

**MINUTES OF THE
JOINT MEETING OF THE ASSEMBLY COMMITTEE ON EDUCATION
AND THE
SENATE COMMITTEE ON EDUCATION**

**Seventy-Sixth Session
May 4, 2011**

The Joint Assembly Committee on Education and the Senate Committee on Education was called to order by Chair David P. Bobzien at 3:37 p.m. on Wednesday, May 4, 2011, in Room 1214 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/76th2011/committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

ASSEMBLY COMMITTEE MEMBERS PRESENT:

Assemblyman David P. Bobzien, Chair
Assemblywoman Marilyn Dondero Loop, Vice Chair
Assemblyman Paul Aizley
Assemblyman Elliot T. Anderson
Assemblywoman Olivia Diaz
Assemblywoman Lucy Flores
Assemblyman Ira Hansen
Assemblyman Randy Kirner
Assemblywoman April Mastroluca
Assemblyman Richard McArthur
Assemblyman Harvey J. Munford
Assemblywoman Dina Neal
Assemblyman Lynn D. Stewart

SENATE COMMITTEE MEMBERS PRESENT:

Senator Moises (Mo) Denis, Chair
Senator Ruben J. Kihuen, Vice Chair
Senator Valerie Wiener

Senator Barbara K. Cegavske
Senator Don Gustavson
Senator Greg Brower

COMMITTEE MEMBERS ABSENT:

Senator Shiela Leslie (excused)
Assemblywoman Melissa Woodbury (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Mindy Martini, Committee Policy Analyst
Pepper Sturm, Senate Committee Policy Analyst
Kristin Roberts, Committee Counsel
Taylor Anderson, Committee Manager
Denise Geissinger, Senate Committee Manager
Janel Davis, Committee Secretary
Billie McMenamy, Senate Committee Secretary
Gianna Shirk, Committee Assistant

OTHERS PRESENT:

Keith Rheault, Ph.D., Superintendent of Public Instruction, Department of Education
Dwight D. Jones, Superintendent, Clark County School District
Ken Turner, Special Assistant to the Superintendent, Clark County School District
Heath Morrison, Ph.D., Superintendent, Washoe County School District
Autumn Tampa, Private Citizen, Las Vegas, Nevada

Chair Bobzien:

[Roll was called. Rules and protocol were stated.] Welcome. Today we will be hearing about the Nevada Growth Model of Achievement (NGMA). On March 9, 2011, we held a joint meeting to receive a presentation from the school districts' superintendents. Through the presentation, they discussed the use of growth data in improving student achievement. It was noted that the NGMA is already under development for the subject areas in reading and

mathematics for elementary and middle schools. The superintendents were invited back to demonstrate the new growth model.

We also heard about the need for a growth model during the February 23, 2011 presentation from Mrs. Elaine Wynn concerning *Nevada's Promise*. Through the review of Nevada's performance on federal Race to the Top criteria by the Education Reform Blue Ribbon Task Force, it was observed that Nevada is in need of an improved educator evaluation system. Based upon the review, the Blue Ribbon Task Force stressed that for an evaluation system to be beneficial, it should be grounded in student growth and achievement data, and must be fair and reliable.

Today, I hope the presenters will be able to describe the extent to which the measurement of student growth, through the NGMA, will provide a reliable measurement, one that will be utilized as a component of an evaluation system. I would like to welcome our presenters to the table.

Keith Rheault, Ph.D., Superintendent of Public Instruction, Department of Education:

The Committee should find the information on NGMA to be very interesting. The growth model is the next wave of student achievement data that we can use to help Nevada. The system currently in place is based on proficiency driven by the No Child Left Behind Act of 2001 (NCLB). A student is either proficient or not. If a student is not proficient, and there are a large enough number of students not proficient at a school, the school is in need of improvement. As a result of NCLB, there should be more to making proficiency or not. That is where the discussion for a growth model on student achievement has come in.

We all know that students start school at different levels. A school that takes a student who comes in at the very bottom of the achievement level and moves him forward, should get credit for his growth. The state got involved in this based on action taken by the Nevada Legislature in 2009. Assembly Bill No.14 of the 75th Session required that the Department of Education work toward developing a growth model. It started out fairly slow in the statute. It reads, "Existing law requires the administration of criterion-referenced examinations to pupils enrolled in grades 3 through 8." Grades 3 through 8 are in statute because we have to base it on some type of student achievement. Nevada has criterion-reference tests (CRTs) in Grades 3 through 8, which is what will be used for our growth model.

The model must be designed so that the progress of pupils enrolled in a public school may be tracked from year to year to determine whether the school has made progress in pupil achievement. Even though we are talking about a student growth model, the statutes and information that will be put out later this fall will be school-based. We want to start out slow with growth model data and make sure everything is reliable and valid regarding student growth. The statutes require that we put out school-based information. The information will be ready the fall of 2012 for every elementary and middle school that has students taking the CRTs in Grades 3 through 8.

Nevada has been working on this growth model since A.B. No. 14 of the 75th Session was passed in 2009. We have a steering committee that we worked with that went through the development of what we are calling our Nevada Growth Model of Achievement. We were fortunate to access Colorado's work. The State of Colorado was the lead state in developing a growth model and having it available. They spent millions of dollars developing the system. The good news is that they did it in open source, making it available to any state that wanted to access the information. For Nevada, that meant thousands of dollars versus millions of dollars in developing our growth model data.

The State of Nevada was able to "steal" Dwight Jones from Colorado, who now resides in Clark County. He was at the helm in Colorado when the growth model was being developed. We now have our own in-house expert with his background and knowledge of how this can work. For that reason, we were able to move forward quickly by starting with the Colorado source code and will be ready to develop the system. In collaboration with the state, Clark and Washoe Counties are sharing the cost to develop how this will be displayed on our website so that the public and schools have access to it.

