing, and there is a report forthcoming from ECS on that workshop. Ms. Botts stated that workshop was also beneficial to staff.

Turning to the professional development of teachers, Ms. Botts stated a Final Report on the workshops held on Teaching to Higher Standards was provided and contains the final report of the four regional workshops that staff conducted. In response to Senator Raggio's inquiry, Ms. Botts replied that the regional workshops were well attended and a mix of persons were represented. Also, she was provided much assistance from personnel of school districts and the universities in facilitating the workshops and providing the lists of persons to invite to the workshops.

Ms. Botts pointed out that in the front of her report is a summary of the findings. The Committee will be meeting next time to discuss BDRs, and many of those ideas came as a results of the regional workshops. Senator Raggio thanked Assemblywoman deBraga, Assemblyman Hickey, Senator Regan, and Senator Washington for their participation in the workshops. Senator Raggio asked that Ms. Botts' summary, contained in the final report, be made a part of the minutes (Exhibit H).

Dr. Brian Cram, Superintendent, Clark County School District, acknowledged the time restraints of the Committee, but wanted to inform the members of a "gigantic and astronomical problem" for the Clark County School District. He remarked that as presently constructed, Clark County School District, in just a few years, will suffer from empty classrooms because there is an inadequate number of teachers. The teacher pool is drying up nationwide, and the student population base is increasing. He advised the Committee that the Clark County School District hired 1,700 new teachers this year and will have a similar pattern over the next five years. They will not be able to meet the needs of the students based on the number of units he has reviewed in the Colleges of Education in Nevada. Secondly, as "clients" of the product, school districts should have more of a say in teacher requirements structured through the Colleges of Education.

Dr. Cram commented that most everyone was aware that his current "campaign" is his dissatisfaction with the level of preparation in the area of phonics, not just in Nevada, but across the nation. He suggested two things: First, could the Legislature pay attention to the fact that more teachers will need to be produced in the state, and the profession needs to be advertised and sold similar to other occupations in colleges? Secondly, the quality of teachers being produced needs to be changed in light of the higher standards the state will be implementing.

Senator Raggio indicated that Dr. Cram's concerns were topics of discussion at previous meetings of the Committee, with representatives of the Colleges of Education. He advised that there is a Committee in progress working on that subject as far as the state Colleges of Education, but that does not respond to the fact that the majority of teachers in Nevada do not come from our state Colleges of Education. He asked Dr. Cram what percentage of teachers hired in the Clark County School District were trained out-of-state. Dr. Cram replied approximately 300-400 are from Nevada, and the remainder are from out-of-state. He said that pattern did not have to continue if they "sell" the programs and allocate the units, then perhaps teacher education classes would increase. He said the question is: "Are more units being allocated at the College of Education so they can increase the teacher education classes? If there are no units in the pipeline, then we're just talking." Dr. Cram opined that if the same effort is shown to advertising openings in the Colleges of

Education as is seen in other professional colleges, then more applicants would be received.

Senator Raggio announced that the Committee was mindful of the need to expand the number of people going through the Colleges of Education. He acknowledged that work needed to be conducted with the Board of Regents on that issue and it should be a high priority.

Senator Washington called attention to the fact that there seems to be a stigma in universities that if you are not successful in one discipline, you can always go to the College of Education. He asked if Dr. Cram had any suggestions on changing that attitude. Dr. Cram replied that the stigma could be changed by letting people know there are many interesting teaching jobs available, and the university and state must change their attitude as well. If the Legislature puts a high priority on well-trained teachers, then the message resounds through the system and changes can occur. Dr. Cram opined that the crux of the equation in setting higher standards is teacher training.

Senator Washington contended that he did not disagree with Dr. Cram; however, there appeared to be a mixed message. One message is that more training is needed and more teachers are needed, and more money needs to be put into advertising the teaching profession. Yet, the other message is that Nevada's teachers are some of the lowest paid teachers throughout the nation. Dr. Cram responded that in terms of statewide salary surveys, Nevada is between 11th and 20th in salary ranges, so the state is fairly competitive in regard to salary. In a number of states, such as Texas and New Mexico, they pay "bonuses" for teachers to come to their districts, which is yet another form of competition. Continuing, Dr. Cram said that the traditional Colleges of Education are now producing fewer teachers on purpose. The response is: "We don't need them in our state, so why should we produce them for Nevada?" Hence, there is a tremendous decline in the pool.

