

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
COLLEGE AND CAREER READINESS ASSESSMENT SUBCOMMITTEE**

**MARCH 10, 2023
1:30 PM**

Office	Address	City	Meeting
Department of Education	2080 E. Flamingo	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson City	Board Room
Department of Education	Virtual/Livestream	N/A	N/A

DRAFT SUMMARY MINUTES OF THE SUBCOMMITTEE MEETING

BOARD MEMBERS PRESENT

Dr. Summer Stephens, Chair
Tim Hughes
Dr. Rene Cantu

DEPARTMENT STAFF PRESENT

Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options (CRALEO)
Peter Zutz, Director, Office of Assessment, Data, and Accountability Management (ADAM)
Michael Pacheco, Education Programs Supervisor – Assessments (ADAM)
Gideon Davis, Nevada State Purchasing Officer III
Martha Warachowski, Administrative Assistant IV

LEGAL STAFF PRESENT

Todd Weiss, Deputy Attorney General

AUDIENCE IN ATTENDANCE

None

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Meeting called to order at 1:02 p.m. by Chair Summer Stephens. Quorum was established. Chair Stephens led the Pledge of Allegiance and went over housekeeping items.

2. PUBLIC COMMENT #1

There was no public comment for this period.

3. APPROVAL OF FLEXIBLE AGENDA

Member Rene Cantu made a motion to approve the use of a flexible agenda. Member Tim Hughes seconded. Motion passed.

4. INFORMATION, DISCUSSION AND POSSIBLE ACTION ON REVISED DRAFT RFP SCOPE OF WORK

Chair Stephens indicated her confidence that everything the subcommittee discussed had been covered in the revised draft, and Member Hughes concurred that the scope was ready to share with the full Board.

5. INFORMATION, DISCUSSION, AND POSSIBLE ACTION ON REVISED RFP RUBRIC

Chair Stephens reminded the subcommittee that any action taken today will be presented as part of an item to the Board at the March 16 meeting.

Member Hughes reminded the subcommittee of their request for clarity from purchasing on whether or not the rubric could be edited and suggested that the discussion begin there.

Gideon Davis, State Purchasing, informed the subcommittee that they can do whatever they would like with the criteria, noting that the criteria from the previous RFP is in no way required and indicated that state law only requires stated evaluation criteria and relative weights that need to be approved by the administrator prior to the release of the RFP, and they must be published in the RFP so that vendors know what they are being scored. Mr. Davis explained that the subcommittee has authority to redesign the rubric as it sees fit and as long as the Board of Education approves the rubric, Purchasing will support whatever the subcommittee decides.

Member Cantu indicated that the subcommittee had previously discussed weighting number 3, conformance with the terms of this RFP, much more heavily to at least 50 percent, and that this was not reflected on the presented rubric. Member Cantu wanted to confirm that any changes the subcommittee makes are reflected in the rubric.

Chair Stephens explained her process in looking at the rubric, noting that one of the struggles was the idea of actual implementation of using the rubric with the proposals, indicating the need for a more concrete basis of scoring. She discussed using very general levels such as meets, has parts, and doesn't have the parts and indicated the criteria she used, beginning with demonstrated competence in the first section. She further noted that she tried to word things in statements rather than in questions for more effective scoring purposes and explained that if you have a rubric that has a range, this may be more efficient for the lay person who will be doing the scoring. She next indicated her attempt to combine the parts in the different sections to condense and consolidate the areas that belong together into one section and discussed the importance of condensing so that the proposed solutions align with widely accessed admission requirements for higher education and scholarships as well as predict a student's preparedness for college and careers. She indicated that this is a problematic section as many of these don't natively align.

Chair Stephens discussed the high priority of the next section, which includes the state's only required testing: the biology test and the ACT, noting that the proposed solution reduces the number of assessments given to high school students, which the Chair opined may be less important in the scope of what the subcommittee is trying to achieve. She indicated that the subcommittee is looking for the proposed solution to provide data for teachers, schools, and districts to make instructional decisions for a student's 12th grade year, including recommended appropriate intervention strategies, as well as to provide an individual student report to students and guardians for identification of academic strengths and weaknesses along with work and career readiness strengths and weaknesses. The Chair discussed the final two in that section, where the proposed solution provides supports and accommodations to meet the needs of all students, as well as communication tools that meet the needs of all stakeholders, including: the state; the district; site administrators; counselors; teachers; all personnel; and families and students, including the availability of English, Spanish, and other languages. She indicated her attempt to capture what was in the conformance of the RFP, then moved on to the final two sections on having enough staff and expertise, as well as a dedicated state person that can handle the workload and concluded with the cost and fiscal management. She then opened the floor for discussion regarding her proposed changes to the RFP.

