



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

**SUMMARY MINUTES AND ACTION REPORT**

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The first meeting of the Nevada Legislature's Legislative Committee on Education (LCE) was held on November 17, 2009, at 8:30 a.m. in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was videoconferenced to Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/75th2009/committee/>. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT IN LAS VEGAS:**

Senator Joyce Woodhouse, Chair  
Assemblywoman April Mastroluca, Vice Chair  
Assemblywoman Marilyn Dondero Loop  
Assemblyman Harvey J. Munford  
Assemblyman Lynn D. Stewart

**COMMITTEE MEMBERS PRESENT IN CARSON CITY:**

Senator William J. Raggio  
Senator Bernice Mathews

**COMMITTEE MEMBER ABSENT:**

Senator Shirley A. Breeden (Excused)

**OTHER LEGISLATOR PRESENT:**

Assemblywoman Bonnie Parnell, Assembly District No. 40

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Carol M. Stonefield, Supervising Principal Research Analyst, Research Division  
H. Pepper Sturm, Chief Deputy Research Director, Research Division  
Kristin C. Roberts, Senior Principal Deputy Legislative Counsel, Legal Division  
Joi Davis, Program Analyst, Fiscal Analysis Division  
Maryann Elorreaga, Senior Research Secretary, Research Division

## **OPENING REMARKS**

Chair Woodhouse called the meeting to order and asked the secretary to call the roll. She then introduced the Committee members and the Legislative Counsel Bureau (LCB) staff assigned to the LCE. She welcomed guest presenters, members of the public, and those viewing the meeting over the Internet. Chair Woodhouse noted that, due to budget constraints, Las Vegas would be the primary location for all of the Committee's meetings throughout the 2009–2010 Interim. She noted the meetings would be videoconferenced to Carson City.

## **REVIEW OF THE COMMITTEE'S DUTIES AND RESPONSIBILITIES**

- Carol M. Stonefield, Supervising Principal Research Analyst, Research Division, LCB, said the *Constitution of the State of Nevada* clearly defined the central role of the Legislature of the State of Nevada in establishing the system of public schools. To meet that responsibility, the Legislature created the system's structure and revised that structure from time to time. She then gave a brief overview of the duties and responsibilities of the LCE.

## **PRESENTATION ON THE SCOPE OF THE STUDY OF THE LEGISLATIVE COMMISSION'S COMMITTEE TO STUDY GOVERNANCE AND OVERSIGHT OF THE SYSTEM OF K-12 PUBLIC EDUCATION (ASSEMBLY CONCURRENT RESOLUTION NO. 2, FILE NO. 89, STATUTES OF NEVADA 2009)**

- Assemblywoman Bonnie Parnell, Chairwoman, Legislative Commission's Committee to Study Governance and Oversight of the System of K-12 Public Education (A.C.R. 2 Committee), said A.C.R. 2 directed the Legislative Commission to conduct an interim study concerning the governance and oversight of the system of K-12 public education in Nevada. She referred to a packet of information that she had submitted to the members of the LCE ([Exhibit B](#)) and gave a brief overview of the purpose of the Committee, the availability of a Web-based Survey of Opinions, the entities to be included in the study, and the dates and topics for upcoming meetings. Ms. Parnell commented on the complexity of the structure of K-12 governance in Nevada and said her goal as Chair was to identify the most effective and responsive system of K-12 governance. Ms. Parnell noted the LCE was created through the Nevada Education Reform Act of 1997 as a central component of the governance structure for public education. She suggested the Committee have a discussion about its role in the delivery system.
- Melinda Martini, Senior Research Analyst, Research Division, LCB, discussed the Survey of Opinions in more detail. She said the Web-based survey was developed to assist in the review of the governance system of K-12 education.

The Survey was made up of questions concerning the key entities included in the current structure of education governance and was meant to examine the effectiveness and communication structures of each of the following entities:

- ü Superintendent of Public Instruction;
  - ü Department of Education;
  - ü State Board of Education;
  - ü Commission on Professional Standards in Education;
  - ü Commission on Educational Technology;
  - ü Council to Establish Academic Standards for Public Schools;
  - ü Regional Training Programs;
  - ü Commission on Educational Excellence;
  - ü Legislative Committee on Education; and
  - ü Legislative Bureau of Educational Accountability and Program Evaluation.
- Chair Woodhouse told Chair Parnell she appreciated her sharing her goals for the A.C.R. 2 Committee. She said having the information would help the LCE to avoid duplication of actions.