Senator Regan asked if the Clark County School District had considered paying a premium for bilingual teachers? He said that was a major problem in his district (Senatorial District No. 2). Dr. Cram replied that the district has considered giving teachers additional years of experience upon entering the district. However, it is discouraging because other states have a number of bilingual candidates for teaching positions but are recruiting the same market as Nevada, and that makes the market extremely large.

Status Report from the Commission on Educational Technology

Moises Denis, member, Commission on Educational Technology, provided the Committee with a status report (Exhibit I). He highlighted some of the activities of the Commission. On April 1, 1998, the Commission reviewed the technology plans for the second time and approved all the plans except for two, which received recommendations. One recommendation has been received and the other district is still working on their technology plan.

On April 15, 1998, Christine Huss, Nevada Department of Education staff was assigned to the Commission as per Section 62.1 of Senate Bill 482. Mr. Denis expressed appreciation for Ms. Huss' work with the Commission to date.

On April 23-24, 1998, the Commission met for a two-day retreat and that was a valuable time for all the Commission members.

On May 5-6, 1998, the Commission met to allocate the 61.1 "one-shot" funds. He informed the Committee that after hearing the presentations from all the school districts, including the libraries and the two youth centers, it was obvious that there were many needs, and the requested amounts were larger than what was available; \$46 million was requested, but only \$27 million was available. He said the Commission was able to talk to some of the districts to reduce their requests, but after the end of two days they had not reached a conclusion. Staff continued to work with the number, keeping in mind the consideration of the Commission

(need and relative wealth). Mr. Denis commended staff for their excellent job. The approved list of allocations for each school district is attached to Mr. Denis' handout ([Exhibit I](#)). The Commission believes the funds were allocated fairly, but wished they had more funds to fulfill more of the needs of the schools. He said the children of Nevada have been given a "good start" and that is what the funding was intended for--to get technology where it needs to be.

Mr. Denis said in reviewing the technology plans of the school districts, libraries, and youth centers, the Commission was able to see what was going on in the state regarding technology. The Commission has held several subcommittee meetings regarding hardware standards and software wiring.

Mr. Denis said the Commission heard from Kathleen Barfield of WestEd, the consultant for the Commission, who provided detailed progress on what is happening with the statewide plan, a draft of which should be available on or about June 15, 1998. The proposed technology plan will be discussed at the June 25, 1998, meeting of the Commission.

Mr. Denis pointed out that the budget that was provided to the Commission on Educational Technology anticipated that the Commission would meet four times per year. However, there have been eight meetings in just the past six weeks, and there have been many more since the Commission was established. Therefore, the funds available to the Commission likely will be depleted. This issue will have to be addressed in order for the Commission to complete the tasks they have been assigned. Mr. Denis commented that the Commission is comprised of diverse and dedicated members that have worked together to get the state's technology plan progressing.

Senator Raggio asked that the Chairman of the Commission work with legislative staff to provide projections on their budget shortfall. Mr. Denis stated that the next meeting of the Commission on Educational Technology will also include discussion regarding the calendar of meetings for the end of the year and budget planning projections.

In response to Senator Raggio, Mr. Denis stated the allocation sheet he presented was current. Senator Raggio announced that he has been informed by staff that the Commission was hampered somewhat by the plans submitted by the school districts, but that the Commission did a good job. He added that the Committee can take pride in the Legislature taking a meaningful step toward funding technology required for the future, and the Committee truly appreciated the Commissions' efforts.

Senator Washington mentioned that he spoke with someone employed at the Washoe County School District who is handling hardware, trouble-shooting and such matters. This individual was concerned that qualified people be hired to trouble-shoot, train teachers, and understand the software. Apparently, in the Washoe County School District, there are four technology experts for all the schools.