Mr. Davis supported the individual numbering done by the subcommittee but indicated that the grouping into previous sections is basically unnecessary. He suggested one list of items rather than some of them being demonstrated competence and some being conformance with the terms of the RFP and explained that the categories don't actually mean anything relevant to the vendors or to the proposal. He suggested grouping the sections together based on how the vendor will respond because the end goal is to marry the evaluation criteria more directly to what the vendors are being asked for in their proposals. He further suggested that if the subcommittee is considering a very large evaluation committee with potential subcommittees that each only review part of the proposal, that perhaps these subcommittees be broken down into subject-matter groups to review the parts for which they are best suited.

Mr. Davis indicated that if the scope of work is broken down to that to which the vendors are responding and the evaluation criteria is broken down by subject matter, and the two are aligned, it may be easier for the evaluation committee to evaluate. He also suggested putting it on a one-through-five scale rather than a one-through-ten scale to break people out of the percentage-based mindset.

Chair Stephens indicated her understanding of Mr. Davis' suggestions, noting that this makes sense, and thanked Mr. Davis for sharing this idea with the subcommittee.

Mr. Davis indicated that the evaluation committee will be looking at not only how the vendor will do things in the state, but also how this will align with requirements across other states for colleges and universities and that each of these things is something that the vendor should explicitly address and as such, this should explicitly be asked of the vendor as part of the RFP.

Member Hughes thanked Mr. Davis for this guidance, noting that it makes a lot of sense, and indicated his support particularly for the idea of expertise going to different sections. He noted that he personally would still want all evaluators to read the full proposal but did like the idea of aligning expertise. He thanked Chair Stephens for her work in putting this together, noting that it does align to the previous work done by the subcommittee, but questioned if the weighting discussed in the previous meeting had changed at all.

Chair Stephens confirmed that she had not changed this in her proposal. The Chair next discussed the functional and technical requirements, noting her belief that this should be the heartiest section weight-wise, and suggested that having them in some form of groups could then allow for the higher weight of the score in the rubric.

Mr. Davis suggested weighting the individual questions instead rather than weighting at the sub level but noted that either option the subcommittee chooses is acceptable.

Member Hughes concurred that weighting could be done either way and requested that before the subcommittee moves forward to weighting, they move back to the meets and exceeds and talk through in the hopes of deriving more insight, noting that although some of these questions are yes/no, others are about the thoroughness of the response and as such, might help with both the weighting and the criteria.

Chair Stephens was amenable to this suggestion.

Member Hughes began with the first example and questioned how raters would expect to see that this criterion exceeds, needs, is developing, or is inadequate, noting that the purpose of this exercise is to determine whether these are the right performance indicators and if they are helpful to a rater.

Chair Stephens questioned what in the proposal would exist in terms of credentials of the vendors, as well as leadership, performance history, and skills and knowledge, as well as the available deliverables, and Member Hughes indicated that if he were the evaluator, he would be looking for the inclusion of data and artifacts, performance history, skills, and things of that nature. Member Rene Cantu concurred.

Member Hughes questioned if this would be more of a yes/no or if the scale would fit all of the criteria, and Chair Stephens indicated the subcommittee could determine if something was a yes/no, it would be binary and discussed how sections with more than one part might be difficult to group into yes/no answer sections.

Member Hughes asked Mr. Davis for recommendations on his beliefs regarding whether or not this is sufficient for assessing an interrater reliability with the existing questions and criteria, as well as for recommendations on areas that could be binary versus on a scale.

Mr. Davis explained that there are two types of RFPs the state has done well and work best, but they oppose one another philosophically and as such, the subcommittee would need to choose one or the other.

Mr. Davis indicated that this comes down to a question of whether or not the subcommittee wishes for the evaluators to evaluate a vendor down a column or to evaluate criterion across the vendors, a more narrative-style proposal and noted that the evaluation criteria and the structure of the RFP need to align with this choice. He indicated that there are absolutely some things that are exclusively binary, and others that are not within the RFP and noted additionally within the weighted criteria, then can be a particular criterion that has an all-or-nothing score or has a scaled score. Mr. Davis further noted that the total points do not have to be out of 100 but can add up to any number of the subcommittee's choosing.