## **PRESENTATIONS ON NATIONAL TRENDS IN STANDARDS AND ASSESSMENTS**

*Report on the Movement to Develop the Common Core State Standards Initiative of the Council of Chief State School Officers (CCSSO) and the National Governors Association Center for Best Practices (NGA Center)*

- Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education (DOE), said the CCSSO met about three times per year and for about the last three to four years the group discussed the need for more commonality across the states. He said the superintendents were tired of states being compared to each other when they all had different standards. There had been discussion among some state superintendents to consider some common core standards across the English language arts and mathematics standards. At the same time, the National Governors Association (NGA) had similar concerns and joined forces with the CCSSO to voluntarily move forward with some common core standards. Dr. Rheault then referred to a packet of information ([Exhibit C](#)) and reviewed a “Common Core Standards Memorandum of Agreement” (MOA) created jointly by the CCSSO and the NGA Center.

Dr. Rheault said the purpose of the MOA is to commit states to developing and adopting common core standards in English language arts and mathematics for grades K-12 that were:

- Fewer, clearer, and higher;
- Aligned with college and work expectations;
- Inclusive of rigorous content and application of knowledge through high order skills;
- Internationally benchmarked; and
- Research and evidence-based.

Dr. Rheault noted that both he and Governor Jim Gibbons signed the MOA for Nevada. He then referred to a Microsoft PowerPoint presentation and gave an overview of the common core state standards development process and benefits. He noted that if Nevada adopted the common core standards, it would not need to pay to develop new Criterion-Referenced Tests (CRTs) or need to have Norm-Referenced Tests (NRTs) because that information would be available online. On the other hand, Nevada would have to remove some of the standards that are currently in place. Dr. Rheault also pointed out that adoption of the common core standards was not voluntary for states applying for Race to the Top grants.

- Senator Raggio asked about Nevada’s status in the American Diploma Project (ADP).

Dr. Rheault replied that Nevada was one of the first five states to field-test the ADP, but the agreement fell apart because, at that time, Nevada did not have a college readiness curriculum as required by the ADP.

- Senator Raggio asked for a definition of “internationally benchmarked standards.”

Dr. Rheault responded they were a compilation of standards in the United States as well as some foreign countries.

*Overview of Assessments, Including Types of Assessments and the Movement to Develop Common Assessments of the Common Core State Standards*

- Stanley N. Rabinowitz, Ph.D., Director, Assessment and Standards Development Services, WestEd, conducted a Microsoft PowerPoint presentation titled “Nevada Next Generation Assessment System” ([Exhibit D](#)). Dr. Rabinowitz discussed two questions:

1. What trends in assessment reform should guide the next generation of assessments in Nevada?
2. What is the potential impact of national common core standards on assessment reform in Nevada?

Dr. Rabinowitz said at the beginning of the standards movement, the State assessment tests were relevant but Nevada now needed to develop a broader, next-generation assessment system that combined federal, State, and local options and requirements.

- Senator Raggio asked if Dr. Rabinowitz thought the High School Proficiency Examination (HSPE) should be used as a measurement.

Dr. Rabinowitz said he believed in high school graduation testing. His concern was that, although HSPE was a relatively rigorous test, there were parts in the common core that were much more rigorous. He said if the common core standards were adopted and the HSPE was revised to be consistent with those standards, Nevada would need to increase the support of standards and assessments.

### **PRESENTATION ON THE PROCESS TO ADOPT ACADEMIC STANDARDS AND ESTABLISH AN ALIGNED SYSTEM OF STANDARDS AND ASSESSMENTS**

- Cynthia Sharp, Criterion-Referenced Test/High School Proficiency Examination Consultant and Assistant Director, Office of Assessments, Program Accountability and Curriculum (APAC), DOE, referred to a Microsoft PowerPoint presentation ([Exhibit E](#)). She reviewed:
  - The definition of standards;
  - Recent standards activities;
  - The current schedule for revision of academic standards;
  - The impact on assessment development;
  - The standards and assessment development schedule;
  - Challenges to school districts;
  - The process for setting standards;
  - Challenges for Nevada's Department of Education; and
  - Anticipated impacts of National Common Core Standards.

