

**MINUTES OF THE MEETING  
OF THE  
LEGISLATIVE COMMITTEE ON EDUCATION  
(*Nevada Revised Statutes 218.5352*)  
October 23, 2002  
Carson City, Nevada**

The tenth meeting of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) for the 2001-02 interim was held on Wednesday, October 23, 2002, commencing at 9:30 a.m. The meeting was held in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Pages 3 and 4 contain the "Meeting Notice and Agenda."

**COMMITTEE MEMBERS PRESENT IN CARSON CITY:**

Senator William J. Raggio, Chairman  
Senator Maurice E. Washington  
Assemblyman Marcia de Braga  
Assemblywoman Dawn Gibbons

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Senator Ann O'Connell  
Assemblyman Wendell P. Williams, Vice Chair  
Assemblyman Mark A. Manendo

**COMMITTEE MEMBER EXCUSED**

Senator Bernice Mathews

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

H. Pepper Sturm, Chief Principal Research Analyst, Research Division  
Susan E. Scholley, Senior Research Analyst, Research Division  
Carol M. Stonefield, Senior Research Analyst, Research Division  
Brenda J. Erdoes, Legislative Counsel, Legal Division  
Mary Alice McGreevy, Deputy Legislative Counsel, Legal Division  
Mindy Braun, Education Program Analyst for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division  
Lu Chen, Education Research Statistician for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division  
Roxanne Duer, Principal Research Secretary, Research Division

**MEETING NOTICE AND AGENDA**

Name of Organization:	<u>Legislative Committee on Education</u> <u>(<i>Nevada Revised Statutes</i> [NRS] 218.5352)</u>
Date and Time of Meeting:	Wednesday, October 23, 2002 9:30 a.m.
Place of Meeting:	Legislative Building Room 3138 401 South Carson Street

Carson City, Nevada

Note: Some members of the Committee may be attending the meeting and other persons may observe the meeting and provide testimony, through a simultaneous videoconference conducted at the following location:

Grant Sawyer State Office Building  
Room 4401  
555 East Washington Avenue  
Las Vegas, Nevada

*If you cannot attend the meeting, you can listen to it live over the Internet. The address for the Legislative Web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."*

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**A G E N D A**

- I. Opening Remarks  
Senator William J. Raggio, Chairman
- \*II. Approval of Minutes of the Meeting Held on August 27, 2002, in Carson City, Nevada
- \*III. Presentation on the Use of Achievement Level Tests (ALTs) in Carson City, Douglas County, and Lyon County School Districts, Published by Northwest Evaluation Association (NWEA), Including Related Developments in Idaho and Other States  
Allan Olson, President and Executive Director, Northwest Evaluation Association  
Nat Lommori, Superintendent, Lyon County School District  
Dr. Mary Pierczynski, Superintendent, Carson City School District  
John Soderman, Superintendent, Douglas County School District
- \*IV. Status Report on Teacher Licensing and Commission on Professional Standards in Education  
Dr. Keith Rheault, Deputy Superintendent, Instructional, Research, and Evaluative Services, Nevada Department of Education (NDE)  
Dr. Steve Henick, President, Commission on Professional Standards in Education  
Dr. Hardy McNew, Member, Commission on Professional Standards in Education
- \*V. Status Report on In\$ite Financial Analysis Model Program and Reports on School Districts and Charter Schools in Nevada  
Mindy Braun, Education Program Analyst, Legislative Bureau of Educational Accountability and Program Evaluation (LBEAPE), Fiscal Analysis Division, Legislative Counsel Bureau (LCB)
- \*VI. Presentation on *Reconnecting Youth*, an In-School Program for At-Risk Youth  
Leona Eggert, Ph.D., R.N., FAAN, Executive Director, Reconnecting Youth Prevention Research Programs, University of Washington
- \*VII. Presentation on School Choice Options, Including Vouchers  
Susan Scholley, Senior Research Analyst, Research Division, LCB  
Kim Troop, Principal, Reno Christian Academy

- \*VIII. Presentation on Princeton Review's First Annual Ranking of State Accountability Systems  
Carol M. Stonefield, Senior Research Analyst, Research Division, LCB
- \*IX. Annual Report on Irregularities in Testing Administration or Test Security  
Dr. Keith Rheault, Deputy Superintendent, Instructional, Research, and Evaluative Services, NDE
- \*X. Update on Implementation of Federal Education Law – No Child Left Behind Act of 2001 – Briefing on Inclusion and Flexibility  
Susan Scholley, Senior Research Analyst, Research Division, LCB
- XI. Public Comment
- XII. Adjournment

\*Denotes items on which the Committee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Roxanne Duer at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature's Web site at [www.leg.state.nv.us](http://www.leg.state.nv.us).

### **OPENING REMARKS**

Chairman Raggio called the meeting to order at 9:36 a.m. and directed the secretary to call roll. He indicated that Senator Mathews would be excused from the meeting. The Chair noted the location of the November 20, 2002, meeting of the Legislative Committee on Education would be held in Carson City with videoconferencing to Las Vegas, at which time a work session will be conducted relative to the bill draft request for compliance with the Federal No Child Left Behind Act of 2001. Further, the Committee's last meeting in January 2003, has been rescheduled to Monday, January 13, 2003, in Carson City and will be videoconferenced to Las Vegas.

### **APPROVAL OF MINUTES OF THE MEETING HELD ON AUGUST 27, 2002, IN CARSON CITY, NEVADA**

Chairman Raggio asked for a motion to approve the minutes of the August 27, 2002, meeting of the Legislative Committee on Education.