Member Hughes indicated that Member Cantu needed to leave the meeting for a time-sensitive issue.

Member Hughes asked for the Chair's preference or thought regarding the scoring and weighting of yes/no answers, and Chair Stephens indicated she did not have a particular preference but noted that she would suggest saying for yes/no answers that either things were met or inadequate.

Member Hughes suggested going through and highlighting the questions that should be marked as either meets or inadequate. Member Hughes went through the questions, noting his thoughts on whether they appeared to be yes/no questions or a spectrum.

Chair Stephens discussed specifically the question around litigation, questioning whether or not this is criteria the subcommittee wishes to address, noting her preference to err on the side of the vendor's lack of involvement in any litigation or censure.

Todd Weiss, Deputy Attorney General, noted his belief is that this should be two separate items.

Chair Stephens asked Member Hughes about his feelings regarding the track record of long-term service and ownership, and Member Hughes indicated that it didn't necessarily need to be included and noted he would be okay with removing it completely. Chair Stephens highlighted that item as binary.

Member Hughes questioned if prior experience with the type of assessment being sought and has adequate references qualified as a yes/no, and Chair Stephens indicated she believed so.

Mr. Davis reminded the subcommittee that this section is about differentiating the quality of vendors and that as such, references should be scored because there is a difference in quality there.

Member Hughes concurred and moved onto quality assurance protocols, indicating there is likely more variability there, and therefore, that one should be scored. He next discussed the vendor's capacity and procedure.

Mr. Davis questioned the implication behind the capacity at which they are good being binary rather than qualitative and noted the importance of not identifying things specifically when in actuality the desire is to have the vendor address them generally.

Member Hughes indicated that there should be a range for scoring for question 6, the vendor has capacity and procedures to ensure all project activities and deliverables adhere to high standards of integrity, confidentiality.

Chair Stephens questioned Member Hughes' amenability to her changing the wording from conformance to functional and technical requirements, and Member Hughes concurred, noting that having it aligned to the RFP language feels important and addressed the questions in that section for discussion as to whether they should be binary or have a scoring range. Member Hughes discussed the importance of finding the balance of listening to stakeholder feedback and questioned the ability to find a way to get at the sentiment of that in a way that a vendor can more easily respond that does not pose any additional undue burden.

Mr. Davis suggested a hedge and saying the proposed solution provides the ability to reduce the number of assessments to address the subcommittee's desire for the test to be used for multiple purposes. Mr. Davis cautioned that at the Board of Education level, whether an individual school district actually uses the test for multiple purposes cannot be controlled, but this wording does provide the ability to score that without saying that it will occur. Member Hughes and Chair Stephens concurred.

Member Hughes noted that the next few were fine as-is but questioned if some of the pieces of the section could be combined. Chair Stephens indicated her comfort with combining them if college and career were both included.

Member Hughes suggested changing the wording to say academic strengths and weaknesses as well as college and career preparedness, noting that because this is on a scale, there is the potential for an in-depth response. He addressed number 8, the proposed solution provides communication tools that meets the needs of all stakeholders, including the availability in English, Spanish, and other languages, noting his belief that a vendor would likely not know what all the stakeholder needs are in a unique place, and suggested that the wording be changed to the proposed solution provides communication tools applicable to a variety of stakeholder groups, including but not limited to, and include the same groups.

Chair Stephens suggested putting language and accessibility in parentheses following the end of the sentence, and Member Hughes suggested wording it as the proposed solution provides communication tools applicable and accessible.

Craig Statucki, Director of the Office of Career Readiness, Adult Learning, and Education Options (CRALEO), indicated that the abbreviations need to be spelled out before the tool is finalized.

Member Hughes indicated his concerns regarding the vendor capacity and staffing where a reviewer might have trouble assessing because people have different views on what is sufficient. He suggested that perhaps the specificity does not need to be spelled out because they will all be structured differently.

Chair Stephens read the scope of work into the record and suggested that instead of having four items here, perhaps they could be pushed together under the header of project management, and Member Hughes concurred, noting his agreement that it is more about project management more than anything.

Members Stephens and Hughes discussed combining the items under the header of project management and to weight the section appropriately, and Member Hughes indicated his belief that one more round of final wordsmithing would need to be done prior to moving the RFP to the full Board.

