



# RESEARCH DATA SHARING AGREEMENT

for External Data Sharing

A partnership between ULEAD and

UTAH STATE BOARD OF EDUCATION

**PARTIES:** this Research Data Sharing Agreement (“**Agreement**”) is between the Utah State Board of Education (“**State Entity**” or “**USBE**”), Utah Leading through Effective, Actionable and Dynamic Education (“**ULEAD**”), Brigham Young University (“**BYU**”), and Wasatch County School District (“**WCSD**”) (BYU and WCSD are referred to as “**Researcher(s)**”). Each of these entities is individually referred to as “**Party**” and collectively referred to as “**Parties.**”

**Richard R. Sudweeks**

Name of Researcher #1

**Brigham Young University**

Name of University, Organization, or Entity

**Brigham Young University**

Address

**Provo UT 84602 www.byu.edu**

City State Zip Website

**richard\_sudweeks@byu.edu**

Email

LEGAL STATUS OF RESEARCHER

Sole Proprietor

Non-Profit Corporation

For-Profit Corporation

Partnership

Government Agency

**(801) 422 - 7078**

Phone

**Nathaniel Mitchell**

Name of Researcher #1

**Wasatch County School District**

Name of University, Organization, or Entity

**101 East 200 North**

Address

**Heber UT 84032 www.wasatch.edu**

City State Zip Website

**nathaniel.mitchell@wasatch.edu**

Email

LEGAL STATUS OF RESEARCHER

Sole Proprietor

Non-Profit Corporation

For-Profit Corporation

Partnership

Government Agency

**(435) 654 - 0280**

Phone

**RESEARCH OVERVIEW:**

**PROJECT TITLE:**

State the title of the research.

Utah Highly Effective Literacy Teacher Teams

**PURPOSE OF RESEARCH:**

Provide a description of the research, including the reason the data is needed.

This statewide data review is intended to discover top-performing elementary teacher teams in Utah in terms of student literacy growth, among all subgroups, as measured on the DIBELS/Acadience assessment. Once identified, teacher teams that produce consistent and high-growth literacy gains can be compared to identify common pedagogies. These teacher teams could also potentially be invited to share their insights and methods for success.

**DURATION:**

State the estimated end date of the research.

The timeframe for completion is planned for 09/01/2024.

**DATA REQUESTED:** Outline the types of data you anticipate needing for your research. If you need additional data elements later in your research, you can fill out a data request amendment form.

Data	Data Type		
	Student PII	Student-level De-identified	Unmasked Aggregate
Demographic, at-risk category distinctions, school ID, classroom teacher ID, and state DIBELS/Acadience performance for all Utah elementary students during the period spanning the Beginning of Year 2016-17 to End of Year 2021-24.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**AGREEMENT PERIOD:**

Effective Date: 01/25/2023

Termination Date: 09/01/2024, unless terminated early or extended in accordance with the terms and conditions of this agreement.

**ATTACHMENTS:** This Agreement includes the following attachments. Any conflicts between Attachment A and the other attachments will be resolved in favor of Attachment A.

ATTACHMENT A: State of Utah Standard Terms and Conditions for Research

ATTACHMENT B: Curriculum Vitae for external researcher(s)

ATTACHMENT C: Initial Data Request (Amendment #1)