I will give you a brief introduction to our plan, and then invite Dwight Jones and Heath Morrison to the table to provide comments. We have a PowerPoint presentation ([Exhibit C](#)) that will take you into the details of what the growth model provides.

Dwight D. Jones, Superintendent, Clark County School District:

We appreciate this opportunity to demonstrate the expected capabilities of the growth model that Nevada has chosen to implement beginning this fall. Although I am a newcomer to Nevada, I am certainly not a newcomer to the growth model. My experience in Colorado puts me in a position to speak knowledgeably about the merits of the Nevada growth model.

When the Nevada State Board of Education/State Board for Career and Technical Education narrowed the field of growth models, it joined a growing number of 14 states that have adopted the open source solution that Colorado developed. I give a lot of credit to the Nevada State Legislature for enacting A.B. No. 14 of the 75th Session. That set in motion the events leading to this point. I have seen the hard work on growth already done by this state. We appreciate the leadership of Keith Rheault and the efforts of his staff. I am optimistic that the State of Nevada will hit a self-imposed deadline by standing this system up by default.

When Colorado set out to create the growth model, it did so with two distinct thoughts in mind. First, educational accountability narrowly focused on whether or not students in a school were proficient in key subject areas. Under the NCLB, little credit was given for students who made progress year to year. The accountability signals had no meaning to students who were already proficient. Second, we had systems that did a good job of sorting schools, but when it came down to it, that was all we had. We were drowning in data, but educators in the state were thirsty for information, especially information teachers could use to learn from others who were having greater academic success with their students.

As a commissioner of education in Colorado, I believed in the importance of accountability and the value of tools that help us learn how to get better quicker. I recognized the importance of preparing all students for success after high school. In the Clark County School District, we call this students being "ready by exit." Our commitment to the public is that students will be ready by exit without remediation, meaning they can move on to postsecondary education or directly into the workforce without remediation. We spent four years developing the Colorado Growth Model. Today, we will spend about 25 minutes running the model through its paces so that you get a better understanding of what is coming. I would like to turn this over to Clark County staff members.

Ken Turner, Special Assistant to the Superintendent, Clark County School District:

We are intentionally making this a conversation that uses what we like to call "7/11 language." It is not a technical conversation, but if anybody wants a technical explanation, we can provide information for you.

There is a statement made that "all models are wrong and some are useful." We would like to make that same claim here; this is not perfect, but it is better than what we have previously been using. The big question is what do you do

here that makes the difference there? Our claim is that this is a very powerful tool that can change conversations parents have with teachers and that teachers have with principals in ways that improve learning.

Another big question is how good is good enough? In the presentation, we will give you a sense of how we propose to answer that question. We also want to outline some of the challenges and explain why percentile is used. For example, when children are born, they are measured, weighed, and head circumference is measured. This gives the parent a sense of his child's development compared to all other children at that same stage of development. We are using that same idea, but in the context of academic growth.

We have had an explanation of the limits of NCLB. There are several components when measuring growth. One is that you need to know what the end point is. Superintendent Jones and Dr. Rheault explained that we are looking to prepare all students when they exit high school. "Ready by exit" means not only having a high school diploma, but being ready to step into the next phase of your life: college or the workforce. If it is college, by this standard, there would be no need for remediation. To accomplish these things, you need three things: a set of standards, a way to mark progress along the way, and an agreement about how good is good enough.

We want to create three questions that the model answers. [Referred to page 5 of [Exhibit C](#).] Adequate growth depends on where a student starts. Young students enter the assessment pipeline—in this case, Grade 3—at different levels. Some are high achieving and some are low achieving. The distance they have to travel is different. The amount of improvement needed for a child to reach the learning destination constitutes adequate growth.

Imagine three young students, one of whom is not yet proficient in Grade 3. For that child to become proficient by Grade 4, he needs to catch up. Another child who started in the assessment pipeline in Grade 3 is already proficient. What is the goal for that child? It is to keep up, not to fall behind. The third child is already proficient and wants to become more proficient or advanced. This is all part of the 7/11 language: "catch-up, move up, keep up." It is a nice euphemism that people get used to quickly.

Growing up, my family would mark our height with a yard stick as we got taller year after year. If you think about how that works, inches represent equal intervals along a continuous scale. What we are doing in Nevada is somewhat similar, only in terms of academic growth. There is a challenge that we have to be very clear about, and that is, the way that state assessment is constructed in

Nevada is not as neat and clean as inches on a yard stick. We have separate scales for separate grades. This is not an insurmountable problem. Colorado's groundwork along with the work done by the 14 other states involved in this project have found a way to deal with this. We want to be clear with you that this is one difference between what Colorado has done and what we have in Nevada. Colorado has an equal-interval vertical scale.

If things happen in Nevada the way they happen in Colorado, things are going to change. We think differently about what success looks like. Imagine two children; one is high achieving, but the growth is low. By contrast, there is another child who is low achieving, but has very high growth. Think about this in terms of slopes of a line, or trajectory. Steeper is better because you care about movement upward. Flat is not so good, and downward is not a healthy thing at all. In the past, we would say the high-achieving student is doing well, and that there is something wrong with the low-achieving student. Now when we focus on growth, we can say it is a different story. The low-achieving child with the high growth rate is moving forward because growth is what we care about. We are able to aggregate all this information across every student in a school. We can come up with a summary for the school that says how well the school is moving students to their learning destination.

Moving on with the presentation ([Exhibit C](#)), I am going to focus on key points. One is that it is important for us, as a state, for parents, and for educators to make sense of what this growth conversation is about. For it to have any credibility in some kind of accountability system, it is important that we believe, understand, and know what the data represents.