Chair Stephens concurred and noted that a lot of the pieces of the project management are related to the state of Nevada. The Chair further noted that perhaps the items just covered should be number 7 and 8 whereas the first section perhaps should be renamed to project management, with the second section being functional technical requirements. The Chair indicated that there are sections in the scope about equity as well as cost and fiscal management and indicated that the cost section does still need to be addressed.

Member Hughes explained that he was fine with the two costs of fiscal management but might have one modification for number 1 regarding the wording around the cost for previous projects of similar size and scope.

Mr. Davis explained that NDE will not have evaluators evaluate cost on the meets/exceeds scale, but rather cost gets evaluated based off comparative scoring so that the vendor with the lowest price gets the highest-cost score.

Member Hughes questioned the possibility of removing cost off completely as it involves a separate process, and Mr. Davis explained that a weight needs to be assigned to cost, but individual criterion does not.

Chair Stephens suggested that the two items in the scope could be made more binary, and Mr. Davis described the process used to get a total contract value off of which vendors are evaluated.

Chair Stephens questioned if NDE would then be looking for someone that had more of the whole package versus lots of add-ons, and Mr. Davis indicated that the answer to this is dependent upon whether the vendor has all the things that the District needs, or if the District actually needs all of the options the vendor offers, as well as which option would be more cost-efficient. Mr. Davis indicated that add-ons could be a separate criterion should this be desired.

Member Hughes questioned who is actually doing the comparisons of the cost proposals, and if there is a list by which things are differentiated or if the ultimate decision comes down to just the bottom-line number.

Mr. Davis indicated that this is determined by not only the cost evaluation, but also technical evaluation and cautioned that the Department cannot absolutely require vendors to bid in the format provided, and as a result, they may choose not to bid, which is a risk of trying to get too restrictive within the RFP. He noted that the Department has the ability to decide the cost schedule and whether or not the vendors need to include everything in a single per-student/per-year rate, as well as providing the vendors the ability to add other things on top. He discussed per-student funding, noting that this model provides flexibility in contracting to reflect the potential for an increase or decrease in students. He indicated that vendors generally do prefer an absolutely fixed rate per year where as the per-student/per-year puts some of the risk back on the vendor in the event of a population drop.

Member Hughes suggested leaving this section as a broad category around cost and use rank order rather than enter special criteria.

Chair Stephens suggested wording that includes something along the lines of vendor submits per-student cost and any support costs for products or services not included, and Member Hughes concurred.

Member Hughes questioned that this would essentially be the criteria potentially in addition to how cost is normally ranked, and Mr. Davis indicated that what is written in the RFP is basically the overarching instruction for the vendor of how to fill out the cost proposal. Mr. Davis noted that separate from the evaluation criteria in the RFP, there is a section that lays out the kind of the math problem that is used to comparatively score vendors in order to have a weight but noted that evaluators would not score it but would just see it as they would receive an explanation at the evaluation committee meeting.

Chair Stephens noted that she would like to move back to ensure that the scope matches the rubric and ensure that the items are in there and further indicated her desire to add equity into the functional and technical requirements section or perhaps having an equity item before the cost item.

Member Hughes indicated his belief that that category is cross-cutting across all other parts of the assessment and as such, either one statement should be weighted appropriately, or there should be something about equity in every section around the applicable category. He further indicated that the subcommittee has named pieces already, such as accessibility and different languages, and questioned if this would then be double counting, whereas in other areas, equity was not named at all.

Chair Stephens suggested making one item in equity that covers all the things listed and providing a specific weight to the item, and Member Hughes concurred, noting that this seems to be the most straightforward approach.

Chair Stephens suggested incorporating the wording vendor provides examples of how equity is integrated into all aspects of test development and implementation, and Member Hughes suggested rewording this to just include the products and services.

Chair Stephens added processes to products and service and opened the discussion regarding weighting.

Member Hughes indicated his support for broad weights by big categories rather than question by question. Member Hughes reminded the subcommittee that the previous discussion included giving the technical piece, the bulk of the RFP, the highest weight at 50 percent and then splitting up the additional 50 percent across the other sections and noted that this methodology still seems to make the most sense to him.

Chair Stephens suggested four levels of scoring to the sections, with 1 being the lowest and 4 being the highest, taking the average of these, and then categorizing each section as a certain percentage with the functional and technical requirements category equaling 50 percent of the total score. She noted that this provides equal weight among the category.

