

MINUTES OF THE MEETING OF THE LEGISLATIVE COMMITTEE ON EDUCATION (NRS 218.5352) March 20, 2002 Las Vegas, Nevada

The fourth meeting of the Legislative Committee on Education (*Nevada Revised Statutes* [NRS] 218.5352) for the 2001-2002 interim was held on Wednesday, March 20, 2002, at 9:30 a.m., in Room 4401 of the Grant Sawyer State Office building, 555 East Washington Avenue, Las Vegas, Nevada, and videoconferenced to the Legislative Building, Room 3138, 401 South Carson Street, Carson City, Nevada. Pages 2 and 3 contain the "Meeting Notice and Agenda."

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Senator William J. Raggio, Chairman Senator Ann O'Connell Senator Maurice E. Washington Assemblyman Mark A. Manendo Assemblyman Wendell P. Williams

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Bernice Mathews Assemblyman Marcia de Braga Assemblywoman Dawn Gibbons

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

H. Pepper Sturm, Chief Principal Research Analyst
Susan E. Scholley, Senior Research Analyst
Mindy Braun, Education Program Analyst
Lu Chen, Education Research Statistician for the Legislative Bureau of Educational Accountability and Program Evaluation, Fiscal Analysis Division
Kristen C. Roberts, Senior Deputy Legislative Counsel
Mary Alice McGreevy, Deputy Legislative Counsel
Ricka Benum, Senior Research Secretary

MEETING NOTICE AND AGENDA

Name of Organization: Legislative Committee on Education

(Nevada Revised Statutes [NRS] 218.5352)

Date and Time of Meeting: Wednesday, March 20, 2002

9:30 a.m.

Place of Meeting: Grant Sawyer State Office Building

Room 4401

555 East Washington Avenue

Las Vegas, 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:

Legislative Building

Room 3138

401 South Carson Street Carson City, 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."

AGENDA

- I. Opening Remarks
 Senator William J. Raggio, Chairman
- *II. Approval of the Minutes of the February 13, 2002, Legislative Committee on Education Meeting
- *III. Status Report on Commission on Educational Technology Fred Dugger, Chairman, Commission on Educational Technology
- *IV. Presentation by Clark County School District on School Use of Educational Technology

Jhone Ebert, Coordinator, Secondary Technology, Clark County School District

- *V. Presentation by the Grow Network on Student Assessment Reports
 David Coleman, Chief Executive Officer, Grow Network
 Jennifer Barnum Luria, Vice President, Business Development, Grow Network
- *VI. Presentation of Findings by Contractor Reviewing Nevada's Statewide School Accountability Program for School Year 1999-2000 (NRS 385.359)

 George (Gus) Hill, Ph.D., Associate Professor, Education Leadership Department, University of Nevada, Reno
- *VII. Status Report on the Statewide Management of Automated Record Transfer (SMART)
 Dr. Jack McLaughlin, Superintendent of Public Instruction, Nevada Department
 of Education
 David Smith, Consultant, Nevada Department of Education
- *VIII. Presentation of Interim Report on Class Size Reduction Demonstration Project, Assembly Bill 700 of the 1999 Session, and Assembly Bill 671 of the 2001 Session Kevin Melcher, Director of Instruction, Elko County School District

- *IX. Report on Millennium Scholarship Program
 Susan Moore, Executive Director, Millennium Scholarship Program
- Update on Implementation of Federal Education Law No Child Left Behind Act of 2001
 Staff, Research Division, Legislative Counsel Bureau
- XI. Public Testimony
- XII. Adjournment

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 Ricka Benum 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.

OPENING REMARKS

Chairman Raggio called the meeting to order at 9:43 a.m. and he directed the Committee's secretary to call the roll.

APPROVAL OF MINUTES FROM FEBRUARY 13, 2002, MEETING

Chairman Raggio asked for approval of the minutes of the Legislative Committee on Education meeting held on February 13, 2002.

SENATOR O'CONNELL MOVED FOR APPROVAL OF THE MINUTES OF THE COMMITTEE'S MEETING HELD ON FEBRUARY 13, 2002, IN CARSON CITY, NEVADA. ASSEMBLYMAN WILLIAMS SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.

STATUS REPORT ON COMMISSION ON EDUCATIONAL TECHNOLOGY

Fred Dugger

Fred Dugger, Chairman, Commission on Educational Technology, Carson City, provided an update of the Commission's recent activities and submitted a handout (Exhibit A) to the members.

Mr. Dugger stated that the Commission remains focused on the task of achieving the equitable allocation of appropriated funds in accordance with the directions defined in Senate Bill 427 (Chapter 574, *Statutes of Nevada* 2001). The majority of the funds were intended for the development of networked computers in every classroom to enable upgrades of existing computers and software, and to provide limited technical support to the school districts. Mr. Dugger reviewed other fund allocations, and stated that:

- An amount of \$500,000 was allocated to include a portion of the costs needed to provide statewide, shared-use databases for schools and public libraries throughout the state;
- A total of \$400,000 was allowed for continuation of the KLVX television station, the distance learning program managed by the Clark County School District (CCSD); and
- The amount of \$300,000 was awarded to school districts for implementing projects that illustrate "best practices" in classrooms; the plan is to replicate these pilot programs throughout the state and develop the most efficient use of state funds.

Mr. Dugger offered examples of two of the "best practice" programs for which funds have been requested: (1) Pershing County has applied for funds to enable at-risk students to emulate real-life work situations by developing competent work skills and utilizing the computer in an employment-type setting, which requires development of analytical skills; and (2) the other innovative pilot program involves Lander County, where the district technology director has proposed that four computers be provided to the senior citizen's center. High school students serve as mentors for senior volunteers, who in turn mentor elementary students in area schools, utilizing instructional software to facilitate reading skills. Mr. Dugger

^{*}Denotes items on which the committee may take action.

noted that the programs appear to be an excellent example of maximizing limited resources.

