

**Nebraska Technical Advisory Committee
Minutes of the December 3, 2008 Meeting
Held at the Cornhusker Marriott Hotel, Lincoln, NE**

February 10, 2009

Attendees

Members of the TAC attending: Wayne Camara, Brian Gong, Linda Poole, Richard Sawyer, Dallas Watkins

Among the staff from the Nebraska Department of Education attending were Marge Harouff, Marilyn Peterson, Pat Roschewski. See the membership roster attached.

Others attending: Governor Dave Heineman, Matthew Eash (Budget Management Analyst)

The meeting convened at 8:30 AM at the Cornhusker Hotel, Lincoln, NE. Pat Roschewski welcomed the group and introduced Governor Heineman.

Action Items from the December 3, 2008 Meeting

The Department will confirm the confirmation date as well as the dates of the next TAC meetings, Feb. 17-18 and June 30, 2009.

The Department will recommend how to get more clarity about the intent and purpose of the national test requirement.

Brian Gong will work collaboratively with Pat Roschewski to develop the agenda for the February TAC meeting.

Welcome by Governor Dave Heineman

Governor Dave Heineman thanked the members of the TAC for agreeing to serve. He covered some expectations from the TAC, including the statutory charge that it report annually to the Governor, Legislature, and Board regarding the plans of the Department of Education regarding assessment and accountability. Governor Heineman articulated his vision for education in Nebraska. Regarding assessment and accountability, the Governor emphasized the need to be comparable and accountable, fair and in the service of learning. He noted specifically that children are individual and that there is a need to identify what works well educationally so that it can be shared with other local educational agencies across the state.

Introductions were made of all in attendance. The agenda was reviewed.

Charge to the TAC

Brian Gong, Chair of the TAC, reiterated the charge to the TAC that involved both oversight and resource functions. An important role of the TAC is to assure the Legislature and Governor's office that the plans and programs instituted by the Nebraska Department of Education are technically sound. An equally important role of the TAC is to serve as resources to the Department and its partners in offering advice.

TAC Operating Rules

The TAC agreed to the following operating rules.

- The meetings and associated materials are matters of public record. The agenda for the meeting must be posted publicly ahead of time, and minutes of the meeting will be posted following the meeting. In response to questions regarding teleconferences and email among TAC members, Brian Halstead, Co-General Counsel for the Department informed the TAC that any emails sent as TAC members would be public record documents. Discussions may be held informally between/among TAC members without violating the Open Meetings law.
- In the event that materials contain confidential information—such as secure test items or plans—these would be designated “confidential.” Materials and information designated “confidential” are to be available only to those designated by the Department of Education. In response to a question regarding a hypothetical case, Brian Halstead informed that TAC further that “closed session meetings” are permissible under the Open Meetings Law when considering the interest of the public.
- If a member of the TAC thinks s/he may have a conflict of interest regarding a matter to be discussed by the TAC, the member should inform the Chair and the Department immediately. The Department will provide guidance and determine if there is a conflict of interest. In the event of a conflict of interest, the TAC member shall recuse her/himself from all TAC discussion of the matter to which the conflict of interest applies.
- The TAC will use a facilitated discussion format. Since the primary function of the Technical Advisory Committee is to give advice, it is important that different viewpoints be considered. When the TAC takes formal action, such as making a formal recommendation to the State Board or Legislature, a motion must be made and vote taken.
- The TAC should be asked to give advice primarily on technical issues, not policy or political issues. The TAC recognizes that assessment and accountability systems always take place within policy and operational contexts, and that the best and most useful technical advice is informed by these contextual considerations. However, the TAC considers its best contribution to inform the Department of technical aspects and implications; the Department has the responsibility to make the final decisions, considering the advice from the TAC as well as other relevant information.

- The TAC should seek to work together collectively. To this end, the Chair shall act as the public spokesperson for the TAC. TAC members may refer to the Chair persons with questions about the TAC's processes, procedures, and so on.

TAC Official Duties to Legislature

Pat Roschewski informed the TAC that this committee's members needed legislative approval. The group discussed coordinating meeting dates for the next TAC meeting with legislative sessions. February 17, 2009 was identified as a possible date to include the approval hearing, and February 18, 2009 until noon. In addition, the TAC tentatively identified June 30, 2009 for a subsequent TAC meeting.

Pat agreed that the Department would confirm the confirmation date as well as the dates of the next TAC meetings, Feb. 17-18 and June 30, 2009.

The TAC and Department discussed how and when the TAC should report formally to the Legislature (Education Committee), the Appropriations Committee, the State Board, and the Department of Education. Matt Eash, from the Governor's office suggested that perhaps a report be available in January 2010 at the start of the legislative session. Brian Gong asked whether it would be more helpful for the report to be provided prior to the legislative session. Marge Harouff suggested that a report might be helpful to the Education and Appropriations Committees which meets in March. Dr. Watkins suggested that a meeting with the Education Committee might be a positive move. This meeting could possibly be part of the January meeting agenda.