**SENATOR O'CONNELL MOVED FOR APPROVAL OF THE MINUTES OF THE COMMITTEE'S MEETING HELD ON AUGUST 27, 2002, IN CARSON CITY, NEVADA. ASSEMBLYMAN DE BRAGA SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

### **PRESENTATION ON THE USE OF ACHIEVEMENT LEVEL TESTS (ALTS) IN CARSON CITY, DOUGLAS COUNTY, AND LYON COUNTY SCHOOL DISTRICTS, PUBLISHED BY NORTHWEST EVALUATION ASSOCIATION (NWEA), INCLUDING RELATED DEVELOPMENTS IN IDAHO AND OTHER STATES**

## ***Ray Bacon***

Ray Bacon, Director, Nevada Manufacturers Association, Carson City, stated that Carson City, Douglas, Lyon, and Nye County School Districts have been utilizing Northwest Evaluation Association's program for achievement level testing (ALT). He commented that ALT provides the practical information teachers will need to conduct the testing required by the No Child Left Behind Act of 2001 (NCLB), and presents teachers and administrators with meaningful data.

## ***Allan Olson***

Allan Olson, President and Executive Director, Northwest Evaluation Association (NWEA), Portland, Oregon, explained the NWEA is an organization comprised of school districts, which began in the northwest 25 years ago as a collaborative effort to improve assessment and the quality and nature of data available for teachers, parents, administrators, and school boards. The NWEA has member districts in 35 states and provides state assessment services to the State of Idaho.

Mr. Olson presented an historical overview of NWEA and explained that:

- In 1975, criteria was established to design tests that would be aligned with the curriculum of each member school. Today, however, those tests are referred to as "content standards" and are developed by states rather than school districts. The old systems were typically accurate for children in the middle of a grade level, but were less than accurate for low-achieving or high-achieving students. With the new federal guidelines, however, it is necessary to have a system in place that provides accurate information and measures academic growth for students at every level.
- It is imperative that data is distributed expeditiously after testing is completed. Therefore, NWEA established a standard in which test information is delivered to teachers and administrators the morning after an examination is administered.
- The NWEA wanted to provide data that was functional for those individuals interacting with school children to affect change in education and meet the federal guidelines of NCLB. As of January 2002, an agreement was signed by NWEA and the State of Idaho that allows for improved measures that provide exceptional accuracy.

Mr. Olson continued his testimony utilizing a Microsoft PowerPoint presentation (please refer to Exhibit A), and addressed Adequate Yearly Progress (AYP) in which each state must define its method of calculating AYP. Mr. Olson provided a simplistic definition of AYP that a state could adopt:

- If proficiency criteria is in place for a grade level, a school district could calculate the number of children below that criteria within each grade level in each school. Some states may find it necessary to adjust their criteria level under the new federal guidelines. The total number of children is then divided by 12 years. The end result is to adequately improve learning by moving a specific number of children above their proficient criteria each year for 12 years.

Mr. Olson indicated that schools will not be able to meet the objectives of NCLB if they adhere entirely to the conventions currently in place.

Continuing his testimony, he outlined the State of Idaho's criteria for a state assessment system, which would:

- Meet the requirements of NCLB;
- Assess student progress relative to high school exit criteria;
- Use academic growth as an accountability measure;

- Provide data to educators that would assure school improvement;
- Provide accurate information for each child by utilizing a computerized adaptive version of ALTs called Measures of Academic Progress (MAP). Adaptive testing combines the advantages of ALTs with technology to customize tests to each student's achievement level. Therefore, each student is able to take a unique test that is developed specifically for the child. School districts have reported a 99 percent rate of accuracy of student information;
- Test all students in grades 2 through 10 in the fall and spring, thus infusing the system with data twice a year;
- Implement a 10<sup>th</sup> grade High School Proficiency Examination (HSPE), which has become an element of graduation requirement;
- Design spring tests to meet federal requirements that focus on each student's academic ability. With such a program, federal requirements are met with the utilization of a fairly conventional test, and the information needs of teachers, students, and parents by adding computerized adaptive testing are met as well. Additionally, the data can be disaggregated to accommodate districts and subgroups; and
- Establish growth targets for every child.

Chairman Raggio stated the United State Department of Education did not accept Idaho's system as meeting compliance with the NCLB and asked about implementation of corrective measures.

Mr. Olson replied that tests are being developed that meet all of the federal guidelines. However, for instructional purposes, a teacher needs to know a child's academic level in order to provide specific instruction, and the federal test cannot accomplish this task given the nature of the design requirements. The State of Idaho is currently going through the national review process for approval of the new test design, which should be implemented by spring of 2003. Mr. Olson was confident there is no reason why the design should encounter any problems.

Discussion continued in which Mr. Olson spoke on the Rasch Unit (RIT) scale and demonstrated student achievement levels utilizing hypothetical RIT scores. The RIT score reflects the level at which a student is performing and is unrelated to the age or grade of a student. A teacher can use a child's overall RIT score as the initial starting point, and then locate the appropriate RIT band within a specific goal area. As specific goals are worked on, an instructor can utilize the learning continuum as a guide to monitor differences in student achievement levels. Mr. Olson stated that NWEA suggests that states and school districts adopt a policy of setting their own growth targets for each child.

Concluding his remarks, Mr. Olson remarked that an assessment system should:

- Monitor progress related to state standards;
- Provide measures of academic growth across grade levels and over time by providing a stable scale. The NWEA has maintained a stable scale over a 20-year time period;
- Measure program effectiveness;
- Provide longitudinal data relative to student performance;
- Provide direction for improvement of instructional programs for individual children and groups of children;
- Offer useful information for stakeholder reports; and
- Provide measures of "adequate yearly progress."