ATTACHMENT D, etc.: Subsequent data requests and amendments, if applicable

**SPECIAL TERMS AND CONDITIONS:**

1. **Partnership with ULEAD:** Whereas the research questions of this project align with ULEAD’s purpose, ULEAD and USBE are partnering in this special arrangement.
2. **ULEAD access:** Though not the party directly conducting the research, as a research partner ULEAD will have access to the same data as the Researchers.
3. **Delegation of authority:** According to USBE Policy 3006, any data request for student-level data, either PII or de-identified, that is not required by state or federal law must be approved by USBE. In this Agreement, USBE will approve this Agreement (a master data sharing agreement) as outlined in this section, but delegate its authority to the following directors (“**Directors**”) to approve subsequent amendments to this Agreement:
  - 3.1. USBE Director of Privacy
  - 3.2. USBE Director of Data and Statistics
  - 3.3. USBE Director of Information Technology
  - 3.4. ULEAD Director
4. **Mechanism for future amendments:** After USBE and ULEAD approve the general scope of the research described herein, if Researcher(s) need to amend the scope of their research described in this Agreement, they must complete the data request amendment form (see Attachment C), which will be reviewed for approval by the Directors.
5. **Data access protocol:** Researcher(s) will receive access to their requested data by entering the USBE building, where ULEAD will assist Researcher(s) in accessing the requested data. Researcher(s) will follow any technical requirements from USBE, including use of USBE-approved devices, where applicable.

**SIGNATURES OF APPROVAL:**

Each signor below represents that s/he has the requisite authority to enter into this Agreement.

IN WITNESS WHEREOF, the Parties sign this Agreement as follows.

<b>BYU</b>			<b>Richard Sudweeks</b>	<b>Professor</b>
	Signature	Date	Name	Title
<b>WCSD</b>			<b>Tod Johnson</b>	<b>Director</b>
	Signature	Date	Name	Title
<b>ULEAD</b>			<b>Meghan Everette</b>	<b>Director</b>
	Signature	Date	Name	Title
<b>USBE</b>			<b>Sydnee Dickson, Ed.D</b>	<b>State Superintendent of Public Instruction</b>
	Signature	Date	Name	Title

<b>ULEAD CONTACT</b>	Name/Title:	<b>Meghan Everette/Director</b>
	Phone/email:	<b>801-538-7543/meghan.everette@schools.utah.gov</b>
<b>USBE CONTACT</b>	Name/Title:	<b>Katy Challis/Director of Privacy</b>
	Phone/email:	<b>801-538-7894/katy.challis@schools.utah.gov</b>