Mr. Denis responded that the hardware portion of the technology plan is just one-third of the equation. Other factors include training teachers to use the software and technological support. He said everything he has read indicates that money for those three factors should be allocated as one-third each. So if the Commission is spending \$27 million on computers, another \$27 million should be spent on training and another \$27 million should be spent on support. He acknowledged that type of allocating has never occurred, but it is a concern. For example, in Clark County School District, the funds they received include installing 8,500 computers. Since they do not have the staff to do that, they will be required to hire someone to perform that function. The smaller school districts can do many of the required installation with their existing personnel. However, it is a concern, in light of wanting to keep computers operating optimally.

Senator Washington reiterated that the individual he spoke with wanted to be assured that the persons placed in these positions were qualified, certified technicians, not just teachers placed in the position because they have some computer and/or technology knowledge. Mr. Denis replied that there are two types

of technicians: Technicians who work on the hardware and technicians who work with the curriculum to integrate the hardware with the software. Training is required in both areas.

Report on the Designation of Achievement Levels of Schools and Plans for Improvement.

Terry Owens, Education Consultant, Nevada Department of Education, stated that Senate Bill 482 required the designation of schools on the basis of performance levels of the *Terra Nova* test, which was administered in October, 1997. Ms. Owens announced that 23 schools in the state were designated as "Inadequate." In order to receive that designation, the schools had to have over 40 percent of their students tested at one of the grade levels (4, 8 or 10) fall below the 26th percentile in all four subject areas. Ms. Owens explained that the requirement of four subject areas was decided upon after input and consultation with the Legislative Counsel Bureau as to the intent of the legislation. However, the Department of Education is looking into expanding the designation to include two or three out of the four subject areas.

Ms. Owens said that the "High Achievement" designation was based on membership in the top quarter, above the 75th percentile, and that at least 50 percent of the students tested had to fall into that category. Two schools in the state qualified for the high achievement designation. The remainder of the schools, approximately 392, fell into the "Adequate" category. However, in reviewing the test score data, there were at least six schools that were very close to achieving the "High Achieving" designation. Therefore, the Department of Education has reviewed the possibility of adding another category to the designation of schools based on test scores and Mrs. Peterson would discuss that.

Mrs. Peterson, Superintendent of Public Instruction, Nevada Department of Education, said that Senate Bill 482 designates schools into three categories: High Achieving, Adequate, and Inadequate. When the Department of Education examined the data and designated the schools, it was noted that there were schools that came close to the "High Achieving" category. Therefore, they will be forwarding a BDR to the Governor and the Legislature to include a fourth category of "Exemplary," with the next category being "High Achieving" where more than 40 percent of the students score in the top quartile. The "Adequate" and "Inadequate" categories, as currently designed, would remain the same. Mrs. Peterson related that the school districts have provided input that indicates including a fourth category would be worthy of consideration.

Senator Raggio declared that the current threshold of scoring the percentage in all four categories is of concern to him because if three out of the four subject areas fall below, then students still have some problems and there should be a way to identify those schools and offer assistance. Mrs. Peterson concurred and added that the Department has also forwarded a BDR addressing that issue which looks at providing remediation to schools that have low performance in two out of four subjects, three out of the four subjects, and four out of the four subjects.

Senator Regan said he visited one of the schools in his district which has been designated as "Inadequate." This school is doing a superb job with after-school programs which includes both the children and the parents. That school is looking for additional dollars to maintain that after-school program because they are currently on a short grant. He asked if the remedial funding would be available to aid in after-school programs, some of which appear to be successful in bringing in the children for extended learning, but also for parental involvement. Mrs. Peterson replied that the Department will be making a recommendation that money be made available for before and after school programs, and extended school year programs. However, the BDR does not address programs for parents.