In response to questions from the Chairman, Mr. Olson replied that:

- The NWEA has received criticism from competitive publishers for some time regarding outdated items. He explained that item banks are “alive and well” and an additional 2,000 items were added to the data bank during the past year. The NWEA has made an aggressive effort to write and develop new test items annually.
- The NWEA system can report state performance criteria data as well as data relative to national norms.
- Regarding the cost of implementing ALTs, Mr. Olson spoke in general terms. As an example, by multiplying a school district’s total student enrollment (K-12) and then multiplying that figure by \$5.25, the resultant dollar amount would give the school district access to measure as many students as desired in as many grades as needed, up to four times during the school year. It was noted that the majority of school districts test in the fall and spring. Additionally, testing for special education children can be administered more frequently, as well as students in special programs, such as reading. Further, for 10<sup>th</sup> grade students who do not meet performance criteria for graduation, the license would allow testing in grades 11 and 12, based on need. In the third year of the contract, the dollar amount would decrease.

***Russ Colletta***

Russ Colletta, Associate Superintendent for Curriculum and Instruction, Lyon County School District (LCSD), stated the LCSD’s experience with ALTs has been significant. Because the District can customize the test design, teachers are assured that the test measures in place are aligned to the standards and appropriate measuring each student’s achievement level. The ALTs allow teachers, parents, and students to receive substantive information regarding a student’s achievement level. Also, by testing students in the fall and then testing the same cohort of students again in the spring, it can be determined how much value has been added to a child’s growth as a result of the instruction that is in place. Further, data can be disaggregated to review individual skills that have been measured by the test, program effectiveness, and individual student success. The measure also provides accurate and detailed information regarding program effectiveness.

In conclusion, Mr. Coletta remarked that the District was able to adapt a system that ensures all students have targeted growth and no child is left behind, whether they are positioned at the top or the bottom half of the RIT scale.

In answer to questions posed by the Chairman, Mr. Colletta indicated that:

- This is the fifth year the LCSD has collected ALT data.
- The District has been successful in assisting students with their progress toward a specific achievement goal. If a student has been in the program for the past four years, fall and spring test data has been compiled for that child. Further, if a school is determined to be significantly below the national average in testing, it is required to apply a formula that would require the school to attain more than a year’s worth of academic growth. Instituting such a formula should ensure a cohort of students achieve their goals.
- In terms of parental involvement, the primary goal is to provide parents with detailed information and language that allows them to understand how the RIT scale functions.
- The NRT is a comparison of a group of students to a statistically derived sample; therefore, it is impossible to determine an individual’s achievement level. Also, it is difficult for parents to understand a concept like NRT, which utilizes percentile scores. Applying the RIT score demonstrates the progression of skills a child must attain.
- Teachers and administrators in the LCSD overwhelmingly are of the opinion that ALTs provide useful and accurate information that measures students’ academic progress.

***Dr. Mary Pierczynski***

Dr. Mary Pierczynski, Superintendent, Carson City School District (CCSD), Carson City, introduced Mike Watty, Assistant Superintendent of Education Services with the CCSD, who works extensively with ALTs. She indicated the

CCSD first administered ALTs in 1998. Although the District was required to conduct NRTs, school personnel wanted the option of having additional test information to track students' growth over a period of time.

Dr. Pierczynski addressed the following reports and their effectiveness:

- Student information reports are used within the CCSD to analyze the individual strengths of the children, identify areas of weakness for remediation, establish individual goal areas, and monitor a student's growth over a specified period of time.
- Class reports are used for grouping children within a classroom, such as a mathematics or reading group. Additionally, a teacher's specific areas of strength or weakness can be identified.
- Longitudinal reports assist in analyzing students' growth patterns relative to a norm group, and determine what growth acceleration is required to ensure low-performing students can meet AYP.

Referring to a chart titled "Understanding the Class Report by RIT" (please refer to Exhibit A), Dr. Pierczynski remarked that one of the most valuable tools of the NWEA system is the learning continuum. By establishing a child's RIT score, an instructor can determine what the student has accomplished and what is required for that student to be proficient in the core subjects.

Responding to Chairman Raggio's inquiry, Dr. Pierczynski replied that each parent receives a copy the student report.

In conclusion, Dr. Pierczynski stated the CCSD is undergoing extensive revamping of its tests, which is essential to ensure the school district tests are aligned with the state standards. The CCSD is also experimenting with a computer-based version of the test that would allow for instant results once a student has completed an examination in the computer lab. The program will be piloted in several schools this year.

Senator O'Connell asked if any school districts have experienced improved parental involvement with the implementation of ALTs.

### ***John D. Soderman***

John D. Soderman, Superintendent, Douglas County School District (DCSD), replied in the affirmative and indicated parental involvement has increased and that parents do comprehend the RIT scores. Additionally, distribution of the parent report involves parents and allows them to monitor their child's achievement levels.

Utilizing several charts to illustrate how the RIT scale functions (please refer to Exhibit B), Mr. Soderman stated the RIT score "puts the marks in the doorway of learning." Therefore, the scale can be used for any student, at any time, and at any socio-economic status. It is extremely accurate because it is similar to having a series of rulers, which allows for refined results. The NRT, however, tests students from the first percentile to the 99<sup>th</sup> percentile. Another reason the visual aspect is important is that each testing episode is linearly linked to the next occurrence. Other CRTs develop at different grade levels that do not have linear capability; therefore, it is difficult to determine how a third grade test relates to a fourth grade test and so on. Further, in terms of test questions, every question is scored by a degree of difficulty, which allows a parent to see the types of questions that relate to their child's ALT score.

Mr. Soderman then focused his comments on a number of charts that illustrate performance correlation/relationship and regression analysis/predictability studies relative to reading and mathematics activities (please refer to Exhibit B). By utilizing this function, the DCSD was able to determine that:

- A student should graduate at a college reading level with an ALT score of 228, which is essentially a 10<sup>th</sup> grade reading level;

- The District was able to monitor the directed reading activity (DRA) of children in grades 1 and 2, in which students are monitored by the number of books read in those grade levels; and
- In mathematics, the basic ALT score in 9<sup>th</sup> grade is 232; however, the District determined that by increasing the cut score to 239, it is highly predictive of a successful passing score on the HSPE.