The application procedure was developed by the Nevada Department of Education (NDE) and approved by the Commission on Educational Technology. Mr. Dugger stated that emphasis was given to an equitable distribution of the appropriation, and during its March 18, 2002, meeting the Commission was able to conclude the initial portion of allocation process. The remaining amount of \$700,000 is reserved for schools that do not have classroom computers that are network-capable. He told the Committee the secondary application has been simplified in that it clearly defines the allowable uses for the funds and should be easily interpreted by the various school districts. It is anticipated the secondary phase will be more concise, with less confusion resulting in more uniform applications.

He noted that the uncertain economic situation has prevented the release of many of the "one shot" funds by Governor Kenny C. Guinn. Chairman Raggio requested staff to monitor the situation and communicate with Mr. Dugger and the Office of the Governor.

Chairman Raggio commented that a recent issue of *Quality Counts* by Education Week gave Nevada a low ranking for educational technology. The pupil-to-computer ratios in the article appear to be different than what has been reported to the Committee. Chairman Raggio asked for an explanation of Nevada's the low ranking in the article.

Mark Knudson

Mark Knudson, Educational Technology Specialist, Office of Technology and Innovative Programs, NDE, Carson City, responded to Chairman Raggio's question. Mr. Knudson stated that the survey completed during the S.B. 427 funding process counted only the instructional computers that were in classrooms, which resulted in an 11-to-1 ratio. He explained that if all school computers had been included, such as those in computer labs and libraries, the figure would have been closer to an 8-to-1 ratio. The NDE is finalizing a program to implement an on-line informational technology survey, which will portray an accurate number of total computers.

Chairman Raggio stated that \$50,000 was allocated for an evaluation component to the Commission to address the effectiveness of the technology funding program. He questioned whether information has been received from the school districts, and if the program appears to be effective.

Mr. Dugger replied that the first meeting with the contractor is scheduled for April 22, 2002. The Commission will be involved as well as NDE staff. Further, as part of the secondary application process, the school districts are required to report to the Commission regarding how the allocated funds have been expended and their effectiveness as it relates to test scores. Responses from the districts were not uniform, and the Commissioners directed the NDE technology liaison to work with the districts and other technical staff. He stated that Mr. Knudson, as staff to the Commission, would develop a report to illustrate the equitable distribution and make recommendations.

Chairman Raggio requested the information also address the effectiveness of the program. He said the report would be scheduled as an agenda item during the Committee's April 24, 2002, meeting.

Additionally, the Chairman suggested that Mr. Dugger begin to develop the funding requests for the next biennium that the Commission will be submitting to the Committee for approval.

PRESENTATION BY CLARK COUNTY SCHOOL DISTRICT ON SCHOOL USE OF EDUCATIONAL TECHNOLOGY

Jhone Ebert

Jhone Ebert, Director, K-12 Mathematics, Science, and Secondary Instructional Technology, CCSD, Las Vegas, addressed the progress of technology in Nevada schools. In 1997, approximately 10 percent of the state's classrooms had computers. Currently, almost 100 percent of classrooms have networked, multi-media computers. Ms. Ebert attributed this to the foresight of the Legislature by providing the technology funding.

Ms. Ebert explained that Nevada school districts have worked together to effectively decrease the cost of computer software programs, by using programs in schools statewide. Students utilize the Inspiration Software program for approximately one-third the initial cost.

Mathew McMurray

Mathew McMurray, Physical Science Teacher, Ed Von Tobel Middle School, CCSD, Las Vegas, utilizes the Inspiration Software during his 8th grade physical science class. Mr. McMurray explained how he organizes and then conveys large amounts of information that is easily accessible to his students. He demonstrated the program by means of a Microsoft PowerPoint presentation to illustrate how students may check the timelines of class assignments or projects and their due dates. He also pointed out the hyperlinks students may access for additional information to complete individual assignments.

Mr. McMurray explained that Ed Von Tobel Middle School has four computer labs with a total of 30 computers. Teachers must reserve one of the computer labs for use by the entire class. He encouraged the Committee to continue its support for funding classroom technology.

Mr. McMurray introduced four students from his 8th grade class to demonstrate their use of educational technology.

Lacey Trout

Lacey Trout, 8th grade student at Ed Von Tobel Middle School, thanked the Committee for making computers available at her school. Miss Trout gave examples of the programs used by her class, such as Star Math and Accelerated Reader. She stated that computers keep the class updated on current events.

The 8th grade physical science class is provided with a better understanding of the laws of science through the use of the WebQuest program. She explained how students must share or wait to use a computer. Miss Trout asked that more computers be purchased for her school in the future.

Lirio Torres

Lirio Torres, 8th grade student at Ed Von Tobel Middle School, gave a demonstration of how Mr. McMurray uses the WebQuest program to teach science theories such as "Newton's Laws." The computer program offers explanations by allowing the students hand-on use and utilizes complete graphics with realistic sounds.

Miss Torres asked the Committee members to join in an experiment that illustrates the concept of inertia, by placing a penny on a paper card, over a paper cup. The penny remained inactive, and fell into the cup when the card was knocked away, proving the first law of motion, which is inertia.

Ricky Smith

Ricky Smith, 8th grade student at Ed Von Tobel Middle School, utilized Mr. McMurray's Microsoft PowerPoint presentation to demonstrate the timeline function of the WebQuest program. She explained that if a student is absent, they may access any class projects they missed and learn what is necessary to make up the work.

Through a computer demonstration, Miss Smith displayed how mathematics relates to the science projects in Mr. McMurray's classroom.

Gerardo Lumbreras, Jr.

Gerardo Lumbreras, Jr., 8th grade student at Ed Von Tobel Middle School, continued the science exhibition by providing the Committee members with balloons and instructing them to blow up their balloons. Then, the balloons were let go into the air, illustrating that the force of the air coming out of the balloon created the reaction to cause the to balloon fly forward from the force of the thrust. Mr. Lumbreras, Jr., stated this experiment proves Newton's third law, which states for every action there is an equal and opposite reaction.

Concluding, Mr. Lumbreras, Jr., told the Committee that the classroom computers have impacted his education by providing hands-on learning of the computer programs. He said the computers offer a better total learning experience.

Assemblyman Manendo invited the students to visit the Legislative Web site.