**ATTACHMENT A:  
STATE OF UTAH STANDARD TERMS AND CONDITIONS FOR RESEARCH**

1. **DEFINITIONS:** The following terms shall have the meanings set forth below:
  - 1.1. **"Authorized Persons"** means Researcher's employees, officers, partners, Subcontractors or other agents of Researcher(s) who require access to Data and who have a legitimate educational interest in the education records to enable the Researcher to perform its responsibilities under this Agreement.
  - 1.2. **"Agreement Signature Page(s)"** means the State of Utah cover page(s) that the State Entity and Researcher(s) signed.
  - 1.3. **"Data"** includes Student Personally Identifiable Information and Educator Data, and may also include Confidential Information.
  - 1.4. **"Data Steward"** means the entity responsible for combining two Data sets from different sources, and managing the resultant Data set. If a USBE Data system is being used, then USBE is the Data Steward. If another entity is doing the calculations or derivations, then that entity becomes the Data Steward.
  - 1.5. **"Destroy"** means to remove Data such that it is not maintained in retrievable form and cannot be retrieved in the normal course of business.
  - 1.6. **"Educator Data"** includes, but is not limited to, the educator's name; any unique identifier, including social security number; and other information that, alone or in combination, is linked or linkable to a specific educator.
  - 1.7. **"Incident"** means the potentially unauthorized access to Data that Researcher(s) believe could reasonably result in the use, disclosure or theft of Data within the possession or control of Researcher(s) or Researcher(s)' Subcontractors.
  - 1.8. **"Metadata"** includes all information created manually or automatically to provide meaning or context to other data.
  - 1.9. **"State Entity"** means the department, division, office, bureau, agency, or other organization identified on the Agreement Signature Page(s).
  - 1.10. **"State of Utah"** means the State of Utah, in its entirety, including its institutions, agencies, departments, divisions, authorities, instrumentalities, boards, commissions, elected or appointed officers, employees, agents, and authorized volunteers.
  - 1.11. **"Student Personally Identifiable Information"** or **"PII"** has the same meaning as that found in U.C.A § 53E-9-301, and includes both direct identifiers (such as a student's or other family member's name, address, student number, or biometric number) and indirect identifiers (such as a student's date of birth, place of birth, or mother's maiden name). Indirect identifiers that constitute PII also include metadata or other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty.
  - 1.12. **"Subcontractors"** means any person or entity that will receive Data from Researcher(s) shared as part of this agreement.
  - 1.13. **"Targeted Advertising"** means advertising to a student or a student's parent by Researcher(s) if the advertisement is based on information or Data Researcher(s) collected or received under this Agreement.
2. **GOVERNING LAW AND VENUE:** This Agreement shall be governed by the laws, rules, and regulations of the State of Utah. Any action or proceeding arising from this Agreement shall be brought in a court of competent jurisdiction in the State of Utah. Venue shall be in Salt Lake City, in the Third Judicial District Court for Salt Lake County.
3. **LAWS AND REGULATIONS:** At all times during this Agreement, Researcher(s) and all research shall comply with all applicable federal and state constitutions, laws, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
4. **RECORDS ADMINISTRATION:** Researcher(s) shall maintain or supervise the maintenance of all records necessary to properly account for Researcher(s)' performance under this Agreement. These records shall be retained by Researcher(s) for at least six years after termination of this Agreement, or until all audits initiated within the six years have been completed, whichever is later. Researcher(s) agree to allow, at no additional cost, the State of Utah, federal auditors, State Entity staff, or their designees, access to all such records during normal business hours and to allow interviews of any employees or others who might reasonably have information related to such records. Further, Researcher(s) agree to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement.
5. **CONFLICT OF INTEREST:** Researcher(s) represent that none of their officers or employees are officers or employees of the State Entity or the State of Utah, unless disclosure has been made to the State Entity.
6. **INDEPENDENT CONTRACTOR:** Researcher(s) and Subcontractors, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of USBE.
7. **NON-FINANCIAL UNDERSTANDING:**
  - 7.1. This Agreement is a non-financial understanding between USBE and Researcher(s). No financial obligation by or on behalf of either of the Parties is implied by a Party's signature at the end of this Agreement.
  - 7.2. The terms of any financial liability that arises from Data processing activities carried out in support of the responsibilities covered herein must be negotiated separately and to the mutual satisfaction of the Parties.
  - 7.3. The legal authority for Data sharing for specified purposes conveyed by this Agreement cannot be used to support a subsequent claim of implied agreement to financial obligation.
8. **COST (OPTIONAL):** Researcher(s) agree to pay fees in the amount of \$\_\_\_\_\_ for the preparation or delivery of the research

Data (this payment may be required in advance). Payment shall be made to:

9. **RESEARCHER(S) RESPONSIBILITY:** Researcher(s) is solely responsible for fulfilling the Agreement. Researcher(s) shall be the sole point of contact regarding all contractual matters. Researcher(s) must incorporate Researcher(s)' responsibilities under this Agreement into every subcontract with its Subcontractors. Moreover, Researcher(s) are responsible for their Subcontractor's compliance under this Agreement.
10. **INDEMNITY:** Researcher(s) shall be fully liable for the actions of its agents, employees, officers, partners, and Subcontractors, and shall fully indemnify, defend, and save harmless the State Entity and the State of Utah from all claims, losses, suits, actions, damages, and costs of every name and description, including but not limited to any loss of Data and claims arising out of any data breach, arising out of Researcher(s)' performance of this Agreement caused by any intentional act or negligence of Researcher(s), its agents, employees, officers, partners, or Subcontractors, without limitation; provided, however, that the Researcher(s) shall not indemnify for that portion of any claim, loss, or damage arising hereunder due to the sole fault of the State Entity. The parties agree that if there are any limitations of the Researcher(s)' liability, including a limitation of liability clause for anyone for whom the Researcher(s) are responsible, such limitations of liability will not apply to injuries to persons, including death, or to damages to property.
11. **EMPLOYMENT PRACTICES:** Researcher(s) agree to abide by any other laws, regulations, or orders that prohibit the discrimination of any kind by any of Researcher(s)' employees.
12. **AMENDMENTS:** This Agreement may only be amended by the mutual written agreement of the Parties, which amendment will be attached to this Agreement. Automatic renewals will not apply to this Agreement, even if identified elsewhere in this Agreement.
13. **DEBARMENT:** Researcher(s) certify they are not presently nor have ever been debarred, suspended, proposed for debarment, or declared ineligible by any governmental department or agency, whether international, national, state, or local. Researcher(s) must notify the State Entity within 30 days if debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in any contract by any governmental entity during this Agreement.
14. **TERMINATION:** This Agreement may be terminated, with cause by either Party, in advance of the specified expiration date, upon written notice given by the other Party. The Party in violation will be given 10 days after written notification to correct and cease the violations, after which this Agreement may be terminated for cause immediately and subject to the remedies below. This Agreement may also be terminated without cause (for convenience), in advance of the specified expiration date, by the State Entity, upon 30 days written termination notice being given to Researcher(s). The Parties may terminate this Agreement, in whole or in part, at any time, by mutual agreement in writing.
  - 14.1. Following the termination of this Contract, USBE reserves the right to request a complete and secure (i.e. encrypted and appropriately authenticated) download file of all data, including, but not limited to, all Data, schema and transformation definitions, or delimited text files with documented, detailed schema definitions along with attachments in its native format. After USBE has been provided and confirmed as acceptable a complete download, or declines a download and requests immediate destruction, Contactor shall Destroy all Data collected, generated, or inferred as a result of this Contract. Should USBE not request a complete download, Contractor shall Destroy the Data immediately after 30 days post termination of the Contract. The Contractor shall notify USBE in writing of the date upon which all of the Data is destroyed.
15. **CHANGES IN LAW:** Upon 30 days written notice delivered to the Researcher(s), this Agreement may be terminated in whole or in part at the sole discretion of the State Entity, if the State Entity reasonably determines that a change in Federal or State legislation or applicable laws materially affects the ability of either Party to perform under the terms of this Agreement.
16. **RESERVED.**
17. **PUBLIC INFORMATION:** Researcher(s) agree that this Agreement shall be a public document and may be available for public and private distribution in accordance with the State of Utah's Government Records Access and Management Act (GRAMA). Researcher(s) give the State Entity and the State of Utah express permission to make copies of this Agreement in accordance with GRAMA. The State Entity and the State of Utah are not obligated to inform Researcher(s) of any GRAMA requests for disclosure of this Agreement.
18. **INDEMNIFICATION RELATING TO INTELLECTUAL PROPERTY:** Researcher(s) will indemnify and hold the State Entity and the State of Utah harmless from and against any and all damages, expenses (including reasonable attorneys' fees), claims, judgments, liabilities, and costs in any action or claim brought against the State Entity or the State of Utah for infringement of a third party's copyright, trademark, trade secret, or other proprietary right. The Parties agree that if there are any limitations of Researcher(s)' liability, such limitations of liability will not apply to this section.
19. **OWNERSHIP IN INTELLECTUAL PROPERTY:** The State Entity and Researcher each recognizes that each has no right, title, or interest, proprietary or otherwise, in the intellectual property owned or licensed by the other, unless otherwise agreed upon by the Parties in writing.
20. **ASSIGNMENT:** Researcher may not assign, sell, transfer, subcontract or sublet rights, or delegate any right or obligation under this Agreement, in whole or in part, without the prior written approval of the State Entity.
21. **REMEDIES:** Any of the following events will constitute cause for the State Entity to declare Researcher in default of this Agreement: (i) Researcher's non-performance of its contractual requirements and obligations under this Agreement; or (ii) Researcher's material breach of any term or condition of this Agreement. The State Entity may issue a written notice of default providing a ten (10) day period in which Researcher will have an opportunity to cure. Time allowed for cure will not diminish or eliminate Researcher's liability for damages. If the default remains after Researcher has been provided the