Discussion ensued in which Mr. Soderman addressed the following achievements:

- Results of ALT scores in 9<sup>th</sup> grade science indicate the DCSD is experiencing incremental growth in that subject;
- The District is meeting established target scores and growth data in reading and mathematics; and
- Parent reports are demonstrating student growth in subject and grade level.

Concluding his remarks, Mr. Soderman stated that since implementation of ALTs, the District's ability to identify student needs in the school district, the school, and the classroom has improved.

Responding to an inquiry from the Chairman, Mr. Soderman indicated that when a student drops below the RIT score, he will not demonstrate AYP. A line is established at every school within the DCSD to determine those students who fall below the cut score. During the school year, students are provided reading specialists and offered intervention programs. During summer school classes, it has been determined that within the three-week intervention period, summer schoolers are able to progress during the school year.

Chairman Raggio questioned why the NWEA program is not utilized in the larger school districts, such as Clark County or Washoe County School Districts. He wondered if there might be a misconception that this particular system might replace the CRTs being used in the larger school districts, thus causing reluctance on the part of test directors in the larger school districts to implement such a system.

Mr. Soderman remarked he could not speak for those districts, but noted that any school district currently using CRTs could develop their own data bank.

Responding to Senator O'Connell's inquiry regarding high school students graduating at a 10<sup>th</sup> grade reading level, Mr. Olson replied that as an organization, NWEA has not conducted follow-up studies of college graduates at the universities. He did mention that data is available at the state level, but NWEA has not been involved in the studies.

### ***Nat Lommori***

Nat Lommori, Superintendent, LCSD, introduced Claudia Fadness of the Silver Springs Elementary School, who would discuss the impact ALTs have had at the elementary school.

### ***Claudia Fadness***

Claudia Fadness, Principal, Silver Springs Elementary School (SSES), LCSD, discussed the remediation programs provided to those students not achieving RIT score at the SSES. During the school day, students are taken from the non-core curriculum classes and provided with additional instruction in remedial reading and language arts. Instructors are reading specialists who are able to monitor the progress of the students and evaluate the effectiveness of the particular program. Currently, classroom teachers, including Ms. Fadness, meet quarterly to review fall level test scores, conduct monthly DRA in every classroom, and evaluate student grades. The information accumulated from these working sessions is compiled to determine at-risk students. Once those students are identified, they attend literacy groups for reading remediation. Ms. Fadness noted that Title I funds are utilized for mathematics remediation.

Ms. Fadness explained that a high percentage of at-risk students attending SSES live in poverty, which necessitates living in vans and motor homes. Prior to implementing ALTs, SSES always ranked at the bottom of the state



academically and had difficulty retaining teachers. However, once ALTs were employed, SSES was the school in Nevada that demonstrated the most academic growth, which has been an extremely powerful motivator for teachers and students. Ms. Fadness was pleased to announce that students in third and fourth grade mathematics, scored at the national average this year.

***David Brady***

David Brady, President, Douglas County School Board, Minden, stated the Board is of the opinion the ALT system provides useful and meaningful information, which is instrumental when determining allocation of resources for student achievement. Mr. Brady encouraged the Committee to seriously consider the use of ALTs in other school districts.

**STATUS REPORT ON TEACHER LICENSING AND  
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION**

***Dr. Keith Rheault***

Dr. Keith Rheault, Deputy Superintendent, Instructional, Research, and Evaluative Services, Nevada Department of Education (NDE), Carson City, stated the issue of teacher licensing was addressed at the August 27, 2002, meeting, of the Legislative Committee on Education at which time Committee members raised concerns regarding Nevada's licensing procedures. Dr. Rheault indicated that Dr. Steve Henick, President of the Commission on Professional Standards in Education, and Dr. Hardy McNew, a member of the Commission and a teacher at Bishop Manogue Catholic High School in Reno, were present to address those concerns.

***Dr. Steve Henick***

Dr. Steve Henick, President, Commission on Professional Standards in Education, and Administrator, Clark County School District, commented that the Commission is statutorily responsible for adopting:

- Regulations that prescribe the qualifications for licensing teachers, administrators, and other education personnel;
- Procedures for the issuance and renewal of licenses for teachers, administrators, and other educational personnel; and
- Regulations deemed necessary by the Commission for its own governance or to carry out the duties of the Commission.

Interjecting, the Chairman explained to the Commission members that:

- Testimony was provided to the Committee at its August 27, 2002, meeting by the deans of the colleges of education in which they concurred with the Education Trust's assessment that the Praxis I exam was set at the 10<sup>th</sup> to the 11<sup>th</sup> grade level. This raised concern among Committee members that Nevada appears to have low passing scores on reading, writing, and mathematics;
- According to the Competency Testing Review Committee, the Praxis cut score of 172 in mathematics would mean that 22 percent of the test takers failed to make the cut. Additionally, the cut score in reading was 174, which equates to a failure rate of 19 percent; and
- The review panel charged with setting the 1999 cut scores consists of 44 percent of teachers with less than five years' experience. Is it realistic to have new teachers so heavily represented in such a group.

Chairman Raggio asked the Commission members to respond to these issues.

Dr. Henick replied that Nevada's cut scores were raised in 2000 based on the 1999 results. Referring to the State of Virginia, which has the highest set cut scores of all the states, its scores are balanced with the number of teachers in

classrooms on administrative waivers, which is considered one of the highest percentages in the nation.

Chairman Raggio stated the Competency Testing Review Committee recommended a cut score of 140 on the Praxis II content areas test, which is required for elementary teachers; however, the Commission left the cut score at 135. Such a score is not consistent with the state's desire for high quality teachers.