Ms. Sharp said the anticipated impact was that there would have to be an alignment study that compared Nevada standards and the national standards which would require a repeat of the assessment process. She said the DOE wanted to make sure it had a system that would support a review of core standards and have the time to do it in a manner that was beneficial to the education system.

- Carol Crothers, Director, APAC, DOE, clarified the difference between standards development and revision and standards setting. She said standards setting was a term used in the testing community to describe the process by which proficiency levels were determined.

## **PRESENTATIONS ON NEVADA'S ASSESSMENT SYSTEMS**

(As directed by Chair Woodhouse, this item was taken out of order)

*Presentation on the Effects of Standards Revision on Assessment and Accountability, Including the Development of the Growth Model Pursuant to Assembly Bill 14 (Chapter 93, Statutes of Nevada 2009), Administration of Norm-Referenced Tests (NRS 389.015) and Participation in the National Assessment of Educational Progress (NRS 389.012)*

- Carol Crothers, previously identified referred to a Microsoft PowerPoint presentation ([Exhibit F](#)) and reviewed the following:
  - Nevada State Board of Education responsibilities in standards setting;
  - Possible outcomes of standard-setting process when considering impact data;
  - State Board decisions relative to consideration of impact data;
  - Spring 2009 HSPE pass rates;
  - Percent of schools making Adequate Yearly Progress (AYP) in spring 2009;
  - AYP Annual Measureable Objectives (AMO);
  - AMOs for spring 2009 and beyond;
  - Nevada Growth Model of Achievement; and
  - Using assessments to evaluate student performance.

- Assemblywoman Mastroluca asked how Nevada's percentages of schools making AYP compared to percentages nationwide.

Ms. Crothers said the determination for proficiency and standards were different from state to state making it difficult to make a comparison.

- Chair Woodhouse asked if Nevada had been progressing in achieving AYP.

Ms. Crothers replied Nevada had been making progress because it was maintaining AYP while the proficiency targets, under the No Child Left Behind Act of 2001 (NCLB), were increasing.

- Assemblyman Stewart asked if there was an identifiable reason for the progress.
- Dr. Keith Rheault, previously identified, said he attributed the increased performance to the funds allocated through grants from the Account for Programs for Innovation and the Prevention of Remediation provided through the Commission on Educational Excellence.
- Chair Woodhouse asked how Nevada's current standards compared to the National Assessment of Educational Progress (NAEP) standards.

Ms. Crothers replied that Nevada's standards were more aligned with NAEP's basic level than with the proficient level. She said the National Assessment Governing Board had recently released a report regarding how the different state's levels of proficiency map to NAEP's basic level.

- Chair Woodhouse asked that copies of the report be provided to members of the LCE.

*Status of Statewide and District Assessment Programs, Including Examinations Required by State or Federal Law, and the Suspension of Certain Examinations Pursuant to Senate Bill 416 (Chapter 423, Statutes of Nevada 2009)*

- Sue Daellenbach, Assistant Superintendent, Assessment, Accountability, Research and School Improvement, Clark County School District (CCSD), conducted a Microsoft PowerPoint presentation ([Exhibit G](#)). She said the CCSD offered interim assessments in grades K-10 for mathematics, reading, and English, and for science in middle school. The tests were administered three times per year and used to assess students' progress and mastery in benchmarked standards. She further noted the interim assessments were used to guide instruction in the classroom. The results of the assessments were entered into the Instructional Data Management System (IDMS) where teachers and administrators could access results of student mastery within two to three days. Ms. Daellenbach said the IDMS was a web-based application which was available 24 hours a day, 7 days a week. Ms. Daellenbach said there was one item that she would like to bring up with the Committee for possible discussion in the future. The *Nevada Revised Statutes* requires schools to report all test results and designations under NCLB on August 1. She said the CCSD was requesting that there be some consideration to move that date back to September 1, noting that would give the districts another 30 days of instruction prior to testing.
- Chair Woodhouse stated that in 2007 the NRTs were suspended and noted in the last legislative session that suspension was continued. She asked Ms. Daellenbach if the NRTs should be reinstated.

Ms. Daellenbach said she thought it would be prudent not to invest in another NRT now but to wait and see how the common-core standards evolved.