Mrs. Owens provided an overview regarding the plans for improvement currently underway with the 23 schools designated as "Inadequate." She stated plans have been received from all 23 schools. Senator Raggio asked if the 23 schools did an adequate job in the application phase of the remediation funding process. Mrs. Owens opined that the 23 schools designated as "Inadequate" could have used more direction

during the application process. According to the legislation, the Department of Education is to assist in the improvement plans in year two and three of the designation. Considering the direction these schools were provided, they did a good job. However, there are fine points she would like clarified for next year. Senator Raggio interjected that not everything had to be placed in the statute. Mrs. Owens agreed, adding that she visited 21 of the 23 schools, yet, it was difficult to work with every staff. Although other staff was able to assist with the plans, the Department of Education is still awaiting some of the plans, specifically the Part III Reports, and there is some fine-tuning that could be done to the application. She related that the focus of remedial programs chosen by all 23 schools was on reading. Programs requested include: *Reading Recovery*, *Success for All*, *Accelerated Reader*, *Computer Curriculum Corporation*, *Books and Beyond*. Also requested was *Full Option Science System (FOSS)*, and there was one request each for *Contemporary Math in Context* and *Voyager*. She said it was important that the schools understood it was better to do one program well, rather than to do several programs poorly. The schools have obtained a tight focus on their plans for improvement and appear enthusiastic about the process of implementing the plan.

Ms. Botts differentiated the two issues being discussed. One, the 23 schools submitted applications to request a portion of the \$3 million available for remedial programs. Those applications have been processed and the applications will come before the Interim Finance Committee at its June 1998, meeting. There was some evidence that some of the schools were not focusing on one specific program, and some of them were unclear that the programs they chose can only be funded if the program is on the Approved List. Secondly, the Department is discussing the accountability Plans for Improvement, Part III Reports, which are due June 15, 1998. Apparently some of the school district Part III reports have been preliminarily reviewed, particularly Clark County School District, and they appear to be a vast improvement from previous years. In 1996, Ms. Botts reminded the Committee that close to half of the school districts did not comply with the Part III Reporting requirement.

Assemblyman Williams said his assessment of the 23 schools designated as "Inadequate," reflects some similarities, such as the number of students on free lunch and economic level of parents. He asked if school districts should be provided front end assistance. Mrs. Peterson said that was exactly what Senate Bill 482 did, and school districts are looking carefully at the needs of the schools, rather than strictly relying on the funding by the Legislature. Mr. Williams opined that legislation is not required to tell the state what is needed in the schools designated as "Inadequate." Further, it was no surprise to see the 23 schools listed as "Inadequate." Mrs. Peterson said the school districts probably knew which schools would be designated as "Inadequate" even in advance of the reporting. However, Senate Bill 482 recognizes the needs of the schools to bring additional resources to them to instruct the students who are low-performing. Continuing, Mrs. Peterson said the link between the designation and the funding for remediation programs is a critical link that will show improvement over time.

Assemblyman Williams reiterated the discussion of the Committee regarding providing financial incentives for teachers to teach at certain schools. However, in going through a "teacher transfer period" those teachers are quickly leaving to take jobs at other schools, so incentives must be higher than \$1,000 to \$2,000 in order to secure teachers positions in at-risk schools. Mrs. Owens responded that she has talked to many teachers and she does not believe it is a matter of money or difficulty of the job because many teachers have accepted jobs in at-risk schools in the first place. She has, however, heard much frustration about the "label" of "Inadequate." As a professional, the label "Inadequate" is a difficult aspect for many teachers. The teachers are trying the best they can and they do not want to be labeled as "Inadequate" because they have pride in their profession. Research has revealed that socio-economic status has the greatest impact on student achievement. Given that information, we can decide what to do in these schools as these students have greater needs than students in other schools. The programs that the Legislature is funding through remediation build on the idea that students are from low-income families and the programs are designed with that in mind.

Mrs. Owens said teacher experience has not been a significant factor in student achievement. The best the state can do for these children is to focus attention and resources on them. Lastly, Mrs. Owens commented that there is a district component in the applications for remedial funding. The schools were asked to detail and describe what the district will do to support their school.