Referencing the summary of activities provided to the Committee (please refer to Exhibit C) Dr. Henick replied that during the spring of 2002, the Commission did review the testing requirements in the areas of elementary education, secondary English, and secondary social studies.

***Dr. Hardy McNew***

Dr. Hardy McNew, Member, Commission on Professional Standards in Education, explained that the level the Commission expects a college graduate to achieve before they enter the profession, is a minimal requirement. It is expected those teachers will grow and progress once they are teaching. Therefore, testing is based upon people who have only had their "cadet" training, or their student teaching in certain situations. The PPST provides the basic scores and tests that present an idea of a teacher's potential.

Responding to questions from the Chairman, Dr. McNew stated the criteria for setting Nevada's set scores is a matter of recruiting and retention. He explained that when the Commission increased cut scores in 2000, a large percentage of individuals were eliminated.

Chairman Raggio emphasized that the Commission's role is to ensure that Nevada's elementary teachers are qualified to teach reading, and asked what measures have been taken by the Commission to meet state and federal reading requirements.

Dr. Rheault replied that nine credits of methods teaching are required to receive an elementary teaching license. He indicated that other states require fewer credits, which is evident when the NDE licenses teachers from out-of-state. In most cases, a provisional license is issued to allow the instructor to take additional reading methods courses to obtain a Nevada teaching license. The state, however, does not require specific reading courses to receive a secondary license. As far as elementary reading and literacy, Nevada is positioned at the upper level for reading requirements.

Dr. Henick remarked that the Commission is currently conducting an ongoing review of all teacher licenses and endorsements and has assembled a number of task forces to review test language. Additionally, significant changes have been made in the school counselor and early childhood licensure

Continuing his testimony, Dr. Rheault provided the following observations:

- The University of Nevada, Reno (UNR), is considering reorganizing the college of education and asked the NDE to provide feedback regarding testing for elementary teachers. Based on NCLB requirements, the university was encouraged to include Praxis I, Praxis II, and the subject matter tests prior to graduation. It was noted that the problems occur when an individual has difficulty passing the subject matter tests after they have graduated and assistance is not available at the college level. Dr. Rheault stated the Sierra Nevada College at Incline Village, Nevada, requires all three tests prior to attaining licensure; therefore, the NDE is assured an individual is qualified to receive a full license. Dr. Rheault was of the opinion the State Board of Education should mandate that all colleges in the State of Nevada require all three tests prior to graduation.
- An example of a passing rate summary report was included in the Commission's summary document (please refer to Exhibit C), which depicts the testing period of September 1, 2000, through August 31, 2001. This particular timeframe illustrates the first year in which mathematics and reading cut scores were increased by 2 points. The PPST percent pass rate for mathematics reveals 75 percent, which eliminated 25 percent of those students applying for a teaching license. That percentage does not reflect reading or writing scores, or the pedagogy or subject areas tests.
- In setting cut scores, the Commission must be mindful of ethnic groups. For example, during the same testing

period, only 17 percent of African Americans passed mathematics at a cut score of 172, thus eliminating 83 percent of the applicants. In 1994, 20 teachers in the Clark County School District challenged the PPST. The teachers were of the opinion the PPST cut scores were not valid and the test did not properly measure a beginning teacher's knowledge. Nevada's court ruled that the test was valid and the cut scores represented a fair opportunity for teachers to pass with a minimum level of mathematics knowledge.

- The Educational Testing Service indicates Nevada's mathematics test is set at the high school and second year sophomore college level.
- Addressing the large percentage of freshmen teachers comprising the validation group, they have determined that beginning teachers can best decide the reading, writing, and mathematics skills that are needed during the first few years of teaching.

Dr. Rheault concluded by stating that in his experience over the past eight years, the Commission has always been willing to revisit licensure requirements.

Chairman Raggio reiterated that the situation in Nevada is no different from any other state and that as long as Praxis I and II are considered to be valid tests, the emphasis should be placed on highly qualified teachers. The NCLB mandates highly qualified teachers with strong content knowledge at the state level; therefore, the Commission should be mindful of these goals at the federal and the state levels.

To assist the Commission in its future endeavors, Dr. Henick asked that the Committee support the following items:

- Provide the Commission with the authority to have direct responsibility regarding teacher education programs; and
- Licensure waiver authority to handle unique situations.

### **STATUS REPORT ON IN\$ITE FINANCIAL ANALYSIS MODEL PROGRAM AND REPORTS ON SCHOOL DISTRICTS AND CHARTER SCHOOLS IN NEVADA**

***Mindy Braun***

Mindy Braun, Education Program Analyst, Legislative Bureau of Educational Accountability and Program Evaluation (LBEAPE), Fiscal Analysis Division, Legislative Counsel Bureau (LCB), stated the purpose of her presentation was to provide the Committee with information regarding the variety of reports that are available through the In\$ite program. She indicated that legislators will have access to the reports in November 2002, and the Legislature as a whole will be able to retrieve reports for the 2003 Legislative Session.

Providing a historical overview of the In\$ite system in Nevada, Ms. Braun commented that the 1999 Legislature, under Senate Bill 466 (Chapter 621, *Statutes of Nevada 1999*) appropriated \$300,000 to conduct a financial analysis program in each school district designed to track educational expenditures to individual schools. Prior to In\$ite, the majority of financial reports for education were only tied to the district level. Another requirement of the bill is utilization of common definitions in analyzing financial information, thus enabling comparisons among school districts and down to the school level across schools.

Fox River Learning, Inc. (FRL) is a member of EDmin.com, which was founded in 1989 and is a provider of learning management solutions that enable school districts and teachers to accelerate student learning and improve performance. Fox River Learning is currently using In\$ite in five statewide implementations and in over 400 districts throughout the United States. Additionally, FRL has obtained contracts with the U. S. Department of Education as well as the U.S. General Accounting Office (GAO). Under the NCLB requirements, the GAO must conduct a study to research educational expenditures for Title I schools in six different school districts within the United States. Of particular interest to Nevada, is that the Douglas County School District was one of the six districts chosen in the study.