Marge and Pat agreed to find out when a report should be provided to the Education and Appropriations Committees. Additionally, they will work through the Department to determine whether a meeting with the Education Committee should take place, and if so, when.

Information About Assessment and Accountability Programs

Pat Roschewski provided an overview of the history and current status of the Nebraska standards, assessment, and accountability programs. (See handout entitled "*History and Current Status*")

Pat provided an overview of the plan for statewide assessments, including development, implementation, administration, scoring, reporting, and use in state accountability compliant with the federal *No Child Left Behind* (NCLB) Act. An important consideration was that an assessment contract had not yet been finalized, and so many of the details of the plan would be finalized only after award and negotiations with the successful vendor. (See handout entitled "*Nebraska's Assessment Plan*")

The TAC members discussed the plan.

- Brian Gong made a general statement regarding the Assessment Plan, saying that overall it appeared feasible and comprehensive. However, there are still numerous

decisions to be made once the vendor selection is made. He noted the challenges inherent in the very aggressive timeline.

- Brian Gong noted the challenge in having to use field test data on the abbreviated development schedule. This would place additional demands that the field test be designed and executed well.

Wayne Camara expressed his concern regarding initial cut scores and initial student performance based on newly introduced tests. Communication efforts must begin now so that there is widespread understanding that this is a new process and performance of students may (will) be lower than current performance levels. After a short time, student performance will likely improve, simply because of familiarity with the State Test process.

One way to help ensure that students and teachers are familiar with the test so as to provide more valid results, Wayne suggested, was to consider providing a practice test if there were enough items available.

Richard Sawyer suggested that the Department require of the vendor very explicit quality assurance procedures.

- The TAC discussed the issue of an appropriate testing window that would balance the demands of test security, familiarity with the standards, sufficient instructional time, and sufficient operational time to administer the assessments—especially given districts’ different school schedules. The TAC suggested continuing the practice of conferring with other states regarding specific issues, such as a testing window.
- The TAC discussed the requirement for a national norm-referenced testing component. Wayne Camara suggested that this requirement is not going to glean any helpful information for the state or for districts. Marilyn asked whether the TAC could make a recommendation to the legislature regarding this requirement. Dr. Camara continued by stating that he sees no psychometric value in requiring districts to report National Test results (requiring administration of a National Test is a different matter). In summary, he stated that a consistent measure is necessary if there is to be any technical usefulness. Brian stated he would like more information regarding the intention behind the collection of this information. Marge suggested that looking back into legislative history might be helpful to understand the intent behind this requirement. Brian Halstead suggested that it might be of value to pose questions regarding the National Test requirement to Senator Raikes, current Education Committee Chairperson, to begin the discussion process.

The Department will recommend how to get more clarity about the intent and purpose of the national test requirement.

- The TAC discussed some of the challenges in administering state assessments in both paper-and-pencil and computer-based formats. Establishing comparability of scores across the two administration formats is a large challenge, and one that the contractor should consider the extensive research literature base when designing the tests and validity studies. Wayne Camara urged the Department and its vendors to move to using one format of administration (on-line if that was the preferred mode) in the future and find any incentives possible to get schools to do this. In addition, if the

test were totally computer-based, item formats beyond selected response might be more possible.

- The TAC encouraged the Department to continue its practice of communicating with all stakeholders, and especially educators. Communication is key to the success of this process.
- In response to a question from the TAC, Pat presented her idea of what types of input would be most helpful. She suggested that issues specific to contract negotiations need immediate attention. The TAC will send specific suggestions to Dr. Gong, who will make sure the group's collective recommendations are communicated in a structured manner to the NDE.
- Brian Gong said that he will work collaboratively with Pat to develop an agenda for the next meeting. That agenda might include the state's NCLB accountability workbook; transition to new accountability requirements and communication of these requirements need immediate attention, as these come into play in 2009-10. A communication plan should be developed in the near future, as well. Other possible topics include accommodations for the general assessment and the Alternate Assessment (1%). The Department may also wish to bring for discussion evaluation of the state test process (perhaps draw upon Dr. Jody Isernhagen, who has been a program evaluator for the Nebraska assessment program for the past several years) and the possible use of state assessments to inform evaluation and improvement of school/district programs and processes.
- Several members of the TAC expressed their appreciation to the Department for their appointments, for the efficient and comfortable arrangements, and for the effective and informative presentations.
- Pat concluded the meeting by recognizing the expertise of the collective group and thanking Dr. Gong for agreeing to be the chairperson.