- Paul LaMarca, Ph.D., Chief Accountability Officer, Public Policy, Accountability and Assessment, Washoe County School District (WCSD) provided a Microsoft PowerPoint presentation ([Exhibit H](#)) and gave a brief overview of the WCSD assessment system. He said the WCSD strives to use a balanced approach to assessment because it recognizes that there are different stakeholders that have different informational needs; therefore, it is necessary to use multiple measures to meet those needs.

Dr. LaMarca said each of the assessments in the balanced system were aligned to State standards and were designed to fulfill a particular purpose to move student learning forward. Dr. LaMarca discussed the following assessment purposes:

1. Formative – The use of assessment as learning unfolds in order to adjust instruction, and to foster student engagement and independence.
2. Progress Monitoring – The intermittent use of assessment throughout the learning cycle to judge the pace of student and curricular progress toward year-end learning expectations.
3. Summative – The use of assessment to gather evidence of student learning after learning has been expected to occur.

He said multiple assessments were necessary to maintain the alignment between standards, curriculum, and instruction and to meet accountability requirements.

- Chair Woodhouse asked Dr. LaMarca for his recommendation for an efficient, cost-effective testing system.

Dr. LaMarca replied the CRTs were necessary since they were standards-driven; however, the NRTs were more of a luxury. He said the NAEP allowed benchmarking nationally but the NAEP reports were not received at the district or school levels. Dr. LaMarca said the CRTs should have a stronger mix of multiple-choice and performance exercises if they are going to be a useful tool in driving instruction.

## **DISCUSSION OF THE IMPACT OF COMMON ACADEMIC STANDARDS AND ASSESSMENTS ON NEVADA STANDARDS AND ASSESSMENTS**

- Dr. Stanley N. Rabinowitz, previously identified, led a discussion regarding common academic standards and assessments and Nevada standards and assessments. All Committee members present participated in the discussion.

## **CONSIDERATION OF THE WORK PLANS AND BUDGETS FOR FISCAL YEARS 2010 AND 2011**

(At the direction of the Chair, this agenda item was taken out of order)

- Dr. Keith W. Rheault, previously identified, presented a request for funding support from the LCE on behalf of the Council to Establish Academic Standards for Public Schools which included information on a contract for a counselor to the Standards Council. ([Exhibit I](#)). The request listed \$30,400 for Fiscal Year 2010 and \$25,400 for FY 2011 for standards revisions and \$4600 for both FY 2010 and FY 2011 for the Counselor contract.

- Senator Raggio said, in view of the current fiscal constraints, it should be determined if it is essential that a counselor be present at the Standards Council meetings. Perhaps the money necessary for the counselor to attend the meetings could be used more cost-effectively elsewhere.
- Assemblywoman Mastroluca asked whether the Standards Council meeting minutes could be sent to the counselor with a request for a report. She explained that the Council would still get the counselor's perspective without having to pay travel expenses.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR RAGGIO MOVED TO ADOPT THE BUDGET FOR THE COUNCIL TO ESTABLISH ACADEMIC STANDARDS REVIEW TEAM, OMITTING THE COUNSELOR CONTRACT. ASSEMBLYMAN STEWART SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

- Dr. Rheault then reviewed a request for funding support from the LCE on behalf of the Commission on Educational Technology ([Exhibit J](#)) for \$10,000 to support the statutorily required K-12 educational technology needs assessment to be conducted during the spring of 2010.
- The Committee **APPROVED THE FOLLOWING ACTION:**

SENATOR RAGGIO MOVED TO APPROVE THE REQUEST FOR FUNDS. ASSEMBLYMAN STEWART SECONDED THE MOTION, WHICH PASSED UNANIMOUSLY.

### **APPROVAL OF THE COMMITTEE WORK PLAN AND MEETING SCHEDULE 2009-2010 INTERIM**

(At the direction of Chair Woodhouse, this agenda item was taken out of order)

- Carol M. Stonefield, previously identified, reviewed the proposed meeting dates and topics for the LCE.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYWOMAN MASTROLUCA MOVED TO ADOPT THE WORK PLAN AND MEETING SCHEDULE OF THE LCE. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN DONDERO LOOP AND PASSED UNANIMOUSLY.