Ms. Braun noted that the 2001 Legislature appropriated an additional \$304,000 to continue contractual services with FRL to ensure that:

- Charter schools be included in the reports;
- Revenue reports are generated; and
- Full time equivalent (FTE) reports are produced.

These additional requirements will ensure the State of Nevada has a comprehensive financial analysis system in place.

Continuing her testimony, Ms. Braun stated In\$ite is a complementary tool to an education agency's existing financial system. In\$ite does not replace any of the financial systems utilized by any of the school districts or the NDE; it utilizes standardized terminology and definitions in analyzing information, and provides 285 various reports concerning expenditures at the state, district, and school levels.

Ms. Braun explained that FRL obtains general ledger files from each of the school districts, the charters schools, and the NDE. They also acquire the financial audits and databases for each of the three entities, which include student enrollments as well as the various types of programs utilized in the school districts. Financial audits provide a comparison of ending fund balances, which ensure there are no discrepancies. For Fiscal Year 2001, the financial audits and general ledger files of the Washoe County and Clark County School Districts were extremely close. A number of smaller school districts, however, did experience larger discrepancies. The FRL determined that many of the rural school districts were not adjusting journal entries based upon audits. This method of accounting will be rectified for future audit reports.

Discussion ensued regarding In\$ite definitions in the development of reports and expenditures for Fiscal Year 2000-01 relative to Nevada school districts and charter schools (please refer to Exhibit D). With the use of charts, Ms. Braun provided the Committee with a synopsis of In\$ite reports illustrating:

- Total expenditures by five major functions (leadership, instruction, instructional support, operations, and other commitments);
- Total expenditures including other commitments (leadership, instruction, instructional support, and operations);
- Operating expenditures by four major functions (leadership, instruction, instructional support, and operations);
- Operating expenditures by education level (elementary, middle school, high school, alternative schools, other schools, and non-schools);
- Operating expenditures by general education and incremental programs (general education, special education, bilingual/English as a Second Language (ESL), Title 1 schools, vocational, and other programs); and
- A per-pupil comparison by district and charter schools.

The Chairman thanked Ms. Braun for the presentation and stated the Committee was very impressed with the amount of information the reports provide. The ability to now review each school's expenditures and the ability to determine how funding is being utilized exceeds the Committee's expectations. He asked Ms. Braun if it will be necessary under the NCLB guidelines for school districts to utilize reports, such as In\$ite, in reviewing allocations at the school level.

Ms. Braun replied that school districts are required to review resource allocations for those schools identified as low-performing. In\$ite's report "Comparative by Function – Total Spending" provides "outlier" information that enables a school or district to determine their per-pupil spending. This function will be a tremendous asset to a school district for those schools considered low-performing.

Further, Ms. Braun explained that school districts are not utilizing In\$ite reports in their accountability reports. As the reporting requirements of the Act take effect, the school districts will find it necessary to revise their reporting requirements. She indicated that this is an ideal time, if legislators are amenable to continuing the contract with FRL, to include In\$ite reports in the state accountability reports.

### **PRESENTATION ON *RECONNECTING YOUTH*, AN IN-SCHOOL PROGRAM FOR AT-RISK YOUTH**

Chairman Raggio indicated that Dr. Eggert appeared before the Senate Committee on Human Resources and Facilities during the 2001 Legislative Session at the request of Senator Raymond D. Rawson (Clark County Senatorial District No. 6). Senator Rawson introduced Senate Bill 305 of the 2001 Session, which proposed a study of the *Reconnecting Youth* program; however, the bill failed to pass. The Chairman thanked Dr. Eggert for providing the Committee members with a program that targets at-risk youth.

***Leona L. Eggert, Ph.D., R.N.***

Leona L. Eggert, Ph.D., R.N., Executive Director, Reconnecting Youth Prevention Research Program, University of Washington, Seattle, Washington, stated that *Reconnecting Youth* (RY) is aimed at individual at-risk students who are in danger of dropping out of school, as well as related factors such as drug and alcohol abuse. Utilizing a Microsoft PowerPoint presentation (please refer to Exhibit E), Ms. Eggert indicated she would describe the RY school-based prevention program that outlines:

- Who the program is intended for and their profile;
- The design of the RY Program; and
- The program's effectiveness.

Dr. Eggert focused her comments on the universal prevention program, which focuses on students who are at-risk of dropping out of school and demonstrating early signs of drug use and related risk factors. A profile of the at-risk youth reveals they are functioning below level in terms of school, individual, peers, and family. Contributing factors include:

- Correlated risk behaviors attributed to alcohol and drug abuse, which leads to aggression, depression, and suicidal behaviors;
- School risk factors, which include a negative view of school experience, poor teacher-student relationships, and nonparticipation in school activities;
- Multiple risk factors in terms of impulsive decision-making and weak coping skills, low self-worth, emotional disorders, and poor social and interpersonal skills;
- Peer risk factors, which are the strongest predictor of drug involvement, emotional distress, and poor school performance; and
- Family risk factors, which include serious conflicts, poor family and school connections, ineffective parenting styles, and parental drug use.

Dr. Eggert indicated the challenge lies in identifying the pool of youth at high-risk from among the total school's student population. Using a predetermined formula and a school's database, students who are behind in credits for their grade level, are in the 25<sup>th</sup> percentile for absences, or have a grade point average that has decreased to below 2.5, can be identified. Additionally, those pupils within a school population who are not attending special education and have the capability to perform at a higher level, are sought out. A prior dropout would automatically be included

in the pool.

