

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

SUMMARY MINUTES AND ACTION REPORT

The second meeting of the Nevada Legislature's Legislative Committee on Education was held on Wednesday, January 7, 2004, at 9:30 a.m. at Foothill High School, 800 College Drive in Henderson, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at www.leg.state.nv.us/Session/72nd2003/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Richard D. Perkins, Chairman
Senator William J. Raggio, Vice Chairman
Senator Barbara K. Cegavske (sitting for Senator Ann O'Connell)
Senator Bernice Mathews
Senator Maurice E. Washington
Assemblyman Jason D. Geddes
Assemblyman Bob McCleary

COMMITTEE MEMBERS EXCUSED:

Assemblyman William C. Horne
Senator Ann O'Connell

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Carol M. Stonefield, Senior Research Analyst
Kristin C. Roberts, Principal Deputy Legislative Counsel
Melinda Braun, Education Program Analyst
Susan Furlong Reil, Principal Research Secretary

OPENING REMARKS

Chairman Perkins opened the meeting and identified the Committee members present. Senator Raggio noted that Senator Cegavske would be sitting for Senator O'Connell.

OVERVIEW OF EDUCATION TESTING AND PRESENTATION OF THE RESULTS OF 2003 TEST ADMINISTRATIONS

- Dr. Robert S. McCord, Assistant Professor, Educational Leadership, University of Nevada Las Vegas (UNLV), and Lori J. Olafson, Assistant Professor, Curriculum and Instruction, UNLV, provided a brief overview of education testing in Nevada. They outlined definitions of some commonly used terms. In addition, they explained uses of two standardized testing formats, criterion-referenced tests (CRTs) and norm-referenced tests (NRTs), and identified the strengths and weaknesses of each. They also discussed how test scores can be used in decision making. Please see [Exhibit B](#) for details of the presentation of Drs. McCord and Olafson.
- Paul La Marca, Ph.D., Director, Assessment, Program Accountability, and Curriculum, Nevada Department of Education (NDE), Carson City, provided an overview of the educational assessment system and summarized certain results from the 2002-2003 testing administrations. He also presented a comparison of Nevada's criterion-referenced test (CRT) results with student performance on the National Assessment of Educational Progress (NAEP) assessment. Please see [Exhibit C](#) for details of Dr. La Marca's presentation. See also [Exhibit D](#) and [Exhibit E](#) for copies of materials provided to the Committee by Dr. La Marca and referenced during Committee discussion.
- Donna Anspach, Nevadans for Quality Education, Las Vegas, pointed out year-round schools are not testing after the same number of instructional days as traditional nine-month schools. She expressed concern this disparity will result in the failure of many year-round schools to achieve AYP. Please see [Exhibit F](#) and [Exhibit G](#) for details of Ms. Anspach's presentation.

REVIEW OF SCHOOLS AND DISTRICTS DESIGNATED AS NOT MAKING ADEQUATE YEARLY PROGRESS PURSUANT TO NO CHILD LEFT BEHIND ACT OF 2001, INCLUDING DISCUSSION BY PANELS CONSISTING OF PARENTS, PRINCIPALS, STUDENTS, AND TEACHERS FROM SCHOOLS LOCATED WITHIN THE CLARK COUNTY SCHOOL DISTRICT DESIGNATED

AS NOT MAKING ADEQUATE YEARLY PROGRESS AND REMARKS BY DR. CARLOS GARCIA, SUPERINTENDENT, CLARK COUNTY SCHOOL DISTRICT, AND A MEMBER OF THE BOARD OF SCHOOL TRUSTEES OF THE CLARK COUNTY SCHOOL DISTRICT

- Keith W. Rheault, Ph.D., Deputy Superintendent for Instructional, Research, and Evaluative Services, NDE, Carson City, provided information regarding the school districts in Nevada that have been designated as failing to achieve AYP, the performance areas which caused them to be placed on the watch list, and a listing of the number of schools in each state identified as failing to attain AYP. Please see [Exhibit H](#).
- Sheila Moulton, President, Board of Trustees, Clark County School District, Las Vegas, shared her observations regarding NCLB and S.B. 1. Ms. Moulton emphasized that education of trustees, administrators, staff, students, and parents is key to the success of NCLB in Nevada and highlighted the CCSD's efforts to ensure students achieve. She provided the Committee with a copy of a CCSD newsletter, which contains information regarding Nevada's watch list and a report on CCSD's efforts to ensure CCSD does not remain on the list. Please see [Exhibit I](#).