Elaine Lancaster, First Grade Teacher on leave of absence, serving as President of the Nevada State Education Association (NSEA), testified that the association is concerned with having teacher absences as part of the formula for determining the overall performance of schools. NSEA strongly agrees that teacher attendance is important and contact with students is critical. However, teachers do get sick, suffer the loss of a loved one, require time for professional development, or need personal time away from the job.

Ms. Lancaster informed the committee that negotiated leave for teachers is accounted for in each school district contract. She provided a chart (Exhibit J) showing the amount of leave time provided in each district contract. NSEA believes the majority of teachers will go to work sick rather than stay home, and some teachers never request personal leave. However, when teachers avail themselves of leave time, NSEA does not believe that should be held against them or their school. Ms. Lancaster stated the issue was not addressed during testimony on Senate Bill 482 because they did not believe teacher absences would be a factor in labeling schools as "Inadequate."

Continuing her testimony, Ms. Lancaster related that teacher attendance rates are high; however, NSEA could not have anticipated the "backlash" from administrators against teachers that request leave. For example, last fall, a district superintendent told teachers there would be no more approved leave for professional development. In October, 1997, a building principal in Clark County, responding to Senate Bill 482, informed his faculty that "they better not get sick." In November, 1997, a member called NSEA, and expressed that because of the new law, principals hesitate to hire women of child-bearing age because they might need to use sick leave.

The regulations developed by the Department of Education to implement Senate Bill 482 have eliminated long-term absences of teachers from calculations and that will help to some extent. However, Ms. Lancaster insisted, as long as teacher absences stay in the law, there will be more examples of harassment. Such as, a month ago, a building principal in Washoe County called a teacher who had been sick for a couple of days, and told her not to call in sick again the next day. Just this month, a building principal in Churchill County informed his faculty that if they needed surgery, they should schedule it on their track break.

Ms. Lancaster testified that due to the provisions in Senate Bill 482, teachers have been placed in an incredible position: Being at odds with their administrators if they take leave that by law they have a right to take. NSEA is requesting support to remove teacher absences from the law. On a side note, Ms. Lancaster related that many school districts in the state have a monetary award for unused sick leave and unused personal leave. In conclusion, Ms. Lancaster stated that it has been her experience that teachers do not abuse their sick leave.

Senator Raggio thanked Ms. Lancaster for her testimony and asked if there was anyone else who wished to comment on this agenda item.

Presentation of the Nevada League of Professional Schools

Dr. Dode Worsham said the Nevada League of Professional Schools began in the spring, 1995, with the help and support of Doris Betts, liaison with the State Department of Education, with the expectation that schools need to be involved with site-based management and shared decision-making. Several schools banded together initially to dialogue ways to improve public education, promote schools as a professional workplace by involving parents, students and staff in a shared governance model, and then implementing action research, with the ultimate goal of improving student achievement.

Dr. Worsham said in listening to the Committee discussion, she believes the Nevada League of Professional Schools can have an impact on improving student achievement in the state.

The Nevada League of Professional Schools is modeled after the Georgia League of Professional Schools, founded by Dr. Carl Glickman. In 1982, Dr. Glickman received a request from a high school that had a high dropout rate and low student achievement. One of the first things Dr. Glickman implemented was a shared governance model, shared decision-making, where parents and the community became active in making decisions involving the school. After six years there was a significant improvement in student achievement, an increase in instructional time, and a decrease in the dropout rate of 54 percent. Thereafter, many schools requested Dr. Glickman's assistance.

In 1990, Dr. Glickman formed the Georgia League of Professional Schools. Over the years, the Georgia League of Professional Schools has been validated by the United States Department of Education, the National Alliance of Business and Higher Education, the National Center for Restructuring Schools and Teaching as an organization making a positive contribution to students.

Dr. Worsham stated that many schools were involved in site-based management for many years and were frustrated as not much impact was being seen in student achievement. The Nevada League of Professional Schools is a professional organization made up of schools across the state who believe that individual school communities are responsible and accountable for continuous academic improvement, which occurs through two levels:

1. Shared decision-making. Whereby staff, parents, students, and the community are involved in making core impact decisions on student achievement; and
2. Action research must be involved. It is the desire to implement programs that would make a difference.