Chairman Raggio thanked the students for their excellent physical science presentation.

In response to questions from Senator O'Connell, Mr. McMurray said that students are not able to access the programs used in class unless they have the Inspiration Software on their home computers.

Mr. Knudson, previously identified herein, responded further by stating that the CCSD is currently negotiating with the Inspiration Software officials for the cost of statewide licensing. This would allow for use of the software outside classrooms by students. The estimated price may exceed \$1 million per year.

Concluding, Mr. McMurray commented that during his teaching tenure in Washington State, a grant was obtained from the *Bill & Melinda Gates Foundation*, which provided funds to purchase laptop computers that could be checked out for home use by students. He suggested the possibility that school districts purchase computers, which could be checked out by students who do not have home computers, or to underprivileged students, for a reasonable monthly fee.

PRESENTATION BY THE GROW NETWORK ON STUDENT ASSESSMENT REPORTS

Jennifer Barnum Luria

Jennifer Barnum Luria, Vice President, Business Development, the Grow Network, New York City, New York, described the agenda and basic concepts of the program. Ms. Luria said the Grow Network has developed student assessment reports to assist teachers in understanding their students' test scores and enhance classroom instruction. She provided informational material (Exhibit B) and a letter of accomplishment from the Chancellor, State Board of Education of the City of New York (Exhibit C). The Committee viewed a videotape, which provided brief testimonials on the positive impact of the Grow Network's program from various educational leaders in New York City.

Ms. Luria stated that during the previous two years, the program has provided test reports and instructional materials to 450,000 school children and 40,000 teachers in the New York school system. She outlined the program as a personalized system, which strives to make test results instructionally useful. The Grow Network was founded on the concept of identifying the areas where children would benefit most and the areas they most need to learn. Ms. Luria stated that educational assessment results are consistently used for accountability measures; for example, the results have been used to determine bonuses or promotions for teachers, and to evaluate school funding. However, the results were not employed as a tool to understand what children know, or to identify areas in which children could best gain knowledge.

She emphasized that the Grow Network evaluates assessments, then links the information with standards, instruction, professional development, and technology, which is integrated into a system tailored for easy use by school principals and teachers.

Utilizing a Microsoft PowerPoint presentation, Ms. Luria outlined the four primary functions that make the program successful.

- 1. Score reports that are comprehensible, encourage teachers to help students grow, and are instructionally useful.
- 2. Link the printed reports to Web sites that enable parents, principals, and teachers to go on-line for information on specific classes, schools, and students. The Web site tools are user friendly and provide access to student-level performance.
- 3. The instructional materials provided are designed to further teacher understanding of the standards and urge teaching strategies which are tailored to the data.
- 4. The professional development-training program is all-encompassing and illustrates to district leaders and principals how to effectively use Grow Network tools to improve their school's performance and set priorities.

The Grow Network has attempted to create an integrated system for the three categories of users: (1) principals and district leaders; (2) parents; and (3) teachers. The integrated system depicts the information on each student's progress or problem areas and tailors the information to the type of print report. Ms. Luria explained that:

- Principals and district leaders receive results specific to their school or district; and
- Parents receive results that reflect their own child's assessment report; and
- Teachers are provided with print results detailed to the students in their classes.

Paola Vita

Paola Vita, Director of Strategic Partnerships, the Grow Network, New York City, provided examples of the information contained in different reports. The results were compared to the tests currently used in Nevada to illustrate the depth of information provided.

- The printed reports are customized for the individual teacher, to reveal the strengths and weaknesses of each class and each student.
- The information contained in the Grow Network report is broken out further in a clear, intuitive manner that encourages the teacher to be imaginative and strive to help students grow.
- The reports provided to teachers, present the standards aligned to a "higher-level, over-arcing topic area" which encourages teachers to consider more intuitive tools and techniques in their teaching strategies.
- The results enable the teacher to determine where the students need additional instruction. Tools and techniques are broken down into subtopics, which are also aligned to the standards; the results indicate to the teacher the percentage of correct answers from her students, or the percentage by other students in the district.

- The teaching tools suggest ability-appropriate strategies for the teacher and instructional insights to help their students grow.
- The printed report is an invitation for the teacher to go to the Web site where information is linked to the curriculum and to view each student's performance.
- The "print reports" currently include English, Language Arts, (ELA) and Mathematics.
- The principal's "print report" includes the same information, refined to illustrate performance level of the entire school; it is an effective professional development tool.
- A parent's "print report" clearly defines whether a child meets the state standard, in each ELA subject.
- Educational standards vary from state-to-state; the Grow Network tailors each program according to the state's adopted standards.
- All "print reports" contain an action step. For instance, in the parent's report, if a child is below standard in reading, the action step provides the address of the closest public library to the school, and suggests appropriate books to help the student improve according to the child's reading level.
- Each print report and action step is as personalized and tailored as possible, to permit each teacher, parent, or principal to acquire a clear understanding of the student's challenges.
- The Grow Network staff works with the educational and instructional leaders in each state when developing appropriate action steps. For instance, books are suggested only after the approval of local district officials. In New York, the staff worked with local libraries to ensure that any books recommended, were available to the students.
- In late June, reports are delivered to parents that contain suggestions for summer activities and suggested reading materials. Parents are encouraged at every opportunity to meet with the child's teacher.
- The beginning of September, another report is issued with a review of students' performance the previous year. Since the Grow Network reports are linked to attendance databases, the report includes the name of the teacher for the upcoming school year, the school's telephone number, and guidelines for making appointments with counselors and teachers.

Ms. Vita restated that parents are provided clear, personalized information with encouragement to take positive action. Parents are able to access the Web site, which provides links to the resources approved by the board of education.

Responding to a question from Chairman Raggio, Ms. Luria said the Grow Network program is used by school districts in Los Angeles, California, and Phoenix, Arizona.

Ms. Vita demonstrated the Grow Network Web site by detailing the different information displays accessible for parents and teachers.

She indicated the Grow Network does not provide curriculum, or lesson planning; however, emphasis is given to providing data meant to generate discussion and compel teachers to implement different strategies while recognizing the variety of ability levels. Ms. Luria stressed that teachers are encouraged to "push their students" and "always urge them" to take each activity or project one step further.