Continuing, Ms. Moulton asserted Nevada can meet the standard of NCLB if the public education community: (1) works together to educate and facilitate the alignment of curriculum, instruction, and assessment of education; (2) receives adequate resources through continued funding of the plan "Investing in Nevada's Education, Students, and Teachers" (iNVEST), a portion of which was implemented by the 2003 Legislature; and (3) has access to timely and accurate test results.

- Carlos Garcia, Ph.D., Superintendent, Clark County School District, Las Vegas, prefaced his remarks by noting that because tests are recalibrated approximately every six years to maintain a bell curve, it is statistically impossible for every student to achieve proficiency. He emphasized the importance of creating a constructive rather than a punitive evaluation system and advocated a shift in the definitions currently used to categorize schools. Dr. Garcia suggested the education community embrace a concept practiced in Japan whereby educators continuously analyze performance and strive for improvement.
- Ron Steslow, a parent volunteer, Henderson, shared his experience in raising and educating four children, the youngest of whom must put forth much more effort than most children his age to accomplish the same work. Mr. Steslow observed that each child has a natural passion for certain things, and these interests can be utilized to help students raise their minimum factors. He also suggested that special accommodations can be employed to enable students who experience difficulty with traditional learning methods to survive and achieve within the public education system.

Continuing, Mr. Steslow offered the following recommendations:

1. More skilled counselors are needed to intervene at the inception of a child's achievement struggles.
 2. Counselors should receive training in creative ways to provide assistance to at-risk children.
 3. Schools should develop pools of volunteers to work with children who need additional assistance.
 4. The public school system should adopt the Personal Alternative Choices in Education (PACE) program.
- Roxanne Kelley, Teacher, Foothill High School, Henderson, commented on the negative impact that results from a school being labeled inadequate. She advocated individualizing instruction to meet student needs. In addition, Ms. Kelly suggested that children be given high expectations at a young age.
 - D.J. Stutz, President, Nevada Parent Teacher Association (PTA), and member, national PTA Board, Las Vegas, reported that an effective program of parent involvement is one common factor she has observed in states that are better meeting the needs of their students than Nevada. She pointed out parents oftentimes are unaware of volunteer opportunities. While each school district was required by law to develop a parent involvement plan, little has been done to establish accountability measures or to implement these plans. Ms. Stutz asserted student performance will rise as parent involvement increases.

Continuing, Ms. Stutz expressed concern regarding current testing methods. She noted that an inability to test successfully may be part of a student's learning disability; therefore, the child's true ability is not reflected in the test score. Ms. Stutz challenged the Committee to address this issue.

- La Nel Lueck, grandparent of children who attend C.P. Squires Elementary School, North Las Vegas, noted the value of parent involvement in schools. Mrs. Lueck also advocated full-day kindergarten as an important tool to better prepare children for the challenges of first grade.
- Jana Smart, a teacher at C.P. Squires Elementary School, North Las Vegas, provided the Committee with information on the school's student composition. She indicated some of the programs implemented by C.P. Squires Elementary School could benefit other schools, e.g., utilizing a behavior specialist and behavior teams to assist students who need extra attention or are at risk of disrupting the classroom. Community partners also make valuable contributions of resources and time to the school. Ms. Smart suggested measurement of school performance should be reviewed.
- Carol Lark, Principal, C.P. Squires Elementary School, North Las Vegas, asserted gaps in student achievement can only be solved if school districts are able to retain experienced teachers in at-risk schools. She noted that most teachers commute to C.P. Squires Elementary School at considerable cost to themselves. Ms. Lark suggested the Committee consider: (1) establishing an incentive to retain experienced teachers in at-risk school; (2) implementing an all-day kindergarten program; and (3) reviewing the after school program.