Dr. Worsham stated the criteria for belonging to the league is the commitment to improving student achievement. In addition, requirements to be a school in the league is that 80 percent of the staff must agree to a part of the league and join in the initiatives contained therein. Membership requires active participation. Schools are required to pay \$500 annually to assist with training opportunities and access research data.

Dr. Worsham said being a member of the league does not guarantee high student achievement, nor is that a criteria for joining the league. League schools vary in size, student population, available resources, and the makeup of the community. However, being a member of the league does guarantee that schools will be able to network with other schools regarding successful programs to demonstrate student achievement. Typically, league schools have a pervasive ethic of caring among staff and there is a consistent dialogue regarding teaching and learning.

In response to Senator Raggio's question, Dr. Worsham answered that all the members in the Nevada League of Professional Schools are public schools.

David Wilson, Nevada League of Professional Schools, said the main benefit they provide its members is access to best practice through collaboration with other schools that are dedicated to improving student learning and student achievement. Prior to his current job as an administrator with the Clark County School District, Mr. Wilson said he was a sixth grade teacher and served as chair of the school learning and improvement team. Statewide, most of the chair persons are teachers, not administrators. The teams are predominantly comprised of teachers and parents, who have little training or experience with making decisions as part of a learning improvement team. So, the Nevada League of Professional Schools can help the teams focus on decisions that affect student learning and student achievement. This is accomplished through formal conferences, and training of teachers, administrators and parents.

Dr. Worsham said currently the Nevada League of Professional schools has a membership of 20 schools--10 from the north and 10 from the south. All three of the national blue ribbon schools in the state are members of the Nevada League of Professional Schools, and more than 100 schools in Nevada have participated in the training and conferences sponsored by the league. She said that the Georgia League of Professional Schools has been established for some time and is tied to the University of Georgia; however, the Nevada League has not established a similar tie with the two universities in Nevada.

Dr. Worsham stated that if a school wanted to focus on reading comprehension and wanted research on the best programs, the Nevada League of Professional Schools has access to a team of researchers who can provide that information. Data supports that league schools in the State of Georgia show significant student achievement. In Nevada, the 20 schools that are members of the Nevada League of Professional Schools vary--some come from affluent areas with many resources and a history of strong student achievement, while some schools have a high percentage of low income students and are on the "Inadequate" list.

Dr. Worsham thanked the Committee for providing her the opportunity to present information on the Nevada League of Professional Schools.

Eureka County School District Financial System

The following portion has been transcribed verbatim:

Neil Stevens, Superintendent, Eureka County School District:

"As some of you may recall, I came before you at the March, 1998, meeting to describe the effect that the drop in the price of gold has had on the coffers at Eureka County School District. Hopefully, you will also recall that I did not ask for any funding or any financial help, but rather, wanted to draw your attention to the fact that we have created what we are calling a fiscal management plan. I brought several copies of several documents with me this after noon, and I would like to briefly go through them with you."

"I noticed in reviewing the minutes of the March 26, 1998, meeting, however, either I misstated the fact, or they got transcribed incorrectly. The minutes do state that there were no teachers reduced in the FY 1999 budget, and that is not correct. The fact of the matter is that 6.0 full-time employees will be reduced in force for next year, and 1.5 of those are members of the certified teaching staff."

"I think what we are asking for, which is your consideration for revamping or modifying the revenue stabilization statute is further brought to light in the fact that the revised figure that we have received from the Department of Taxation, upon which the budget cuts were made, will then impact another \$190,000 for FY 1999. In the packet of documents that I have given to you (Exhibit K) is a list of recommendations from our budget crisis group that were approved by the Board of Trustees in Eureka County to reduce FY 1999 and you will see how we have done that. Interestingly enough, even when those numbers were put into our budget, we were still \$160,000 short, and I recommended to the Board of Trustees that we adjust our ending fund balance for FY 1999 down by that amount of money."

