

SENATE BILL NO. 416—COMMITTEE ON FINANCE

(ON BEHALF OF THE DEPARTMENT OF ADMINISTRATION)

APRIL 28, 2009

Referred to Committee on Finance

SUMMARY—Revises provisions governing the administration of certain tests, examinations and assessments in public schools. (BDR 34-1216)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to education; revising provisions governing the administration of certain tests, examinations and assessments by the boards of trustees of school districts; suspending temporarily the administration of norm-referenced examinations in public schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of trustees of each school district to administer certain examinations to pupils enrolled in public schools in this State. In addition to the examinations required by state and federal law, the boards of trustees of school districts require pupils to take certain district-wide tests, examinations and assessments. **Section 7** of this bill limits the administration of certain district-wide tests, examinations and assessments during the 2009-2010 School Year and the 2010-2011 School Year.

Existing law requires the board of trustees of each school district and the governing body of each charter school to administer norm-referenced examinations in grades 4, 7 and 10 which compare the results of pupils to a national reference group of pupils. **Section 9** of this bill suspends temporarily the administration of norm-referenced examinations for the 2009-2010 School Year and the 2010-2011 School Year.

WHEREAS, The public schools in this State are required by the Federal Government and the Nevada Legislature to administer an increasing number of standardized tests to pupils, including



1 criterion-referenced examinations, proficiency tests and tests of the
2 National Assessment of Educational Progress; and

3 WHEREAS, The school districts in this State administer
4 numerous district-wide tests in addition to those required by state
5 and federal law; and

6 WHEREAS, In the aggregate, the task of preparing for and
7 administering all these tests in schools throughout the State
8 consumes hundreds of employee hours and requires the school
9 districts to incur costs associated with the administration; and

10 WHEREAS, Although there is an undeniable need for test data to
11 evaluate the progress of Nevada's public schools and pupils in
12 meeting the standards of academic performance, the Legislature
13 must carefully weigh the demands for statistical information against
14 the time for teachers and pupils to accomplish the work required to
15 meet those standards; and

16 WHEREAS, The Nevada Legislature finds that, during these
17 difficult financial times, it is in the best interest of the pupils
18 enrolled in public schools in this State to temporarily limit the
19 administration of certain tests; now, therefore,

20
21 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
22 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:
23

24 **Section 1.** (Deleted by amendment.)

25 **Sec. 2.** (Deleted by amendment.)

26 **Sec. 3.** (Deleted by amendment.)

27 **Sec. 4.** (Deleted by amendment.)

28 **Sec. 5.** (Deleted by amendment.)

29 **Sec. 6.** (Deleted by amendment.)

30 **Sec. 7.** Chapter 389 of NRS is hereby amended by adding
31 thereto a new section to read as follows:

32 ***1. Except as otherwise provided in subsection 2, the board of***
33 ***trustees of a school district shall not administer a district-wide test,***
34 ***examination or assessment unless that test, examination or***
35 ***assessment:***

36 ***(a) Is required by state or federal law; or***

37 ***(b) Was adopted by the school district before July 1, 2007.***

38 ***2. The provisions of this section do not apply to a test,***
39 ***examination or assessment that a pupil voluntarily takes without a***
40 ***district-wide requirement, including, without limitation, an***
41 ***advanced placement examination.***

42 **Sec. 8.** NRS 389.006 is hereby repealed.

43 **Sec. 9.** Notwithstanding the provisions of NRS 389.015 to the
44 contrary, the norm-referenced examinations required to be
45 administered to pupils enrolled in grades 4, 7 and 10 pursuant to that



- 1 section must not be administered in the public schools of this State
2 during the 2009-2010 School Year and the 2010-2011 School Year.
3 Any requirements relating to the reporting of test scores of pupils on
4 those examinations that would otherwise be administered during
5 those School Years are also suspended.
- 6 **Sec. 10.** 1. This section and sections 7 and 8 of this act
7 become effective upon passage and approval.
8 2. Section 9 of this act becomes effective on July 1, 2009.
9 3. Sections 7 and 8 of this act expire by limitation on June 30,
10 2011.

TEXT OF REPEALED SECTION

NRS 389.006 Limitation on administration; periodic review. [Effective January 1, 2009.]

1. In addition to any other test, examination or assessment required by state or federal law, the board of trustees of each school district may require the administration of district-wide tests, examinations and assessments that the board of trustees determines are vital to measure the achievement and progress of pupils. In making this determination, the board of trustees shall consider any applicable findings and recommendations of the Legislative Committee on Education.

2. The tests, examinations and assessments required pursuant to subsection 1 must be limited to those which can be demonstrated to provide a direct benefit to pupils or which are used by teachers to improve instruction and the achievement of pupils.

3. The board of trustees of each school district and the State Board shall periodically review the tests, examinations and assessments administered to pupils to ensure that the time taken from instruction to conduct a test, examination or assessment is warranted because it is still accomplishing its original purpose.