Once the at-risk pool has been determined, the next task involves contacting each child to extend a personal invitation to engage in RY. Once a student has agreed to the program, RY telephones each parent to obtain their consent and cooperation. What sets RY apart from other programs, is that students are invited to participate. Other prevention efforts for at-risk youth typically identify them and then they are assigned to a specific program. On average, a school experiences rebellious students.

When a pool of “willing” students has been established, the challenges in designing a program must address:

- Several co-occurring outcomes (not only drug use);
- Key risk factors that can be changed;
- Developmental and cultural learning styles; and
- The potential for negative peer group bonding and influences.

Continuing her testimony, Dr. Eggert focused her comments on the RY structure, which consists of:

- High school classes that meet daily for a full semester and are taught as part of the regular high school curriculum. Prior to connecting with RY, at-risk students were tempted daily to use drugs and skip classes; therefore, some type of daily intervention is essential;
- A specially selected and trained teacher who excels in working with high-risk youth.
- A small class with a 1:12 teacher-student ratio.

Additionally, the three major goals of RY include: (1) improving school performance; (2) decreasing drug involvement; and (3) increasing mood management to cope with anger, depression, and suicidal risk behaviors. Approximately 30 to 40 percent of children identified as a potential dropout are considered at-risk for suicide.

Responding to several questions from the Chairman, Dr. Eggert responded that:

- When students are invited to participate in the program, they respond positively. Feedback from students reveals they have never been selected out of the mainstream to belong in a special way.
- *Reconnecting Youth* has a specific teacher selection criterion that has been tested rigorously in the State of Washington.
- If the State of Nevada was to implement RY, the Legislature could appropriate funds or allocate instructional funds. Often, teachers are selected from the existing pool of instructors; however, a teacher can be hired from the outside by securing grant support from the state.
- Training is provided by certified instructors and is given on-site over a period of four days. The cost per trainer is \$750 per day for eight teachers for the four-day period, plus per diem and travel expenses.

Results of the RY program are rewarding and have demonstrated that students have experienced:

- An increase in school performance;
- An increase in personal and social resources;
- A decrease in suicide-risk behaviors;

- Reduced depression, hopelessness, and aggression; and
- A decline in drug involvement.

At the policy level, Dr. Eggert explained the challenges lawmakers would need to address:

- Streamline the process for changes that must be made by creating incentives and removing barriers within schools;
- Present problems and solutions to the public;
- Enable schools to do what is necessary to reduce alienation and dropout rates, drug use, and suicidal behaviors;
- Revamp programs for at-risk youth where goals are not being achieved; and
- Consider new structures for effecting the transition from school to work or other productive pursuits.

Concluding her remarks, Dr. Eggert stated the “costs of doing nothing are much greater than the costs of implementing *Reconnecting Youth*.” Many schools have sought additional funds from Safe and Drug Free Schools, the state department of education for grant funding, the Center for Substance Abuse Prevention, and the Bill and Melinda Gates Foundation.

### **PRESENTATION OF SCHOOL CHOICE OPTIONS, INCLUDING VOUCHERS**

Chairman Raggio asked that the report titled “Background on School Choice Options, Including Voucher Programs in Other States” (please refer to Exhibit F), which was submitted by Susan E. Scholley, Senior Research Analyst, Research Division, LCB, be included as part of the record.

#### ***Kim Troop***

Kim Troop, Principal, Reno Christian Academy, testified on school vouchers and school choice. She expressed concerns regarding the restrictions imposed by government on private, religious-based schools that choose to participate in a voucher program, and questioned if participation in a voucher program would require schools to offer an opt out policy for the religion portion of their program. Ms. Troop raised the following issues regarding vouchers and school choice:

- By allowing students the opportunity to opt out of chapel and bible classes, the integrity and values of a religious-based school would be compromised; therefore, would such requirements be considered discriminatory to the private religious-based institutions if similar demands were not made on nonreligious schools, including public schools?
- Will schools be required to obtain certification or be credentialed and, if so, how will accountability from the state be measured for schools that do participate, including public, charter, private, and home schools?
- How will academic accountability be monitored and maintained?
- Will schools be required to change curriculum and admission policies if they chose to participate in a voucher program?

Ms. Troop commented that private choice in education is important as it places the responsibility of educating children back into the hands of those responsible – the parents. Educational institutions serve as an extension of a parent’s responsibility to help educate their children; however, when the education system fails to serve its students

adequately, then alternative means must be made available for parents to choose from. Ms. Troop was of the opinion that children should have the right to attend an established academically successful educational program, including a religious-based institution, regardless of a parent's financial state.

In conclusion, Ms. Troop discussed the alternative high school program offered at the Truckee Meadows Community College (TMCC), which two of her children attended. She explained the TMCC is a phenomenal school that offers high school juniors and seniors academic challenges and opportunities that do not exist in other schools within the Washoe County School District. She noted that the Reno Christian Academy has elected to discontinue its junior and senior classes and made the decision to transfer its students to the TMCC high school. Since school districts are finding it necessary to cut school programs from their budgets, she suggested the Legislative Committee on Education "fight for the funds" needed to adequately educate Nevada's children, whether it is through public, private, or charter schools.

Chairman Raggio indicated provisions are in place for school options in charter and magnet schools at the federal level under the NCLBA, but questioned if the Act also provides an option for secular schools.

Dr. Rheault replied in the affirmative.

### **PRESENTATION ON PRINCETON REVIEW'S FIRST ANNUAL RANKING OF STATE ACCOUNTABILITY SYSTEMS**

The Chairman asked that the report titled "School Accountability: Princeton Review's Annual Ranking of State Accountability Systems" (please refer to Exhibit G), which was prepared by Carol M. Stonefield, Senior Research Analyst, Research Division, LCB, be included as part of the record.