"Also, in your packet of documents is a copy of our Fiscal Management Plan that we would intend to use for the years to come to manage the highs and the lows of the gold mining industry for the school districts which receive no state funding. Also, included is a letter from Wes Fields, who is the President of the Nevada Mining Association. In his letter, Mr. Fields speaks to the volatility of the mining industry, and the fact that what goes up certainly can come down, and sometimes that is in a rapid pace."

"I have also included a Memorandum that was written to me from Dr. David Noonan, who we have had do some consulting work with the school district this year, and is our recommendation for modification to the revenue stabilization statute. I would add something, however, to what is in Dr. Noonan's message to me,

which essentially states that what we would like to see done is that the current cap on the balance of revenue stabilization funds which is at 10 percent, be increased to 30 percent at any one time. In my conversations with the school districts that surround Eureka County, all of whom have some revenue coming to them from the net proceeds of mines tax, they are suggesting that we also add not only a percentage cap of 30 percent, but also a dollar cap of \$2 million to that. The idea with that is that if the price of gold should rebound substantially over the next two or three years, 10 percent in any one year, the funds can go up quite a bit, and it is not our intent and has never been our intent to stash money away that cannot be used for other purposes. As I testified to you in March, 1998, our main goal is to see that we have enough money in our savings account next year to ensure that we don't have to experience mid-year reductions in force, should the price of gold continue downward."

"You had graciously asked me if there was something that you could do, and what we think you could help us with is to take a look at modifying the revenue stabilization fund statute to allow for a greater flexibility in the amount of funds that the fund can hold at any one time."

Senator Raggio: "I think you've made a good point. At the next meeting, Committee, we are going to be looking at bill draft requests. I don't think we will take action on this today, but I think you have made a compelling presentation and it's something similar that happened in other school districts as well. Unless the Committee has some other desire, we will put this on our list of potential bill draft requests to recommended by this Committee."

Neil Stevens: "I appreciate that, Senator Raggio."

Senator Raggio: "Any other comments?"

Neil Stevens: "If I could leave you with one or two other thoughts. I had made it very clear to the employees of the school district that the amount of money contained in our revenue stabilization fund, the amount of money that we budget for the ending fund balance, the amount of money that we carry in our contingency fund, are going to have to be open to discussions every year. I had thought this year, and I don't know why I had not thought about it before, but in reaction to the decline of the price of gold, I put together a 10-member panel to look into making recommendations to myself and the Board about how we could cut the budget next year. In that process, I learned something that I thought was profound--that when all of the facts and figures were laid out on the table and everyone had an opportunity to look at everyone else's program for the three schools that we have, the thought occurred to me that should the price of gold come back up, or any other fact happen, that we now need to learn once again what the people of this school district think about how to allocate funds. Possibly, we should have such a team of staff members each year to make recommendations to the school board about how we allocate our funds."

"So, I think we have embarked upon a real, working pragmatic model of site-based management in Eureka County, all of which will always contain members of the employee groups we have. So, that was one revelation that came to me, but in no way are we attempting to hide any money or to do anything less than turn all the cards face up on the table. I thank you for your consideration, and for hearing me at the last two meetings."

Senator Raggio thanked Mr. Stevens for his testimony.

Public Testimony

Dr. Robert McCord, Clark County School District, introduced two board members who attended the meeting all day, Shirley Barber, Clark County School District, and Ruth Johnson, Board of Trustees, and Lois Tarkaniam who was here earlier but had to leave. Senator Raggio thanked them all for attending.

Senator Raggio acknowledged Senator O'Connell's appearance at the meeting, after attending another meeting, and appraised her for being part of the driving forces of the legislation surrounding Senate Bill 482.

Senator Rawson asked if staff could contact the White Pine School District before the next meeting for any potential legislation they may wish to include.

Set Date for Next Meeting

Senator Raggio pointed out that the Second Revised Agenda stated that the Committee wanted to receive suggestions for bill draft requests, and those would be included in the work session at the next meeting. The Committee tentatively scheduled June 24, 1998, as the next meeting.

There being no further business to come before the committee, the meeting adjourned at

3:18 p.m.

Joi Davis, Secretary

Senator William Raggio, Chairman

Date: _____