The good news about what happened in Colorado is it had to go slow. It took people a lot of time to wrestle with these ideas. This growth model does not answer all the questions. By design, it surfaces a lot of new questions. Meaning is made through conversation that arises. We are proposing that we postpone high stake decisions until this credibility is established. In the end, we envision seeing growth being part of a teacher evaluation framework or a school performance framework. Whether the public at large believes in it is what matters, and that depends on the credibility built early on.

There are several ways to compare growth. One way is to compare the growth of a child to the standard; that is to say, for reading, decide if a child can decode, understand the meaning, and comprehend words. There is also a way to compare the reading of a child to classmates. That is a norm-reference comparison. The first case that I gave you was criterion-reference, which is a subject compared to some standard. Norm-reference measures the reading of a

child compared to other children. This model gives you answers to both those scenarios. That is part of the power of the growth model.

I would like to orient you to the screen. [Discussed charts on slides 13 and 14 in [Exhibit C](#).] These are all mostly the same layout. Time is along the horizontal axis, and the state assessment is on the vertical axis. It runs from low to high. The colored bands represent performance categories. In Colorado, this is called unsatisfactory, but in Nevada, it is known as emergent. The blue is partially proficient, and in Nevada, it is known as approaching. The green in Colorado is proficient, and in Nevada, it is known as meets standards. The purple is advanced in Colorado, and in Nevada, it is known as exceeds. Imagine this in four months using Nevada's language. The arrows represent one child, who, in 2004, was in Grade 3. You can see the slope of the line. This student made the 40th percentile growth. That means, when compared to 100 classmates, this child's growth was better than 40 of them.

The faint-dotted line is percentile. It gives you a sense of all the other students in the state, historically, that can be compared to one child. Moving from Grade 4 to 5, the growth rate improved to the 80th percentile. The child moved from satisfactory to advanced. If you were the parent of this child and you were sitting with the teacher, you could ask, "What is the chance my child is going to stay advanced next year, or slip back?" Here you can see a projection. [Referred to [Exhibit C](#), slide 13.] Twenty-fifth percentile growth would drop the child into satisfactory. That is the picture for one child. We are now going to show you a slide that is sent to all parents in Colorado. [Referred to [Exhibit C](#).] If you are the parent of a child in Grades 3 through 10, you receive these for reading, writing, and math. Imagine that these are the kinds of reports that Nevada parents will receive. The color of the arrow gives you a sense whether it is good or not; green is high growth. In this example, there are three years of high growth.

At Grade 6, we can ask, "What are the chances for my child next year?" This could spark conversation with a parent and a child or a parent and a teacher saying we need high growth to stay in the proficient range. Anything less typical or low growth will drop this student into the partially proficient or lower range. This slide ([Exhibit C](#)) is to show you emergent, approaches, meets, and exceeds. These are the categories for Nevada. This is a graph that was a prototype for the work in Colorado. It is actually real data from Denver public schools. We have permission from the superintendent to show this data.

The way this is oriented is growth along the horizontal; high growth is good and on the right, low growth is on the left. Along the vertical line is percent of

students who are proficient. This example shows about 55 percent. It splits the graph into four quadrants. There are higher achievement and higher growth. Keep in mind these are all schools in one district. Schools in this category are both high growth and high achievement. This is where you want all schools to be. Bigger dots represent larger schools, and smaller dots represent smaller schools. [Referred to [Exhibit C](#), slide 15.] We see concern with low growth and low achievement. We want to intervene and find ways for better support for these schools.

This chart changed a conversation in Denver, Colorado. It was nice to see Denver pass a bond issue right after this data was released. All the schools that fell below this line [referred to [Exhibit C](#), slide 15] in previous years were painted with a broad brush and described as not performing well. As you look at these now, you can see that a fair number of them may be low achieving, but they are in the high growth quadrant. The colors represent percent of students who are free-and-reduced lunch. Blue represents less than 20 percent, and red represents more than 80 percent. You can begin to find some schools that are high poverty, but have high growth and high achievement, and vice versa. The power of this tool is to direct teachers and principals to find those students who are performing well, to learn from them, which in turn, creates conversation between principals at other schools.

We are going to launch a video that will simulate being online. This is the Department of Education website. The view we are in is "School View," focused on mathematics. Sue Daellenbach is scrolling down and launching a demo, which you can do from home. A set of demonstration data will download, and the simulation will begin. This simulation is much like the charts we discussed, showing low growth and low achievement. Each dot is a school and a district. The names of schools are listed and if you float the cursor over the dot, the name of the school appears. This is 2009-2010 data for mathematics. When we switch over to reading, you can see the dots move. You can also see what the trend was in past years. It is a way to mine the data quickly and find what it is you are looking for. You can also change the view to only see elementary schools or middle schools. There are an awful lot of middle schools in the high-achieving, high-growth range. These are students just now beginning high school. This is happening so fast, but you have to imagine a faculty member or parent trying to find the information you are looking for.

When you click on "Explore," you can look at charter schools or Title I schools. You will see these schools in black and how they shift location. For the entire distribution of a district, you can see how many students are white, Hispanic, African American, et cetera. We are going to look at Apache Middle School as

an example. There are three grades and we are going to choose Grade 8. Right now we see different distributions. Each dot is a student. Along the horizontal line is growth. Along the vertical line is the state assessment scale scores. The names of students available on the right-hand side have now changed. This example is math, but you are also able to view reading.

Some teachers think that latecomers are not performing as well as other students. On this simulation, you can see those students highlighted. This website allows us to look at students who are English language learners (ELL), male or female, and different ethnicities. It is interesting to see how the same students perform when comparing the subjects of reading and math. Some of them are growing a lot in one subject, but not in the other. This is intended to give you an idea of how you can go through a lot of information historically.

We will stop there with the demo video. We are available for questions.