Continuing, Ms. Luria addressed the cost of implementing the Grow Network program in Nevada. She proposed that the program be brought into operation with a gradual start-up, beginning first with Clark and Washoe Counties. Ms. Luria assured the Committee that the program would be strictly aligned with the state's standards, and to the criterion-referenced tests (CRTs) and the norm-referenced testing (NRT). During the first year, two grades in both counties would receive the NRTs in the fall, and two grades would receive CRTs in the spring; this will guarantee educational needs are met. The Grow Network's fee structure includes:

- The base fee, encompasses creating data associations, setting up user access systems, merging attendance databases with testing database systems, and constructing individual password arrangements;
- The per-student fee, is based on the number of students who take the examination; and
- The proposed cost for Nevada includes a base fee of \$200,000, for both Clark and Washoe Counties, and a charge of \$7 per student.

Ms. Luria reiterated the program would be strictly aligned with Nevada's educational standards as well as, the CRT and the NRT. The proposal for Nevada would include working with results from the 4^{th} and 7^{th} grade NRTs, and the 3^{rd} and 5^{th} grade CRTs.

In response to a question posed by Senator Washington, Ms. Luria clarified that the \$200,000 is the initial set up fee, and then is an on-going cost for management of the data. She

estimated the cost would total approximately \$500,000 for Clark and Washoe Counties per year.

Responding to an inquiry from Senator O'Connell, Ms. Luria clarified that parents do not have passwords, only principals and teachers. There was concern that if parents receive one report a year and do not have passwords to access their child's records, the parent may not be aware that the student is struggling until the end of the school year. Ms. Luria explained that parents are able to access the Web site to obtain additional information and suggested material to assist the student.

Concluding, Ms. Luria told the Committee the Grow Network collaborates with the state's education officials to integrate standards and resources, and strives to further learning goals by presenting easily accessible information without duplicating efforts.

PRESENTATION OF FINDINGS BY CONTRACTOR REVIEWING NEVADA'S STATEWIDE SCHOOL ACCOUNTABILITY PROGRAM FOR SCHOOL YEAR 1999-2000 (NRS 385.359)

George (Gus) Hill, Ph.D.

George (Gus) Hill, Ph.D., Associate Professor, Education Leadership Department, University of Nevada, Reno (UNR), provided the Committee with a copy of the 2001 Progress Report (Exhibit D).

Dr. Hill explained that for this reporting year, the school districts were required to provide details according to several new data elements. The areas primarily scrutinized by the review panel comprised the percentage of credit-deficient pupils in their 9th grade school year. Secondly, the panel evaluated high school completion records, evaluating the number of students graduating with a standard or advanced diploma, and the students who appeared to perform minimally.

Dr. Hill explained there were two new data items included in the 2001 Status Report: (1) the compliance status of charter schools; and (2) a three-year history of the TerraNova scores from schools designated as in "need of improvement" formerly termed "inadequate classification."

Utilizing a Microsoft PowerPoint presentation (included under Exhibit D), Dr. Hill addressed the key points of the panel's findings. He testified that:

- All Nevada school districts have made an earnest effort to comply with the accountability laws;
- The quality of the reports provided by the school districts has improved from previous reporting years; most notably, the significant improvement of Lander, Storey, and White Pine Counties:
- Indications suggest that most Nevada school districts are using accountability data for school and student achievement improvement as intended by the Legislature;
- The reports submitted from Nevada's charter schools continue to be minimal, with the exception of the I Can Do Anything Charter School in Reno, Nevada;
- The report of the Superintendent of Public Instruction submitted to the Governor Kenny C. Guinn and the Legislature was evaluated by the review panel for evidence that the accountability data was being utilized in a significant manner to assist the schools and school districts in increasing academic achievement of students; the review panel determined there was no verification that the data was being used by the NDE or the State Board of Education;
- The panel determined that many of the school districts are not addressing other issues that have a direct impact on student achievement; the districts should incorporate additional data indicators, rather than relying only on test scores; and
- Uniformity is lacking in the reporting of violence and disciplinary occurrences between districts; for instance, student-to-student violence indicated Sparks, Nevada, reported lower incidents than Las Vegas area schools.

There is an indication of significant gains in test scores for 8th to 10th grade students. The panel concluded that a number of school districts are not testing all "chronological 10th graders;" meaning, students have been in school long enough to advance to the 10th grade, but have not earned the sufficient number of credits. The school districts classify these students as 9th graders and, therefore they are not tested; which results in an inaccurately high representation of student achievement.

Dr. Hill outlined the recommendations associated with the findings as stated in the report. The review panel recommends that:

• The Legislature address the excessive remedial enrollment rates at the University and Community College System of Nevada (UCCSN);

- School safety issues be addressed and improved;
- There should be review and clarification of the status of the "chronological 10th graders," meaning students who are credit deficient. The 10th grade students being tested should not include those pupils who are not deemed "academic" 10th grade students;
- The state should align the reporting requirements with the recently enacted federal No Child Left Behind Act; also known as the reauthorization of the Elementary and Secondary Education Act (ESEA/IASA), to alleviate erroneous reporting by school districts;
- School districts should be required to document evidence of utilization of the Regional Professional Development Programs for improvement of student achievement;
- All school districts should be required to consistently use UCCSN data on remedial enrollment rates; and
- Any school or school district with a legislative exemption to state laws or policies, such as class size reduction (CSR) should report any special practices or exceptions as well as provide an informative accounting of the program in place.

Addressing the issue of the statewide remediation rate, Dr. Hill commented that Nevada's school districts have simply not addressed what he views as a major concern, and what should be a concern of every taxpayer in the state.

The following recommendations outlined by Dr. Hill were included in previous review reports. The review panel concluded they were viable recommendations and remain appropriate to this accountability review process. The panel concluded that:

- School districts should be required to validate tests scores when wide differences occur from year-to-year, preferably by re-testing at least a portion of the students;
- A priority should be given to improving the school attendance;
- There is an essential need to give priority attention to mathematics instruction;
- Districts might consider hiring consultants to assist in preparing their reports, and the districts should take advantage of training opportunities; and
- There is a concern regarding the accuracy of reporting incidents of violence.