### **ANNUAL REPORT ON IRREGULARITIES IN TESTING ADMINISTRATION OR TEST SECURITY**

At the request of the Chairman, the report titled "Report of Test Security for Nevada Public Schools, School Year 2001-2002" (please refer to Exhibit H), which was submitted by Dr. Keith Rheault, Deputy Superintendent of Instructional, Research, and Evaluative Services, NDE, was included as part of the record. He indicated the report reveals there were minor incidents for the 2001-02 school year.

Dr. Rheault, previously identified, commented on the report and indicated the majority of the incidents were due to statute requirements that took effect during the 2001-02 school year, or were attributed to a lack of knowledge. It is anticipated the number of incidents will decrease through distribution and awareness of the report. The most egregious incident involved a Clark County School District teacher, in which his license was suspended.

### **UPDATE ON IMPLEMENTATION OF FEDERAL EDUCATION LAW – NO CHILD LEFT BEHIND ACT OF 2001 – BRIEFING ON INCLUSION AND FLEXIBILITY**

The Chairman requested the briefing titled "Inclusion and Flexibility Provisions of No Child Left Behind Act (H.R. 1 – Reauthorization of ESEA)" (please refer to Exhibit I), which was prepared by Susan Scholley, Senior Research Analyst, Research Division, LCB, be included as part of the record.

### **PUBLIC COMMENT**

#### ***Dennis Ellestad***

Dennis Ellestad, retired CCSD schoolteacher, expressed concern regarding Nevada's health plan for retirees. He spoke of significant increases for retirees and mentioned that retired teachers in the state will now pay \$711 per month for health care benefits. Mr. Ellestad inquired about the possibility of an audit of the Teachers Health Trust of



the Clark County School District.

Chairman Raggio commented that although issues regarding health care benefits did not fall under the purview of the Legislative Committee on Education, this issue has been brought to the attention of many legislators and will be addressed during the 2003 Legislative Session. The Chairman indicated that the Legislative Auditor does have the authority to conduct an audit investigation if requested.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 12:30 p.m. Exhibit J is the "Attendance Record" for this meeting.

Respectfully submitted,

Roxanne Duer  
Principal Research Secretary

Susan E. Scholley  
Senior Research Analyst

APPROVED BY:

\_\_\_\_\_  
Senator William J. Raggio, Chairman

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

### **LIST OF EXHIBITS**

Exhibit A was submitted by Allan Olson, President and Executive Officer, Northwest Evaluation Association, Portland, Oregon, and consists of the following documents:

1. A Microsoft PowerPoint presentation titled "A Challenge to the Nevada Education Community."
2. A packet of information addressing student achievement and monitoring growth; an introduction to the Learning Continuum; computerized adaptive tests; achievement level tests; interpreting RIT scale scores; and measures of academic progress (sample reports).
3. An example of a class report titled "Understanding the Class Report by RIT."

Exhibit B was prepared by John Soderman, Superintendent, Douglas County School District, and includes the following documents:

1. Charts utilized in Mr. Soderman's presentation illustrate the function of the Rasch Unit Scale (RIT scale); correlation and regression analysis charts for reading and mathematics; achievement level test results in science for spring 2000 through spring 2002; grade 4 achievement level test growth data for reading and mathematics for fall 2000 through spring 2002; and an achievement level test longitudinal report.
2. A fact sheet on achievement level tests.

Exhibit C is a summary of activities and a historical overview of the Nevada Commission on Professional Standards in Education, submitted by Dr. Keith Rheault, Deputy Superintendent, Instructional, Research, and Evaluative Services, Nevada Department of Education.

Exhibit D was submitted by Mindy Braun, Education Program Analyst for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division, Legislative Counsel Bureau, which includes “In\$ite Functions, Program Definitions, and Terminology” and the “In\$ite Financial Analysis System – In\$ite Report Expenditures FY 2000-2001.”

Exhibit E was submitted by Leona L. Eggert, Ph.D., R.N., FAAN, Executive Director, *Reconnecting Youth* Prevention Research Program, Seattle, Washington, which consists of the following:

1. Dr. Eggert’s Microsoft PowerPoint presentation;
2. A brochure titled *Reconnecting Youth – A Peer Group Approach To Building Life Skills*;
3. A pamphlet titled *Reconnecting At-Risk Youth: We Can Make A Difference!*; and
4. An overview of the *Reconnecting Youth* program titled “*Reconnecting Youth: An Indicated Prevention Program for Curbing the Progression of Co-occurring Problem Behaviors*,” dated June 2000.

Exhibit F is a memorandum dated October 14, 2002, to Chairman William J. Raggio and Members of the Legislative Committee on Education, from Susan E. Scholley, Senior Research Analyst, Research Division, Legislative Counsel Bureau, titled “Background on School Choice Options, Including Voucher Programs in Other States.”

Exhibit G is a memorandum dated October 11, 2002, to Chairman William J. Raggio and Members of the Legislative Committee on Education, from Carol M. Stonefield, Senior Research Analyst, Research Division, Legislative Counsel Bureau, titled “School Accountability: Princeton Review’s Annual Ranking of State Accountability Systems.”

Exhibit H is a memorandum dated August 30, 2002, to Senator William J. Raggio, Chairman, from Dr. Keith Rheault, Deputy Superintendent, Instructional, Research, and Evaluative Services, Nevada Department of Education, titled “Report of Test Security for Nevada Public Schools, School Year 2001-2002.”

Exhibit I is a policy brief submitted by Susan Scholley, Senior Research Analyst, Research Division, Legislative Counsel Bureau, titled “Inclusion and Flexibility Provisions of No Child Left Behind Act (H.R. 1 – Reauthorization of ESEA).”

Exhibit J is the “Attendance Record” for this meeting.

Copies of the materials distributed in the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at (775) 684-6827.