Heath Morrison, Ph.D., Superintendent, Washoe County School District:

If you had the chance to go see a regular movie or a 3-D movie, which one would you choose? As we look at developing accountability systems in our school districts, we face a similar question. Everybody agrees that we want them, but there are important issues to bring to the table. Do you want accountability systems based on a flat version of overall proficiency, or do you want a more robust data system that also measures growth? Then the questions become about overall proficiency and growth.

If you are a football fan, you will remember the Detroit Lions had the distinguishing characteristic of being the first National Football League team in history to go 0-16. If the expectation was for them to win the Super Bowl next season, many Detroit Lion fans would have been depressed. That following year, if they won eight games, people would appreciate it because there was growth.

How do we get accountability right? There are so many states that talk about having accountability that have not cared to get it right. Nevada has a chance to do it quickly, do it well, and get it right. Think about a teacher who teaches a class of fifth graders. If you baselined their literacy rates, the children, on average, were reading at a sixth-grade level. At the end of the year, we test them again, and they are still at a sixth-grade level. What does that tell us? Say there is a teacher down the hall who also teaches fifth grade, but has students testing at fourth-grade reading level. But by the end of the year, her students are at a 5.1 reading level. If you look at the overall proficiency, who was the better teacher? The real story, the "3-D lens" is the teacher who took

her children from a fourth-grade reading level and got them to above a fifth-grade reading level. We have to measure both; it is our challenge and opportunity.

We have spent a lot of time this Legislative Session talking about education reforms. When you think about all the reforms we are talking about, it is important that we get them right. Many of them are going to be centered around how we do accountability. Do we look at overall proficiency, or do we challenge ourselves to also look at growth? Think about the unintended consequences if we do not care to get the growth model right.

Teacher and principal evaluations are a four-tiered system. If you only look at overall proficiency, are we going to say our highly effective teacher is the teacher who had the children at sixth-grade reading level when they came in at sixth-grade? Or are we going to say the highly effective teacher was the teacher who took a group of students from a fourth-grade reading level to above a fifth-grade reading level? Growth systems matter in terms of what we are talking about with teacher and principal evaluations. Do we want to demotivate outstanding principals and teachers from going to schools where the overall accountability is low? If we are only going to measure proficiency, then we are going to demotivate our very best educators and leaders from going to the schools where they are most needed. If we measure growth—not just proficiency—then we incentivize people because we reward them for what we expect them to do.

This is going to be bold and new; therefore, people are going to wonder how this is going to happen with the current budget. I believe we are going to do it through collaboration because the seeds have already been planted. About two weeks ago there was a data quality summit through the collaboration of the Office of the Governor and the leadership of the Legislature. I had the privilege of moderating that summit. We spent a great deal of our time talking about data, mostly focusing on the need to get growth models correct. Mr. Jones and I asked to meet with the Governor before his State of the State address. To our surprise, he made time for us, and we spent an immense amount of time talking about the growth model. He was keenly interested and devoted a lot of time even though he was very busy with other things.

Through testimony, many of you have asked questions about a growth model. Collaboration from our political leaders is hugely important. Clark and Washoe Counties, in conjunction with the Nevada Department of Education (NDE), are partnering on this. I am excited about that. It speaks to a new day in Nevada where it is about more than one school district. It is about all 17 school

districts coming together, partnering on the important things, and caring to get it right for the benefit of 400,040 students. Clark and Washoe Counties, along with the NDE, are providing funding for this and it is going to benefit all 17 school districts. All superintendents have been briefed about this. There is great collaboration and support amongst our colleagues.

Chair Bobzien:

Thank you. Are there any questions from the Committee?

Assemblywoman Mastroluca:

I heard a comment in one of the previous presentations we had. It meant a lot to me, and I would like to share it with you. It is applicable to this and to my line of work, and that is "using data as a flashlight, not as a hammer." I am looking at this ability to collect data, and I am wondering what this means to me as a parent? Does this mean I will be able to access something, or will it make more sense to me? How can we use this data as a flashlight for parents?

Keith Rheault:

Initially, a parent will not have access to the growth model; however, it is the end result. The Colorado Growth Model has been in effect for four to five years, and it has gotten to the point where parents can look up their own child's growth over the years; this is the benefit for parents.

First, we are going to start with school information. Parents will be able to access the growth model to see how their school is doing. Teachers and the principal at the school will hopefully use this as the tool it is intended to be. Most people will try to use this as a "hammer" to pit one school against another. Initially, we are hoping it is an information tool in addition to not only knowing whether the student is proficient or below proficiency, but to see whether the school advances students. We are hoping to use that the first go-around to monitor how that information can then be taken to the school site either through additional professional development, or programs to improve the following year. The end goal is that parents would have access. More importantly, teachers will have access to all their students to see how they have done in the past, and where they are going to take them in the future.

Dwight Jones:

I can speak from experience on how parents use the system in Colorado. Initially, parents who were new to the state would go to the SchoolVIEW website and could easily see how other schools were performing. In some cases, it became a decision making point for parents as to where they wanted to live and what neighborhood school they may want to attend. In Colorado

when we had statewide school choice, it was a big decision for parents moving to the state. Parents changed their conversation for the better, meaning that a parent could sit down and have a realistic conversation about where his student was currently performing, and how that performance was being compared to all students who had a similar starting point, and what his growth looked like. If there was not enough growth, then the conversation became about working together to improve the growth of our young children. All of a sudden, parents and teachers had a whole different conversation using data and making projections as to where they wanted to set goals and where they wanted their children to be. It was also realistic in saying that if a kid was performing unsatisfactory, even if he made a 100 percent growth, he could not get to proficiency.

Before, there was this unrealistic expectation that teachers were being punished if their students were not proficient. Statistically, it was impossible to get to proficiency at 100 percent growth. It was about having honest, transparent, realistic conversations with parents, and then for parents and teachers to start to partner on what they were going to do together. In the Colorado Growth Model, we gave parents the ability to download lessons and other tools that they could immediately use with their child at home. We also gave those same kinds of notes to teachers. It has tremendous potential for different conversations to happen in our schools across the state.