- Andrew Dryanski, a student at Foothill High School, Henderson, expressed concern that in passing NCLB, the federal government is dictating how the states should manage education. He observed that while NCLB appears to place all accountability for student achievement on teachers, students themselves are ultimately responsible for their own progress. In addition, Mr. Dryanski expressed concern that without adequate funding, various programs, including those for gifted students and athletes, will be eliminated in order to ensure all students achieve AYP.
- Greg Walton, a student at Foothill High School, Henderson, shared his views regarding NCLB. He pointed out that if 5 of 25 students within a subgroup fail to achieve adequate yearly progress, the entire school is labeled as needing improvement or failing. Mr. Walton pointed out such designations can affect a school's eligibility for certain funding.
- Sue Daellenbach, Principal, Foothill High School, Henderson, reported the school is currently on the watch list for special education students not proficient in reading or math. She acknowledged schools must continually improve and noted that NCLB challenges the education community to meet the needs of each individual student. Ms. Daellenbach suggested smaller class sizes, especially for subgroups that need assistance, would be beneficial in helping students achieve AYP. However, at current funding levels, she is unable to offer smaller classes and retain upper-level courses.

PRESENTATION ON THE ADMINISTRATIONS OF THE SKILLS AND COMPETENCIES ALTERNATE ASSESSMENT OF NEVADA (SCAAN) AND LANGUAGE ASSESSMENT SCALE (LAS) AND RELATIONSHIP TO SCHOOLS' OTHER TESTS, SCORES, AND DESIGNATIONS

- Gloria Dopf, Assistant Deputy Superintendent of Special Education, Elementary and Secondary Education and School Improvement Programs, NDE, Carson City, explained that with passage of NCLB, testing exemptions are no longer allowed for students with disabilities or those with limited English proficiency. She discussed testing of students with disabilities, the effects of utilizing standard and nonstandard accommodations, and the employment of alternate assessment tools for students who are significantly cognitively delayed and hence involved in an alternate curriculum. Ms. Dopf noted the federal government has placed a limit of 1 percent on the number of students who may participate in alternative assessment, and Nevada is well under this threshold.

Continuing, Ms. Dopf highlighted issues relative to testing of students with limited English proficiency and reported on the efforts of NDE to assist school districts with new testing requirements for these pupils. Please see [Exhibit J](#) and [Exhibit K](#) for details of Ms. Dopf's presentation.

- Joe Murphy, Principal, Woodbury Middle School, Las Vegas, discussed the benefits of utilizing the Skills and Competencies Alternate Assessment of Nevada (SCAAN) assessment tool for children at Woodbury who are significantly cognitively delayed. He reported that through use of SCAAN, such students are included in the assessment, and the school is attempting to standardize performance measurements. In addition, the data obtained from the SCAAN assessment is being correlated to the students' Individualized Educational Programs (IEPs) in the form of goals and benchmarks, bringing greater accountability to both staff and students.
- Ms. Lark, previously identified, shared her views regarding the Language Assessment Scale (LAS). She also expressed concern regarding the estimated length of time needed to administer the new language proficiency test and questioned whether the results will yield information that can be used to guide instruction.
- Dr. Brad Reitz, Assistant Superintendent, Student Support Services, Clark County School District, Las Vegas, observed that NERA and NCLB have caused the education community to closely review the academic progress of students with disabilities. He pointed out that many students who previously were not tested are now required to participate in testing. Referencing Ms. Dopf's comments regarding SCAAN, Dr. Reitz indicated the CCSD plans to work with the state to consider options for expanding the number of disabled students who may qualify to participate in alternate assessments.

PRESENTATION OF THE RESULTS OF CLASS OF 2003 AMERICAN COLLEGE TESTING (ACT) AND SCHOLASTIC APTITUDE TEST (SAT) ADMINISTRATIONS

- Dr. Rheault, previously identified, summarized the results of the 2003 ACT and SAT college entrance examination results. Please see [Exhibit L](#), [Exhibit M](#), and [Exhibit N](#) for details of Dr. Rheault's presentation.
- Dr. Jim Hager, Superintendent, Washoe County School District (WCSD), Reno, provided a report on college entrance examination performance of Nevada students and efforts of the WCSD to encourage student participation in the ACT and SAT examinations. He noted the WCSD has placed significant emphasis in its core curriculum, encouraging all children to achieve at higher levels in more stringent courses. Please see [Exhibit O](#) for details of Dr. Hager's presentation.