Dr. Hill recommended a report should be made regarding the extent to which accountability data and information is used to enlighten educational policies and practices at the State Board of Education and the NDE levels.

In summary, Dr. Hill stated that school districts have complied with required reporting laws on school accountability; however, the districts need to address the additional issues outlined under Part III of the 2001 Progress Report, (Exhibit D). Dr. Hill recommended that school districts, with the exception of Pershing County School District, immediately address the issue of Nevada's remediation rate.

Chairman Raggio joined Dr Hill in commending the staff for their assistance in preparing the report. Additionally, the Chairman directed that letters be sent on behalf of the Committee instructing the districts to expand their analysis of data for the "Part III – Plans for Improvement," as stated in the 2001 Progress Report.

PRESENTATION OF INTERIM REPORT ON CLASS SIZE REDUCTION DEMONSTRATION ASSEMBLY BILL 700 OF THE 1999 SESSION AND ASSEMBLY BILL 671 OF THE 2001 SESSION

Kevin Melcher

Kevin Melcher, Director of Instruction, Elko County School District, Elko, Nevada, testified on the continued progress of the class size reduction (CSR) project during the third year of implementation. Mr. Melcher provided the Committee with a copy of his testimony and the report (Exhibit F).

Mr. Melcher testified that during the implementation phase of the program (2000-2001 school year), no additional classrooms were necessary. The 34 anticipated additional classrooms acquired during the fall of 1999 (eight modular units, equating to 16 classrooms) and the fall of 2000 (nine modular units, equating to 18 classrooms), were sufficient for the project needs.

He explained that Attachment A of the report (please refer to Exhibit F, page 11) is an outline alternative application for the 22:1 class size reduction program that contains a table illustrating the projected staffing for each school.

Chairman Raggio asked if there is any indication the level of student achievement has improved.

Mr. Melcher responded that at present, there is no data available on student achievement. He added that last year baselines were established for student achievement. Although there has been no indication that student discipline has significantly changed in the lower grades, teachers are commenting on the ease of classroom management in the 4th, 5th, and 6th grade classrooms.

Responding again to the Chairman, Mr. Melcher clarified that there was no additional funding required for teacher salaries; the modular classrooms accounted for the majority of the district's increased costs. The yearly lease amount per module was \$10,320, and by eliminating three of the modular units the school district realized a reduction in the lease amounts.

Senator O'Connell questioned the feasibility of tracking students from the first year implementation of CSR through the school system, to ascertain if those students were impacted as far as requiring remedial classes. She indicated it would be helpful in determining the success of the program to know if students actually benefited from CSR, graduated from high school, and entered college, also, if those students required remedial classes.

Mr. Melcher agreed to provide any information pertinent to Senator O'Connell's inquiry and referred to two initiatives sponsored by different available grants, being established within the Great Basin College, Elko, that address the remediation issue: (1) a seminar titled "Bridging the Gap," for college and high school English teachers; and (2) an Upward Bound Program.

Mr. Melcher stated staff of the NDE, Great Basin College, and the LCB review the program by visiting several schools in district and gather data and evaluate the classroom situations. Attachment B of the report includes the schedule for 2001, which was the third evaluation of the demonstration project.

REPORT ON THE MILLENNIUM SCHOLARSHIP PROGRAM

Janice Wright

Janice Wright, Deputy of Cash Management, Office of the State Treasurer, Carson City, reported that the State Treasurer administers three education programs to assist any child who desires to seek higher education, by providing financial assistance. Ms. Wright further explained that:

- The Millennium Scholarship Program provides up to \$10,000 to any Nevada high school senior who graduates with a B or better grade average, meets the residency requirements, and enrolls in a Nevada university within the UCCSN, or Sierra Nevada College;
- The Office of the State Treasurer also administers the America's College Saving Plan that consists of two IRS-qualified 529 plans:
 - 1. The Nevada Prepaid Tuition Program in its fourth year of operation the program has enrolled over 9,000 children and the Treasurer's Office has overseen the investment of over \$34 million; and
 - 2. The College Savings Plan was authorized by Assembly Bill 554 (Chapter 445, Statutes of Nevada 2001) and allows anyone to invest in a tax-free, mutual fund investment.

Continuing, Ms. Wright testified that now that the U.S. Congress has passed the Tax Relief Act of 2001, which went into effect on January 1, 2001, all earnings are tax-free to both the purchaser of the account and the student who utilizes the benefits. Ms. Wright emphasized that the purchaser always remains in control of the account, which cannot be used for any purpose other than education expenses, and must have the permission of the purchaser of the account to use or withdraw funds.

Dr. Susan K. Moore

Susan K. Moore, Ed.D., Executive Director, Millennium Scholarship Program, Office of the State Treasurer, Las Vegas, provided the Committee with a binder (Exhibit G), which outlines the details of the program. Dr. Moore mentioned several of the educational partners that have contributed to the success of the Millennium Scholarship Program:

• All 17 Nevada school districts;

- The 39 private schools with high school programs;
- The Nevada Association of School Superintendents;
- The NDE:
- The UCCSN campuses and Sierra Nevada College; and
- The UCCSN System Computing and System Administration.

Dr. Moore provided the Committee with an overview of the activities of UCCSN that encourage students and promote their success in college. (Please refer to Exhibit H.) Each UCCSN campus is involved in activities that advance the student's familiarity with not only the campus, but the college lifestyle and system as well. Dr. Moore summarized facts specific to the scholarship program and the reports included in Exhibit G. She explained that:

- The UCCSN Board of Regents develops policies and procedures for daily administration of the scholarship program;
- The number of eligible high school graduates increased approximately 7.5 percent, from school year 2000 to school year 2001;
- Nevada's student eligibility and retention rates have steadily increased, with four in five students maintaining eligibility after the first year of involvement with the Millennium Program;
- Approximately 2,200 Millennium Scholarship Program Fact Sheets (in English and Spanish) were mailed to Nevada senior high school students in October 2001;
- Baseline data will be collected for future assessment to determine if the scholarship opportunity has an effect on student academic performance at the high school level, students' intention to attend college, and student academic performance at the college level; and
- The Millennium Scholarship Program solicited proposals to obtain and maintain the baseline data; following the request for proposal (RFP) process, the contract was awarded to the University of Nevada Reno (UNR) Center for Applied Research, as the successful vendor.