Assemblywoman Neal:

In the demo you showed, there was one student who ended up becoming static. He was initially growing, but became flat. What happens when we move toward teacher performance and a student is static? How are we going to treat the teacher in this situation? What are the additional factors available in determining why a child had a spurt of growth, and then became flat?

Dwight Jones:

You hit on two very key points. It is one of the reasons we want "to go slow to go fast" when we are making high stake decisions. There are other pieces of information that have to be considered. If a student flatlines in his achievement, we ought to be asking why. It allows for the principal, the parent, and the teacher to all begin asking, "What is happening with this young student?"

The illustration you speak of was a young student that may have been a military child and there could have been a death. All of sudden, the whole school year was a traumatic situation for that student. Therefore, it becomes a realistic

expectation as to why the student went flat. Ultimately, we cannot allow ourselves—regardless of the circumstances—to let that student stay flat.

It is not punishment for the teacher based on circumstances that are outside of that teacher's control. Information is at our fingertips and allows for us to drill down, whereas before, we would not have known the student went flat because we measured the student's static score. That student's static score would not have changed much, which means it may have slipped through the cracks of the teacher at the school.

Assemblyman Stewart:

First, what instrument will be used to measure growth? What did Colorado use and what will Nevada use? Secondly, will other subjects like art, chorus, and band be included some way, or will we have to use another evaluation for them?

Keith Rheault:

I will start with the state instrument. Currently, all we have in place from year to year to test students' achievement on our academic standards are the CRTs. That is what we will see and use in our model. For example, we will take the score from a student in third grade. The first growth information we will have is when he takes the fourth-grade criterion-referenced test. Since the CRTs measure both the academic standards in reading and math, that is what we will use for the growth model in Nevada.

We currently do not have any assessments for social studies. There is one in science, but that is only given three times in a student's career. Currently, we are not talking about all subjects, but that is in our second phase of discussions for the growth model.

The end result of the growth model will be to use student achievement results, by mandate, in evaluating teacher performance. The model will have to identify how we measure growth. Currently we do not have a growth model for high school students. A few states have a similar test to Nevada's, which is a one-time test, to pass at the high school level. We give our initial testing at the tenth-grade level. Some states are looking at using the final eighth-grade CRT that is aligned from the eighth-grade reading standards to tenth grade, and using that to measure growth over a two-year period. That has been done without having to develop a new ninth-grade test. It is something we will explore in Nevada so that we do not have to create a new test but rather use what we already have. There are other areas that we need to look at as to how states

are using student achievement results to use the performance of students to evaluate all teachers.

Assemblyman Stewart:

Would this be a long-term idea, like five or six years, before we have fully implemented it?

Keith Rheault:

Our phase-in will have results for elementary and middle schools, but the phase-in over the next two years is when we need to look at this. There are a couple of bills moving through the Legislature right now. The Assembly saw Assembly Bill 222, a bill to create a new council that will have recommendations on how student achievement will be integrated into teacher evaluations. From their recommendations, it may happen that when we are back at the Legislature in 2013, we will see what needs to occur. This is the current thinking.

Assemblyman Anderson:

My question is directed at Dr. Jones. First, it was a great presentation, and easy to follow. Secondly, the first thing I learned in any science class is that you have to isolate the variable when you are trying to figure out what the answer is. Because of that, I am a believer in some sort of growth model.

In Colorado, what was your experience in being able to isolate the variable? How practically were you able to get at those variables from what you showed us today? And how accurate were those answers when you looked at them?

Dwight Jones:

Colorado is still in the genesis of rolling out the model to staff. During the presentation, you heard that we spent four years getting to this point. About 2 1/2 of those years were spent with the National Technical Advisory Council trying to make the difficult decisions about how we are going to get to the variable you are speaking of.

One of the issues critical to us was if this became a growth model that did not actually inform the teacher and student directly in the classroom, then it was going to be a waste of taxpayer money. There was a lot of effort to say who got access. It was ultimately determined by the superintendent at the local level to decide which staff members get access based on the Federal Educational Rights and Privacy Act (FERPA), and how individual teachers get to that variable to say how the student's growth is progressing and what kinds of things we are doing.

One of the things that became clear in the first year, and was beneficial, had to do with teachers emailing me about feeling they were teaching "to the middle." They did not have high enough expectations that the students could do a lot more. They realized it through the growth model, meaning that a lot of kids came in fairly proficient, and some of these kids were proficient exiting from so-called "low-performing schools." What happened is that the teachers were teaching based on an expectation they had. When they got the growth data, they said, "Our kids are coming in a lot higher than we assumed." They stopped doing some things, and started pushing the kids to do a lot more. There is a lot that is beneficial directly at the classroom level and at the individual student level.

Senator Wiener:

I heard in Dr. Rheault's remarks about some of the different types of instructors, and I heard physical education. I am curious what kind of standard or evaluation would be used to measure physical activity and the accelerated growth of young people in terms of health and wellness. Are teachers going to be involved in that process?

Keith Rheault:

That is the dilemma that a lot of states are running into right now. What do you use to measure all teachers, and is it a fair, reliable, and valid tool? We run into a lot of difficulty at the high school level. Part of this growth model came up and was pushed under the Race to the Top application. A number of states that received funding are more "under the gun" than Nevada. There are a number of national conferences trying to see what recommendations are coming forward in how you could do this. I have seen a couple of states that came up with whole school growth which would use all staff because they do not have anything better or anything aligned with each individual teaching position.