Mr. Davis questioned if number 1 and number 6 within the functional and technical requirements were in actuality equal, and Chair Stephens explained that the subcommittee had not spelled out that they were not equal but conceded that to her personally they were not equal, yet the weighting for her would be different based on who filled out the survey. The Chair noted that the subcommittee had included the most important purposes defined by stakeholders to be considered and scored and indicated her belief that the subcommittee could not go further in weighting one higher over another, but that collectively there would be understanding that this section has to be the crux of the most importance of rating the RFP.

Mr. Davis questioned how many questions are in the functional and technical requirements section if it were to be given a weight of 40, and Chair Stephens confirmed that there were eight questions.

Mr. Davis indicated that this would give each question a weight of five, which is no difference between giving the group weight of 40 and averaging each question together, thus weighting the section versus weighting by individual question makes no difference, and Chair Stephens indicated that the subcommittee was unprepared today to determine that one question would be worth more than another in the sections.

Mr. Davis indicated his concern that when awarding a contract, the decision to this would once again come before the Board because the decision about what weighs more and what weighs less is about the minutia, whereas the subcommittee should actually be making a decision about each of the individual things that will be evaluated, each of which should have their own individual weight.

Chair Stephens questioned if each is scored on a 1-4 scale, but the subcommittee noted that each item in this section is worth more than items in a different section, if this methodology would work, and Mr. Davis confirmed that it would.

Chair Stephens proposed that the subcommittee brings this before the Board the following week, on March 16 at 2:00, and provides the information that the functional and technical requirements section is more important than the other three sections, and then have the conversation about equality of the weighting of the items within the section with the full Board, and Mr. Davis accepted this as a practical solution.

Member Hughes concurred but noted his concern that it will be a never-ending conversation to try to rank order on each of the items within a section but conceded that it would feel more considered if rank-ordered, thus the need to get more specific on the scale. He suggested simply adding up the numbers rather than taking a percentage so as to determine who scored higher on a particular section, and Chair Stephens concurred.

Member Hughes asked if Chair Stephens remembered the percentages and questioned if perhaps the subcommittee should rank in order of most importance, and Chair Stephens indicated that she did not remember the numbers specifically but did remember that subcommittee members were in agreement that the section on functional and technical requirements should rank highest.

Member Hughes indicated that the lowest scores had been suggested for experience and performance of comparable engagements, which has now merged to some extent, and for expertise and key personnel, and Chair Stephens suggested that this section now perhaps should rank at 20, cost at 20, and equity at 10.

Member Hughes indicated that the most important thing was to rank the sections in order of most important to least important and bring it to the full Board for further conversation, and Chair Stephens suggested graying out exceeds and developing for the yes/no items so there would only be the option to pick meets or does not meet (1 or 3). Chair Stephens further suggested using a 0-3 scale rather than a 1-4 scale, and Member Tim Hughes concurred with this suggestion.

Martha Warachowski informed the subcommittee that this presentation is number 10 on the agenda for the March 16 Board meeting and noted that the agenda item does include a presentation. She reminded the subcommittee that she will need to ADA and post meeting materials in advance per Open Meeting Law. Chair Stephens asked Member Hughes about his comfort level with pulling together a presentation and passing it along to Ms. Warachowski for compliance, and Member Hughes indicated he was very comfortable with having the Chair work on this and noted that subcommittee members could simply voice over their process.

Chair Stephens asked if a vote was needed, and Mr. Statucki indicated that the subcommittee did not need to vote and reminded the members that further discussions/communications regarding this agenda item outside of this open meeting could not take place for compliance with OML.

6. INFORMATION, DISCUSSION AND POSSIBLE ACTION ON REVISED RFP COMMITTEE ENTITY

Chair Stephens indicated the importance of ensuring that this follows the process, that there is training, that there is norming of the scoring, and that whoever leads needs to take the members through training.

Member Hughes indicated the importance of having the 10 voices represented as opposed to the nominating process. He reiterated that the Department can then send the information out to all agencies and make a determination of the 10 committee members.

Chair Stephens concurred but noted that the wording on this document did not reflect the changes proposed by the subcommittee and requested that NDE update the document accordingly.

7. FUTURE AGENDA ITEMS

No items were added to a future agenda as this was the final subcommittee meeting.

8. PUBLIC COMMENT #2

There was no public comment for this period.

9. ADJOURNMENT

The meeting was adjourned at 3:15 p.m.