CONSIDERATION OF STATUS OF DISTRICT REVIEWS OF ALIGNMENT OF MATHEMATICS INSTRUCTION WITH STANDARDS TESTED ON THE HIGH SCHOOL PROFICIENCY EXAMINATION DUE ON OR BEFORE SEPTEMBER 1, 2004, PURSUANT TO SECTION 104 OF SENATE BILL 1

- Dr. Jim Hager, Superintendent, WCSD, and President, Nevada Association of School Superintendents, Reno, outlined the Association's plan to ensure alignment of mathematics instruction with standards testing on the high school proficiency examination. He also reviewed the timeline for carrying out the plan. Please see [Exhibit P](#) for details of Dr. Hager's presentation.
- Agustin Orci, Deputy Superintendent for Instruction, Clark County School District (CCSD), Las Vegas, reported on the CCSD's high

school proficiency success rate in mathematics. He also provided an update on activities currently underway to ensure mathematics proficiency is addressed within the District. These efforts include the implementation of assessment, curriculum, and staff development initiatives designed to ensure the District's curriculum is aligned with the state standards and students are able to pass the mathematics proficiency test.

SUMMARY REPORTS

A. Selection of The Grow Network as Vendor for Brochures to Report Test Scores of Pupils and Related Services Pursuant to Section 100 of Senate Bill 1

There being no objection, Vice Chairman Raggio accepted the report of the Mindy Braun, Education Program Analyst, Legislative Bureau of Educational Accountability and Program Analysis, Fiscal Analysis Division, Legislative Counsel Bureau, regarding the selection of The Grow Network as vendor for brochures to report test scores of pupils and related services. Please see [Exhibit Q](#).

B. Report on Testing Irregularities and a Plan for Test Security (NRS 389.616 and 389.648)

Vice Chairman Raggio announced that due to time constraints, this agenda topic would be placed on a future agenda.

C. Consideration of the Current Status of System Accountability Information for Nevada (SAIN)

Vice Chairman Raggio announced that due to time constraints, this agenda topic would be placed on a future agenda.

PUBLIC COMMENT

- Ray Bacon, Nevada Manufacturers Association, Carson City, provided an analysis and comparison of Nevada's NAEP scores to those of other states. He suggested the Committee members might find the following publications of interest:

- No Excuses: Closing the Racial Gap in Learning*, by Stephan Thernstrom and Abigail Thernstrom;
- The Language Police*, by Dianne Ravitch; and
- Making Schools Work*, a comparative analysis of major school districts, by Bill Ouchi.

Please see [Exhibit R](#) for details of Mr. Bacon's remarks.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 2 p.m.

Respectfully submitted,

Susan Furlong Reil
Principal Research Secretary

Carol M. Stonefield
Senior Research Analyst

APPROVED BY:

Assemblyman Richard D. Perkins, Chairman

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the Meeting Notice and Agenda provided by Carol M. Stonefield, Senior Research Analyst, Research Division, Legislative Counsel Bureau, Carson City, Nevada.

[Exhibit B](#) is a copy of a Microsoft PowerPoint presentation titled "Translating Test Jargon," provided by Dr. Robert S. McCord, Assistant Professor, Educational Leadership, University of Nevada Las Vegas (UNLV), and Lori J. Olafson, Assistant Professor, Curriculum and Instruction, UNLV, Las Vegas, Nevada.

[Exhibit C](#) consists of materials titled “Presentation of the Results of 2002-03 Test Administrations: Nevada Criterion-Referenced Tests (CRT), Norm-Referenced Tests (NRT—ITBS/ITED), and the National Assessment of Educational Progress (NAEP),” provided by Paul M. La Marca, Ph.D., Director, Assessment, Program Accountability, and Curriculum, Nevada Department of Education (NDE), Carson City, Nevada.