I do not have a good answer for you today, and that is why we are moving slowly. It is much easier at an elementary level where there is one teacher with all the kids; even at the elementary level there are art teachers and separate technology and physical education teachers. All of those will need to be fairly evaluated. It is not right to single out performance of the classroom teacher, and not the other teachers at the school. All these issues need to be looked out for, or at least discussed, in the state. That is where the Teachers and Leaders Council of Nevada comes in, which will be the first step in moving forward.

Dwight Jones:

What Dr. Rheault just articulated is exactly right. States are struggling with that right now, but it is nice that there is a benefit to 14 states adopting the same

growth model and doing work in a collaborative fashion. Even WestEd, Nevada's proficiency examination program, has brought together some states. When I was a state school chief, my colleagues and I would come together and have state collaboration. In some cases, states are going to take different parts to work out some of the pieces. It was great to have state collaboration on difficult topics that needed to be determined.

For example, Colorado passed Senate Bill No. 10-191 which is an educator effectiveness bill, which means that a teacher who is ineffective for two consecutive years moves back to probationary status. What they are trying to figure out is exactly what Dr. Rheault just expressed. Where there are high-stakes state assessments, they can make that determination; 50 percent is based on the achievement of young people. They are making tremendous progress in the nonhigh-stakes tested content areas. Colorado is leading the pack. They are being funded by the Bill and Melinda Gates Foundation, which is private funding. The Bill and Melinda Gates Foundation has figured out that if educator effectiveness and high-stakes state decisions on staff are going to be made, they have to figure out how to make a decision for physical education. I was recently in Colorado, met with the team, and got an updated, detailed progress report.

Nevada is using a council to make some of those decisions, which is the exact same approach Colorado took. I support the council that has teachers, administrators, and business leaders—and all of those people represented to deal with those difficult decisions. It can be done; it takes facilitation, and it is a great chance for a public/private partnership because the council in Colorado is primarily sponsored and supported by private funds to make decisions. I like Nevada's approach and I think it will get us to that end.

Senator Wiener:

Physical education and physical activity are not the same thing. Fitness is not how well you perform academically in physical education class; they go together but are not the same. My thought in determining the physical activity part is that we tend to blend them together. The measurements are going to be different in terms of determining a successful outcome. I understand that there is a completely new model over the past ten years where we, as a culture, are very competitive.

The model is shifting to the Centers for Disease Control and Prevention (CDC), which gets every child on the court to play to see successes. Are the children improving their blood pressure after three minutes; is their heart rate better? My hope would be, if you are working toward the physical education/activity

level because the measurements, outcomes, and aims will be different, that there may be some medical people included. A good idea would be to possibly bring in the CDC because it has school-based activity people. This should maybe be a part of the conversation to come up with ways to measure improvement and growth in the health and wellness of our kids. This will be my last session, but it does not mean it is my last work. When my term ends in November of 2012, I will still offer to be engaged in this, and if there is any way I can participate I would appreciate the opportunity.

Ken Turner:

One thing that is important to discuss is that as states have tried to figure out growth systems, one of the most challenging issues is that about 60 percent of teachers do not teach a subject for which there is a state test. As Dr. Rheault said, how you start to find out the right measures is to get the growth. Those teachers you mentioned—art teachers, physical education teachers—have been measuring growth for a long time.

We all did the mile, some faster than others, but a quality physical education teacher took the target where you started—and it was not where you were, but it was where you needed to be—then based an education plan around growth. How can you get the mile done, and get it done faster in the allotted time, and base it around where you started and where you ended up? A music teacher does the same thing. He has you play the instrument, records it, gives you instruction and differentiation, and constantly measures growth until you are able to perform publicly with confidence.

The exciting thing is that the challenge is going to be for our teachers and subject areas that are not state tested. How do we measure them? Once we start to measure them, they are going to be some of the best people to help their colleagues with how to instruct for growth.

Keith Rheault:

I wanted to make sure that we did not lose sight of the fact that we are talking about tying performance to student achievement down the road. Starting this fall, for the elementary and middle schools, the principals are going to have access to growth and will be able to use that to look at how their school is doing and improve their schools. Even though it is not tied to teacher performance yet, it is still valuable and will be available immediately. It can be shared. The districts will have the data even though the states are going to release school numbers. The districts will have individual school data that they can share with the principals and teachers to share how their school is doing

from year to year while we are still working on this teacher performance data tie in.

Assemblyman Kirner:

This is exciting for me because it is a standard data-based process that we do not seem to be using now. I am encouraged with the news and information provided today. Dr. Rheault, what is your long-range vision for the growth model? Do you see this moving into the high school level? Do you see a situation where students will not need remedial training when they go to college? Do you see this as a five- or ten-year plan?

Keith Rheault:

If you look at some of the legislative action, the plan is faster than that. The next step is to come up with growth information for high schools because there is a big hole, and they need a lot of information to work on improvement. I see that happening in the next two years. In general, we will be able to provide growth in schools validly. I am more leery about tying the growth model to teacher performance for every teacher at every school. The Teachers and Leaders Council of Nevada is required to provide some recommendations by July 1, 2013. There will be a phase-in in 2014-2015. The Committee has already heard of the state adopting the Common Core State Standards. We have joined a common core assessment group. That test that will be tied to the common core in math and English will be coming out in field testing in 2014, which will add some additional help to the state in using that for part of the growth model discussion. It will be about a four- to five-year plan before we get to everything that the Legislature wants to see done and finally tying in to teacher performance.

Assemblyman Kirner:

Is this mandated right now? Are we trying to support you?

Keith Rheault:

I do not recall receiving any funding from the Nevada State Legislature in 2009. [Laughter.] We had a federal longitudinal data system grant for a three-year period, and that was one of our criteria that we sent in to use for funding. It was self-inflicted, doing this ourselves. We could not have done it had we not received open source data from Colorado. We would still be in the planning stages if we had not received that whole package. That is why we were able to get this done with the money we had from the federal grant. It will take some upkeep and maintenance down the road. We have some funds in our Department budget. Moving forward, we have used the new view that we are working in collaboration with Washoe and Clark Counties. Together, we are

doing it all, instead of the state doing it, even though it is going to be a state system.