Senator O'Connell asked if information was being compiled regarding student records since the implementation of the higher academic standards, to ensure those students qualify for the Millennium Scholarship Program.

In response, Dr. Moore stated that high school counselors involved in the scholarship process have voiced the same concern. A representative of the Leadership Forum of High School Counselors has been retained as a member on the scholarship working committee, which will track high school eligibility rates and scholarship usage.

Senator O'Connell also urged that records be retained to document a student's reason for not attending college, if a student was eligible for the scholarship program and chose not to attend.

Dr. Moore replied the area of student intention not to attend college, as well as student survey research, would be included in the data collected.

Ms. Wright responded to a previous question posed by Senator O'Connell regarding refunds of Millennium Scholarship accounts. Ms. Wright restated that conditions of the 529 Plans and the America's College Savings Plan require that the purchaser remain in control of the account. However, she clarified that conditions of the Millennium Scholarship outlined under *Nevada Revised Statutes* (NRS) 396.934, "Maximum amount of scholarships; authorized uses of money; disbursement upon certification of eligibility," Section 5, states that the scholarship must be administered as other scholarships are administered. Further, the Millennium Scholarship may be used for registration fees, textbooks, course materials, and other associated costs related to the attendance of the student at the eligible institution.

Ms. Wright explained these costs may include meals, room and board, transportation expenses, and any other fees associated with attending the institution. When the Treasurer's Office receives the master settlement agreement, which is in the form of a wire transfer and pursuant to NRS 396.934, Section 4, the funds are disbursed as follows:

- Forty percent to the Millennium Scholarship Program;
- Fifty percent to the Healthy Nevada Trust Fund; and

• Ten percent the Public Health Trust Fund.

Referring to the 40 percent portion of disbursement, Ms. Wright said the Treasurer's Office issues a wire transfer to the UCCSN accounting system, based on the number of eligible of student and the number of course credit hours they are enrolled in for the semester. From this point, the funds are administered solely by the UCCSN accounting system. Funds that remain after each campus is reimbursed proper fee charges may be disbursed to the student. Ms. Wright clarified that the Board of Regents sets the policy for fund distribution.

Chairman Raggio restated the earlier question, that if the UCCSN receives the correct dollar amount per-student based on course credit hours, what would account for an excess of funds that could be disbursed to the student.

Lori Tiede

Lori Tiede, Director of Financial Aid and Enrollment Management, Nevada State College, UCCSN, Henderson, Nevada, clarified for the Committee circumstances that might allow a student to receive funds directly. If another form of grant revenue, payment from a parent, or other scholarship fund has paid towards the student's tuition in advance, the student may receive the funds that remain, but only up to the amount allowable under the Millennium Scholarship Program. Each individual UCCSN campus sets the student budget and the total amount for each student to attend. This total may include, in addition to tuition fees, costs for registration fees, textbooks, course materials, or other related expenditures, such as a disability allowance for special equipment.

Ms. Tiede testified that the true cost of attendance as defined by federal financial aid guidelines is actually greater than just fees and tuition. The Board of Regents policy is aligned to the NRS, and the cost of attendance may not be exceeded. A student does not receive any excess, or any amount more than the allowable expense for attendance.

Senator O'Connell communicated a situation in which a student received a check from the Millennium Scholarship Program, and used the check to reimburse his parents for a previous debt.

Ms. Tiede reiterated that in this case, there was an obvious lack of understanding regarding what the additional educational costs included. If a student lives at home, rather than in a dormitory, it would not be uncommon for the student to receive the reimbursement directly.

Chairman Raggio suggested that this area of the policy be reviewed and strengthened to prevent situations that appear inappropriate.

Senator Washington asked if the public service recruitments for the Millennium Scholarship Program target middle school students as well as high school students.

Ms. Wright indicated that efforts are made to reach children of all ages. For instance, the Millennium Scholarship Program staffed a booth at the Reno Kids Fair, and makes numerous presentations to parent and teacher groups statewide.

Senator O'Connell requested information be provided to the Committee stating the number of freshman students participating in the Millennium Scholarship Program who are enrolled in remedial classes within the UCCSN.

Ms. Tiede indicated that data is currently being documented to include statistics on all high school students who are enrolled in remedial classes, not just the students in the Millennium Scholarship Program. She stated that information would be provided to the Committee.

STATUS REPORT ON THE STATEWIDE MANAGEMENT OF AUTOMATED RECORD TRANSFER (SMART)

Dr. Jack McLaughlin

Dr. Jack McLaughlin, Superintendent of Public Instruction, Nevada Department of Education (NDE), Carson City, referenced the informational packet provided to the Committee and noted that NDE staff would provide a demonstration of the SMART program. Dr. McLaughlin testified that he is responsible for the successful implementation of the SMART program and assured the Committee the project is continuing on schedule. He added that there are locations where the program has achieved the "implementation stage" of the process.

Chairman Raggio explained that prior to the meeting, Dr. McLaughlin had been requested to provide a status report on the implementation of the SMART program, detailed information on the project completion date, and how its accomplishment will bring Nevada into compliance with the recently enacted federal legislation (No Child Left Behind Act of 2001).

Dr. McLaughlin utilized a Microsoft PowerPoint presentation (Exhibit H) and specifically referenced the "Data Flow Chart" to illustrate the progress of the system. (Please refer to page 4 of Exhibit H). He indicated that the NDE is working with a number of vendors to download their programs into the SMART system; once completed, the required informational data may be extracted, and compiled, and the NDE anticipates then having the ability to prepare reports for school administrators.

Dr. McLaughlin summarized the circumstances that have affected the delay in implementing the SMART system.