[Exhibit D](#) is a document titled “Reading 2003, Snapshot Report” for Nevada public schools, Grade 4, from the National Center for Education Statistics, provided by Paul M. La Marca, Ph.D., Director, Assessment, Program Accountability, and Curriculum, NDE, Carson City, Nevada.

[Exhibit E](#) is a document titled “Mathematics 2003, Snapshot Report” for Nevada public schools, Grade 4, from the National Center for Education Statistics, provided by Paul M. La Marca, Ph.D., Director, Assessment, Program Accountability, and Curriculum, NDE, Carson City, Nevada.

[Exhibit F](#) is a copy of a letter dated January 6, 2004, to Chairman Richard D. Perkins from Nevadans for Quality Education, provided by Donna Anspach, Las Vegas, Nevada.

[Exhibit G](#) is a document titled “Testing Schedule Differences, Year Round School Compared to a 9 Mo. School, SY 03-04,” provided by Donna Anspach, Las Vegas, Nevada.

[Exhibit H](#) is a Nevada Department of Education news release titled “Nevada Department of Education Releases ‘Watch List’ of Nevada School Districts Not Making ‘Adequate Yearly Progress’ for One Year,” provided by Keith W. Rheault, Ph.D., Deputy Superintendent for Instructional, Research, and Evaluative Services, NDE, Carson City, Nevada.

[Exhibit I](#) is a copy of the winter 2003-2004 Clark County School District newsletter, provided by Sheila Moulton, President, Board of Trustees, Clark County School District, Las Vegas, Nevada.

[Exhibit J](#) is a document titled “Skills and Competencies Alternate Assessment of Nevada (SCAAN) Participation Rates and Performance Results, November 2002 Data Collection,” provided by Gloria Dopf, Assistant Deputy Superintendent of Special Education, Elementary and Secondary Education and School Improvement Programs, NDE, Carson City, Nevada.

[Exhibit K](#) is a copy of a memorandum dated December 1, 2003, to Gloria Dopf, Assistant Deputy Superintendent, NDE, from Mary Sue Morin, Title III Education Consultant, NDE, regarding English Language Development Assessment, provided by Gloria Dopf, Assistant Deputy Superintendent of Special Education, Elementary and Secondary Education and School Improvement Programs, NDE, Carson City, Nevada.

[Exhibit L](#) is a document containing the results of the 2003 American College Testing and Scholastic Aptitude Test administrations for the class of 2003, provided by Keith W. Rheault, Ph.D., Deputy Superintendent for Instructional, Research, and Evaluative Services, NDE, Carson City, Nevada.

[Exhibit M](#) is an NDE news release titled “Nevada’s ACT College Entrance Exam Results Released,” provided by Keith W. Rheault, Ph.D., Deputy Superintendent for Instructional, Research, and Evaluative Services, NDE, Carson City, Nevada.

[Exhibit N](#) is an NDE news release titled “Nevada’s SAT College Entrance Exam Results Released,” provided by Keith W. Rheault, Ph.D., Deputy Superintendent for Instructional, Research, and Evaluative Services, NDE, Carson City, Nevada.

[Exhibit O](#) is a copy of a Microsoft PowerPoint presentation titled “On the Road Toward a World Class School District—An Update on College Entrance Examination Performance,” provided by Dr. James Hager, Superintendent, Washoe County School District, Reno, Nevada.

[Exhibit P](#) is a document from the Nevada Association of School Superintendents regarding its S.B. 1 Curriculum Review Subcommittee, provided by Dr. James Hager, Superintendent, Washoe County School District, and President, Nevada Association of School Superintendents, Reno, Nevada.

[Exhibit Q](#) is a copy of a memorandum dated December 30, 2003, to the Legislative Committee on Education from Melinda Braun, Education Program Analyst, Legislative Bureau of Educational Accountability and Program Analysis, Fiscal Analysis Division, Legislative Counsel Bureau, concerning the selection of The Grow Network as vendor for brochures to report test scores of pupils and related services, provided by Ms. Braun.

[Exhibit R](#) is a copy of a memorandum dated January 5, 2004, to the Legislative Committee on Education from Ray Bacon, Nevada Manufacturers Association, regarding NAEP testing analysis, provided by Mr. Bacon.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or telephone: 775/684-6827.