Assemblyman Munford:

How is the success rate with the growth model in other states besides Colorado? Did they reach the goals that were proposed to make?

Dwight Jones:

I can speak for Colorado and a couple other states. As the former commissioner, I worked closely with Indiana. Colorado has not only reached the goals, but has far exceeded them as far as the feedback it is getting back from the field, especially from parents and business leaders, because they have so much more information. You can look at any school in the whole state and it comes up on SchoolVIEW. I encourage you to go to the SchoolVIEW website. It is amazing what is accessible in a transparent way. The most important piece is how teachers have started to use the data and are making different kinds of decisions. The goal is that they would have different kinds of conversations.

Before I left the state, teachers were sending in unbelievable testimonials about how they had better information, started to make projections, and how they could start to do that in conjunction with parents. It was bringing parents in with data that empowered them, that they had and could easily understand. I appreciate Assemblyman Anderson looking at the demonstration because the goal we set was to make sure that it was easily understandable by parents. Ultimately, if we only did it for educators we thought we would be "missing the mark." That feedback has been beneficial.

Indiana has taken the growth model and adopted it for the Indiana Growth Model and is already "teeing up" some of the high-stakes decisions that I know other states are wanting to determine in relationship to effectiveness and how much progress teachers are making. They have rolled some pieces out such as a teacher identifier. Nevada already has a teacher identifier, and what is nice is that Indiana has surpassed Colorado in relationship to how it is tying it to teacher performance even though Colorado has been focused on the classroom school and making those kinds of comparisons. If you were to contact your legislative college in both those states, you would hear a very favorable description about how successful it has been.

Assemblyman Munford:

In essence, are you saying that it is going to make a teacher much stronger and more effective in the classroom because she will have more data to work with?

Teachers will also be able to track their students' achievement. They can work on their weaknesses and their strengths.

Dwight Jones:

That is exactly it. It also gives empowerment to the principal, but equally to the superintendent. You can start to look at how your charter school is doing and if we are performing well with our English language learner (ELL) students, Individual Education Programs kids, and special ethnic groups. The accountability goes way up when you can start to make different determinations as you do your school improvement planning on certain targets that you have to raise. The best part about it is educators see it as fair. Sometimes when we start talking about the high-stakes accountability pieces, we leave the fairness conversation out of it, and that should be where we start. If a teacher deems that you are holding her accountable—and I continue to believe that most teachers are not afraid of accountability—she just wants the system to be fair. If you take into account where young students start—even if they start low—she will be accountable for their growth. That is the piece that allowed Colorado and Indiana state teachers to say, “If you are going to hold me accountable, take into consideration where a kid starts because if I am not in a lucky school, then the circumstances are considerably different.” If the district takes into account where a student starts then holds the teacher accountable for how much growth he makes from there, then she deems that is a fair accountability system. That is where we want to have time to have those kinds of demonstrations and conversations with Nevada teachers. I believe teachers will see it as a fair system.

Assemblyman Munford:

What is the feedback in those other states in low socioeconomic areas? Have the students shown some improvement?

Dwight Jones:

I will speak for a special population in Colorado: ELL. Local schools and districts were making some assumptions that the ELL students were bringing their scores down. Through the growth model, they determined that the ELL students were the fastest growing student population in the state of Colorado right now. Instead of bringing the scores down, they were helping districts meet their proficiency scores. That was an example where you could look at a subgroup population and use data to combat certain assumptions. This changed the whole mindset in the state. Whether it is a low-income or minority population, the growth model became a tremendous tool to tell the real story.

Heath Morrison:

The interesting part about the growth model is the flip side of that. Many times as we go out and speak to parent groups and different stakeholders, we often hear the concerns, "Are we serving the needs of our highly able learners?" When you think about our current accountability models under NCLB, it is about overall achievement; it does not measure growth. If you think about the fact that it measures overall achievement on proficiency—not exceeding the standard—then unfortunately it leads to unintended consequences, which is always the trick with an accountability model.

If you have three students and you are the classroom teacher, you know that you need two of the three to help make the adequate yearly progress (AYP) accountability measure. If one of the students is way advanced and the other student is way behind, and one student is directly in the middle, then by default, you start focusing your attention on the middle student. The student who is advanced will already score proficient, the student way behind will not get to where he should be by the time of the test, so you focus on the middle child. With NCLB, we have left two of the three students behind. Whereas, if we measure growth under federal and state and local accountability then we have to make sure that the student who is far behind grows further faster, the student that is way ahead also sees growth, as well as that middle student. This is going to force us to teach all the children.

Chair Bobzien:

Thank you for the presentation. This, along with the data quality presentation we received recently, is trying to frame the discussion about all the different reform measures that we are considering this legislative session. Unfortunately, reform comes to be measured by how much you think it is going to bash the other person's head in rather than whether or not it is truly going to make a difference in the policy area in which you are trying to seek change. Regardless of what comes out of this session, the real story of reform is the fact that this data effort itself is moving forward.

Assemblyman Kirner's comment is that this is a data-dashboard approach to how we do things. This is what businesses need, this is what any intelligent complex system needs at the helm, in terms of delivering results and doing it in an effective and efficient manner. I am encouraged and relieved that this is going forward. This is not a Democratic or Republican reform but it is a reform that is going to make the most amount of difference. At the risk of butchering this, but in order to paraphrase, reform is not something that you do to people; it is something that you do with people. This is a perfect example of that. There is a little bit of a balance here and I want to make sure that we are

perfectly honest with our constituents, parents, and teachers about what the next couple of years mean. On the one hand, we are blessed to have this experience from Colorado. We have this open source product at our hands to put into place. On the other hand, I am always concerned that that open source frames this discussion, that this is somehow an IT issue. There is this product when it is all done but in reality this is about process. Just because something worked well in Colorado does not mean that it will automatically take root in Nevada.