- Each school district utilized one of four different data systems, which necessitated the development of a program intended to extract specific elements of information from each system.
- The Department has been meeting with a variety of vendors to design the extraction-type program, which will rely on the use of common denominators to pull out the correct data. The NDE has specified security precautions that will ensure the data is encoded with protection-type encryption once the student information is retrieved.
- The NDE will then need to convert the retrieval data into another computer program, which has yet to be developed.

Continuing, Dr. McLaughlin explained the next step would be to arrange the through the Express Software system which generate the reports that the NDE is mandated by statute to provide to the school districts.

Dr. McLaughlin testified that to date, none of the data elements from the various vendors contain the essential instructions needed to extract the proper data to generate the desired reports. With regard to achievement scores, the approved vendors and the test publishers are now required to allow for the downloading of their data directly into the SMART system.

According to Dr. McLaughlin, the missing equation is a mechanism whereby teachers will be able to measure student progress in increments. Should the NDE decide that incremental assessments remain as its goal, the SMART system will require that download capacity to be built into the SMART system with the ability to extract data. Those components would complete the SMART system as it is currently envisioned; however, those capabilities do not exist at the present time.

Emphasizing the magnitude of the issue, Chairman Raggio asked what components of the system are currently useful to classroom teachers.

Dr. McLaughlin reported that direct instructional information is not part of the data element. Further, he was not with the Department at the time the project originated and has attempted to gain an understanding of the Committee with regard to the current and on-going problems encountered with the program.

Concluding his comments, Dr. McLaughlin indicated encouragement that the state may be allowed to use a portion of the anticipated \$4 million in federal funds to develop the proper type of "ongoing progress monitoring system" that is now federally mandated.

Denise Quon

Denise Quon, Evaluation Consultant, Accountability and Audit, NDE, Carson City, outlined the speculative range of data the SMART system will collect. Ms. Quon stated that when completed, the SMART program would standardize over 90 pieces of information per student, which includes data categories of:

- Attendance;
- Course information;
- Demographics;
- Disciplinary;
- Enrollment; and
- Program participation.

Ms. Quon noted that the NDE is waiting to establish the list of specific data elements that will be produced by the SMART system. There is a myriad of data that has been collected and stored in different system programs at the school and district levels. At the current time, educational improvement groups are meeting to decide on specific categories of data the NDE will be required to use as the basis of their reports. The school improvement groups will then make the NDE aware of recommendations for additional or different types of information to be incorporated into the SMART system. Additionally, the NDE has conducted interviews with each educational group involved.

Ms. Quon explained that at present, school administrators are not able to access student data, such as test scores. The data is only available at the district level and the NDE is working with the vendors to resolve the problem and formulate a method for data retrieval at the classroom level.

Chairman Raggio inquired if student test scores have been successfully entered into the system.

Ms. Quon responded that only portions of test results have been entered. Primarily, it is the rural counties that have not completed the data entry; Clark, Douglas, and Washoe Counties have converted the *TerraNova* test scores into their systems. She stated that the steps necessary to complete the data entry are more complicated than originally anticipated; to resolve the problems that have been encountered, the NDE is now insisting that test vendors produce files that can be easily integrated into the school district systems.

Dr. David Smith

David Smith, Assistant Director, Accountability and Audit, NDE, Carson City, informed the Committee that all new vendor contracts with the NDE will require direct input of testing information for each of the four different types of systems currently used by Nevada's school districts.

Dr. Smith explained that the required data fields have been established, and are termed as Student Performance Fields (please refer to page 11 of Exhibit H). The fields include:

- Nine subject areas for Norm Reference Fields;
- Four trait areas of Writing Proficiency;
- Five subject fields for the High School Proficiency Examination; and
- Three subject areas for Language Acquisition.

Dr. Smith restated that to resolve much of the system trouble, new contracts with NDE require that all vendors provide an automatic process of data input compatible with any one of the four systems used by the Nevada school districts.

Dr. Philip Brody

Dr. Philip Brody, Director, Information Systems, Clark County School District (CCSD), testified the CCSD is committed to making the data available at both the school and student level.

Dr. Brody outlined an information system pilot project that will be implemented in the 2002 school year; the program was developed by and will be purchased from the SASIxp system currently utilized by the CCSD. He stressed the importance of having the data available to teachers in the classroom. The CCSD is presently evaluating the funds required to make the program available in all 266 schools in the district, including the necessary support and training of every teacher.

Another computer program outlined by Dr. Brody will allow parents to access certain portions of their child's school information on the Internet. The CCSD anticipates a portion of the parent accessible program to be implemented within weeks.

Dr. Brody has developed a separate program, specifically for school principals within the CCSD. The program will allow access to number of templates with difficult to ascertain student information. He indicated that the security of the program is being evaluated and should be on-line next school year.

Ms. Quon (identified previously herein) said that CCSD anticipated the SMART data would be available after March 2003. She explained that during the previous two-year period issues of accuracy have surfaced and been a cause of concern with officials.

Chairman Raggio expressed displeasure with the lack of direct response to his inquiry as to when the system would be operational, his other questions, and previous memorandums. He stated that that it is unacceptable that the Committee has been provided a variety of excuses regarding the SMART system's unexpected complexity. The Chairman expounded on the timeframe issue and NDE's delay in insisting on sufficient contract requirements. Chairman Raggio noted that the requirements in question, were to be included in all the contracts as of May 2001. He also commented on the lack of measurable progress with the SMART system during the past year.

The Superintendent was no longer in attendance to respond to Chairman Raggio's comments and questions. Ms. Quon also was not able to provide the details the Chairman requested.

Chairman Raggio directed the NDE to provide a complete report at the next scheduled meeting of the Committee. He requested definite timelines to be submitted, delineating the current priority of the SMART program, and that the NDE provide the Committee with specific responses to the questions posed.

Chairman Raggio acknowledged that the Committee was informed there was adequate and available funding when the SMART program was originally presented, and expressed concern in hearing dissimilar testimony.

Addressing the NDE representatives, the Chairman requested a detailed and exact accounting on the status of the SMART system and requested that Dr. McLaughlin make the implementation of the system a priority.