## **APPROVAL OF THE REVISED MINUTES OF THE MEETING HELD ON APRIL 17, 2008, IN LAS VEGAS, NEVADA**

(At the direction of Chair Woodhouse, this agenda item was taken out of order)

- Carol M. Stonefield, previously identified, said for a number of years interim Committee minutes have been presented in a summary format. That notation is made on the top of every agenda and also in the first paragraph of all of the minutes. Recently, a request was made to revise the Committee's minutes of the April 17, 2008, meeting to include a presentation that was made at that meeting. Joseph Brockett, Co-Founder and Artistic Director of Creative Educational Systems had requested an opportunity to present information about materials, workshops, and seminars available for purchase from his corporation. The subject was generally "Teaching Curriculum Through the Arts." *Nevada Revised Statutes* 241.035 provides that the substance of remarks made by any member of the general public who addresses the Committee shall be included in the minutes if a request is made to include them. The Committee's counsel has advised that even though this is a different interim and a number of the members have changed, the Committee is, in effect, a continuing committee and therefore the members may vote to approve revisions to the minutes of that meeting. If the revised minutes are approved, Mr. Brockett's prepared remarks would be included as [Exhibit I](#) and would be available on the Committee's website electronically and by hardcopy through the records retained in the LCB Research Library.
- The Committee **APPROVED THE FOLLOWING ACTION:**

ASSEMBLYMAN STEWART MOVED TO APPROVE THE REVISED MINUTES OF THE MEETING HELD ON APRIL 17, 2008. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN MASTROLUCA AND PASSED UNANIMOUSLY.

### **PUBLIC COMMENT**

- Sam King, President of the League of Women Voters of Nevada, read from her written statement ([Exhibit K](#)) and stated the League of Women Voters of Nevada supported policy which ensured every person had access to quality, free public education.

**ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 2:35 p.m.

Respectfully submitted,

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Maryann Elorreaga  
Senior Research Secretary

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Carol M. Stonefield  
Supervising Principal Research Analyst

APPROVED BY:

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Senator Joyce Woodhouse, Chair

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

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Carol M. Stonefield, Supervising Principal Research Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit B](#) is an information packet submitted by Assemblywoman Bonnie Parnell titled “Legislative Commission’s Committee to Study Governance and Oversight of the System of K-12 Public Education (Assembly Concurrent Resolution No. 2).”

[Exhibit C](#) is an information packet dated November 17, 2009, titled “Handout on Common Core Standards Initiative,” submitted by Keith W. Rheault, Ph.D., Superintendent of Public Instruction, Department of Education (DOE).

[Exhibit D](#) is a Microsoft PowerPoint presentation dated November 17, 2009, titled “Nevada Next Generation Assessment System,” submitted by Stanley N. Rabinowitz, Ph.D., Director, Assessment and Standards Development Services, WestEd.

[Exhibit E](#) is a Microsoft PowerPoint presentation titled “Establishing a Fully Aligned System of Standards and Assessments in Nevada,” submitted by Cynthia Sharp, Criterion-Referenced Test/High School Proficiency Examination Consultant and Assistant Director, Office of Assessments, Program Accountability and Curriculum (APAC), DOE.

[Exhibit F](#) is a Microsoft PowerPoint presentation titled “Beyond the Nevada Standards to Assessments and Accountability,” submitted by Carol Crothers, Director, APAC, DOE.

[Exhibit G](#) is a Microsoft PowerPoint presentation dated November 17, 2009, titled “Clark County School District Assessment Program,” submitted by Sue Daellenbach, Assistant Superintendent, Assessment, Accountability, Research and School Improvement, Clark County School District.

[Exhibit H](#) is a Microsoft PowerPoint presentation dated November 17, 2009, titled “The Washoe County School District Balanced Assessment System,” submitted by Paul LaMarca, Ph.D., Chief Accountability Officer, Public Policy, Accountability and Assessment, Washoe County School District.

[Exhibit I](#) is a memorandum dated November 3, 2009, from Keith W. Rheault, Ph.D., Superintendent of Public Instruction, DOE, to Senator Joyce Woodhouse, Chair Legislative Committee on Education (LCE) Titled “Request for Funding Support from the LCE on Behalf of the Council to Establish Academic Standards for Public Schools.”

[Exhibit J](#) is a memorandum dated November 3, 2009, from Keith W. Rheault, Ph.D., Superintendent of Public Instruction, DOE to Senator Joyce Woodhouse, Chair, LCE, titled “Request for Funding Support From the LCE on Behalf of the Commission on Educational Technology.”

[Exhibit K](#) is the written testimony of Sam King, President of the League of Women Voters of Nevada.

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