I think back to my own experience in this field when I worked in administration at the university and worked a lot with data. The toughest conversation you can ever have with people is peeling back the assumptions they may have about reality, and doing it with data. It is incredibly uncomfortable for people; it is incredibly difficult to achieve consensus. As I am watching this with great anticipation and great hope, I also have, in the back of my mind, this foreboding thought that this is a lot tougher than we think it will be. I am relieved that you are able to bring the experience from Colorado and help us with it. Am I too bleak in my outlook? Give me some focus on what you think about that.

Dwight Jones:

I would say that you have it just about right. We have a saying in our district as we start to bring about change: "Is it about winning or is it about learning?" Ultimately, it needs to be about learning because we are trying to get better results for young people. If this system is about winning or punishing, then I would say that it is the wrong system. But it is actually about learning and how to get better quicker. It gives us that kind of information. I appreciate that Colorado went about this in a bipartisan way. It was an initiative to say, "Can we hold ourselves accountable?" That accountability is for all kids. As Dr. Morrison just illustrated, we were not always serving our higher achieving kids well. This system allows you to look at every young student across the spectrum and hold yourself accountable for his growth.

Secondly, it is difficult to do and it takes a lot of conversations. Even as commissioner, I conducted a lot of staff meetings in order to have those conversations with teachers about what it really meant. All of a sudden when you are transparent and data is unfolded for everybody to see, it is difficult for people because they want to know how it is going to be used and what kind of support they are going to get. It is significant that it took four years. The caution that all of us have to say if we move too fast without having a good, conceptual understanding and some of those difficult conversations that have to happen in this state—just like all the other states—then at the end of the day, it

will be about winning versus learning. I hope we stay focused that this ought to be about learning.

Chair Bobzien:

Thank you for all your work on this effort. This is the reform.

Senator Denis:

Thank you for the opportunity to meet again together. It was good to have this discussion on the growth model as we move forward with the proper safeguards in place. Both houses have bills relating to this issue; once enacted into law, the mechanisms will be in place to develop the system for Nevada. It is safe to say that we will be keeping an eye on how the programs develop over the coming months.

Chair Bobzien:

Is there any public comment?

Autumn Tampa, Private Citizen, Las Vegas, Nevada:

I have worked for Clark County School District for almost 13 years. I was first a "regular," unclassified substitute teacher for 7 1/2 years. Then I was in the pilot program of Support Staff Substitute Teacher and Permanent Substitute Teacher for about 3 1/2 years. [Continued to read from [Exhibit D.](#)]

I hear a lot of really great ideas coming out. As an educator working with children of all ages, I feel encouraged by ideas being talked about, but there are a few issues that came up I feel compelled to discuss. Tying a teacher's pay to performance is a tricky thing. I walk around the schools and talk to a lot of colleagues, and I do not know which teachers want that to happen. I do not think special education teachers want it to happen at all; those are some of the most difficult classrooms to work in and I do not see how you are going to accurately measure any type of performance tied to any kind of proficiency test with those children.

In Nevada, there are a lot of issues with transients. When I worked as a substitute teacher in a long-term position, I had eight students leave and six new students come in, in the span of three months. I wonder how that would tie into the pay-for-performance model.

I would also like to comment on the budget crisis. I would like to see that money be put off until later and see the \$20 million put back into the General Fund. As a tool, this growth model is a fantastic idea. Having worked with all levels of children and every single grade level in over 100 schools, more

information is always helpful. I am discouraged by what I hear because none of the teachers that I work with have been saying that.

Right now, I am an education support professional. There has been a lot of talk about teachers. Teachers are the mainstay, but education support professionals are not talked about or taken into consideration in a lot of conversations about education. I know some of the reforms have to do with collective bargaining. I am a strong supporter of collective bargaining and a lot of my colleagues—even my mother who is a staunch Republican—have a strong belief that the rights of individuals are just as important as the money going in and out. Some of the reform has to do with waiving collective bargaining rights, not allowing due process in certain instances. I and everybody that I have talked to that I work with are not in support of that reform.

I wanted to mention the concepts of privatization and outsourcing in case they are something in the background. I hear about budgets shrinking and I hear that people are being laid off. Then I hear that Teach for America is going to come in and its teachers are going to be in the schools for two years, meaning full-time employees are going to be eliminated. I am concerned about the safety and well-being of the children due to that type of workforce that does not get screened as adequately or efficiently as a permanent workforce gets screened.

In considering the budget, I am asking the Legislature to really strive to consider not approving the budget as the Governor has put forth. I know there is an alternative budget coming out at some point through the Democratic Party. I am more an independent. I ask that you take a really strong look at the changes and really consider that now is not the time to do this. A lot of us feel hopeless, and when you have employees that feel this way—no matter how dedicated they are—and fears are not being addressed, it is hard to work when you are wondering what will happen tomorrow. [Continued to read from [Exhibit D.](#)]

Chair Bobzien:

Thank you for taking the time to share your comments with us. Is there any further business to come before the Committee? [There was none.] The meeting is adjourned [at 5:17 p.m.].

RESPECTFULLY SUBMITTED:

Janel Davis
Committee Secretary

APPROVED BY:

Assemblyman David P. Bobzien, Chair

DATE: _____

Senator Mo Denis, Chair

DATE: _____

EXHIBITS

**Committee Name: Assembly Committee on Education/Senate
Committee on Education**

Date: May 4, 2011

Time of Meeting: 3:37 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Dwight Jones	PowerPoint Presentation
	D	Autumn Tampa	Written Testimony