Senator O'Connell asked for clarification and posed a question regarding a report that four counties do not have the capability to track student information.

In response, Ms. Quon, said she is of the understanding those counties access the same system as Clark County. She indicated she was unaware there was a problem.

Senator O'Connell expressed concern with the state spending \$12 million to implement the SMART system, and it cannot track student information. She also questioned a report stating that Eureka, Humboldt, Mineral, and White Pine Counties do not have the capability to use the system.

Lu Chen, Education Research Statistician for the Legislative Bureau of Education Accountability and Program Evaluation, Fiscal Analysis Division, LCB, Carson City, responded to Senator O'Connell's inquiry and referred to a memorandum she provided the Committee (Exhibit I). Ms. Chen explained that she conducted a poll to ascertain if the districts have the capability of tracking student academic growth. Ms. Chen added that, according to the poll, the four school districts mentioned, indicated a "no response" to the poll.

Ms. Chen clarified that the poll specifically questioned if the district had the capability to track the progress of students within their schools from year-to-year, either through student information systems implemented for SMART, or through other information systems.

Ms. Quon responded that the four counties use the same computer system as CCSD and it is possible they misunderstood the poll conducted by LCB.

Senator O'Connell requested that Ms. Quon provide the Committee with clarification from the four school districts in question.

Following a brief discussion regarding the length of the NDE contracts, Senator O'Connell requested Ms. Quon to furnish the end dates associated with each contract related to the SMART system.

UPDATE ON IMPLEMENTATION OF FEDERAL EDUCATION LAW NO CHILD LEFT BEHIND ACT OF 2001

Susan E. Scholley

Susan E. Scholley, Senior Research Analyst, Research Division, LCB, reported that Committee staff has met with representatives from the NDE and the school districts to review the draft regulations pertaining to the No Child Left Behind Act of 2001, released by the U.S. Department of Education. She noted that the remaining draft regulations will be released in July 2002, while the testing portion of the regulations are expected to be subject to a negotiated rule-making process.

Ms. Scholley stated that as requested, a series of briefings has been prepared on the key topics of the No Child Left Behind Act. The school districts and their superintendents were contacted and advised of the importance of their involvement in implementing the Act. Ms. Scholley said the correspondence mphasized the value of a statewide understanding by the educational communities to achieve successful implementation.

Additionally, the correspondence also clarified the provisions of the annual testing and reporting requirements, and encouraged a statewide effort to coordinate implementation of the Act.

Chairman Raggio noted that the new deadline for the Committee to submit Bill Draft Request (BDR) is September 1, 2002. Since the federal regulations are critical to drafting any state legislation, he is anticipating the need for an extension from the Legislative Commission for a Committee BDR on the No Child Left Behind Act of 2001.

PUBLIC COMMENT

There were no additional comments from the public.

ADJOURNMENT

There being no further business to come before the Legislative Committee on Education, Chairman Raggio adjourned the meeting at 1:31 p.m.

Exhibit I is the "Attendance Record" for this meeting.

Respectfully submitted

Ricka Benum Senior Research Secretary

Susan E. Scholley Senior Research Analyst

APPROVED BY:	
William J. Raggio, Chairman	-
Date:	_

LIST OF EXHIBITS

Exhibit A is a report submitted by Fred H. Dugger, Chairman, Commission on Educational Technology, to the Chairman and Members of the Legislative Committee on Education, titled *Report on Commission on Educational Technology Activities*, dated March 13, 2002.

Exhibit B is a compilation of informational material provided by The Grow Network, submitted by Jennifer Barnum Luria, which consists of the following:

- 1. A pamphlet titled "The Grow Network, Using Test Data to Improve Student Performance";
- 2. A letter of support dated June 6, 2001, from David B. Sherman, Vice President, United Federation of Teachers, Local 2, American Federation of Labor-Congress of Industrial Organizations (AFL-CIO);
- 3. A letter of support dated June 8, 2001, from Robert Gyles, Ph.D., Deputy Superintendent, Community School District 4, Board of Education of the City of New York, New York;
- 4. A document titled "The Grow Network, Using Assessment to Help Students Grow";
- 5. A document titled "Reactions to the Grow Report"; and
- 6. A report titled "The Grow Network Team."

Exhibit C is a letter submitted by Jennifer Barnum Luria (identified above), dated March 15, 2002, from Dr. Harold O. Levy, Chancellor, Board of Education of the City of New York, to Mr. David Coleman, Chief Executive Officer, The Grow Network, New York City, New York.

Exhibit D was submitted by Dr. George (Gus) Hill, Ph.D., and contains the following documents:

- 1. A report titled 2001 Progress Report on the Nevada School District Accountability Program Review, Analysis, and Recommendations; and
- 2. A copy of a Microsoft PowerPoint presentation titled "2001 Progress Report on the Nevada School District Accountability Program Review, Analysis, and Recommendations."

Exhibit E is a document titled "Status Report on Implementation of Class Size Reduction, 22:1 Demonstration Project Grades 1-6," provided by Kevin Melcher, Director of Instruction, Elko County School District, Elko, Nevada.

Exhibit F is an informational binder titled Millennium Scholarship Program, Office of the State Treasurer, dated March 20, 2002, submitted by Susan K. Moore, Ed.D., Executive Director, Millennium Scholarship Program, Office of the State Treasurer, Las Vegas.

Exhibit G is a copy of a Microsoft PowerPoint presentation submitted by Dr. Jack McLaughlin, Superintendent of Public Instruction, Nevada Department of Education (NDE), Carson City, and prepared by Dr. David Smith, Consultant, NDE, Carson City, titled the "Status Report On The Statewide Management Of Automated Record Transfer, SMART Program," dated March 20, 2002.

Exhibit H is a copy of a Memorandum submitted by Lu Chen, Education Research Statistician, Legislative Bureau of Education Accountability and Program Evaluation, Fiscal Analysis Division, LCB, Carson City, titled "Capability of School Districts' Student Information Systems in Tracking Student Academic Growth, dated March 19, 2002.

Exhibit I 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.