- opportunity to cure, the State Entity may do one or more of the following: (i) exercise any remedy provided by law or equity; (ii) terminate this Agreement; (iii) impose liquidated damages, if liquidated damages are listed in this Agreement; (iv) debar/suspend Researcher(s) from receiving future contracts from the State Entity or the State of Utah.
22. **FORCE MAJEURE:** Neither Party to this Agreement will be held responsible for delay or default caused by fire, riot, act of God, and/or war which is beyond that Party's reasonable control. The State Entity may terminate this Agreement after determining such delay will prevent successful performance of this Agreement.
23. **PUBLICITY:** Researcher(s) shall submit to the State Entity for written approval all advertising and publicity matters relating to this Agreement. It is within the State Entity's sole discretion whether to provide approval, which approval must be in writing.
24. **INSURANCE:**
- 24.1. Researcher(s) shall obtain and maintain, and ensure that each Subcontractor shall obtain and maintain, at a minimum, insurance as specified in this section at all times during the term of this Contract. All insurance policies required by this Agreement shall be issued by insurance companies with an AM Best rating of A-VIII or better.
- 24.2. Researcher(s) shall maintain Protected Information Liability insurance covering all loss of Data and claims based on alleged violations of privacy rights through improper use or disclosure of protected information with minimum limits of \$1,000,000 each occurrence and \$2,000,000 general aggregate.
- 24.3. USBE shall be named as additional insured on all commercial general liability policies required of Researcher(s) and Subcontractors. Coverage required of Researcher(s) and each Subcontractor shall be primary over any insurance or self-insurance program carried by Researcher or USBE.
- 24.4. The above insurance policies shall include provisions preventing cancellation or non-renewal, except for cancellation based on non-payment of premiums, without at least 30 days prior notice to Researcher(s). Researcher(s) shall forward such notice to the USBE's contact as listed in the Agreement within seven days of Researcher(s)' receipt of such notice.
- 24.5. All insurance policies secured or maintained by Researcher(s) or its Subcontractors in relation to this Agreement shall include clauses stating that each carrier shall waive all rights of recovery under subrogation or otherwise against Researcher(s) or USBE, its agencies, institutions, organizations, officers, agents, employees, and volunteers.
- 24.6. If Researcher(s) is a "public entity" within the meaning of the Governmental Immunity Act of Utah, U.C.A. § 63G-7-101 et. seq. (the "GIA"), Researcher(s) shall maintain, in lieu of the liability insurance requirements stated above, at all times during the term of this Agreement such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the GIA. If a Subcontractor is a public entity within the meaning of the GIA, Researcher(s) shall ensure that the Subcontractor(s) maintain at all times during the terms of this Agreement, in lieu of the liability insurance requirements stated above, such liability insurance, by commercial policy or self-insurance, as is necessary to meet the Subcontractor's obligations under the GIA.
- 24.7. Researcher(s) shall provide to USBE certificates evidencing Researcher's insurance coverage required in this Agreement within seven Business Days following the Effective Date. Researcher(s) shall provide to USBE certificates evidencing Subcontractor insurance coverage required under this Agreement within seven Business Days following the Effective Date, except that, if Researcher(s)' subcontract is not in effect as of the Effective Date, Researcher(s) shall provide to USBE certificates showing Subcontractor insurance coverage required under this Agreement within seven Business Days following Researcher(s)' execution of the subcontract. No later than 15 days before the expiration date of Researcher(s)' or any Subcontractor's coverage, Researcher(s) shall deliver to USBE certificates of insurance evidencing renewals of coverage. At any other time during the term of this Agreement, upon request by USBE, Researcher(s) shall, within seven Business Days following the request by USBE, supply to USBE evidence satisfactory to USBE of compliance with the provisions of this section.
- 24.8. The State reserves the right to require higher or lower insurance limits where warranted. Failure to provide proof of insurance as required will be deemed a material breach of this Contract. Researcher(s)' failure to maintain this insurance requirement for the term of this Agreement will be grounds for immediate termination of this Agreement.
25. **WORK ON STATE OF UTAH OR ELIGIBLE USER PREMISES:** Researcher(s) shall ensure that personnel working on State of Utah premises shall: (i) abide by all of the rules, regulations, and policies of the premises; (ii) remain in authorized areas; (iii) follow all instructions; and (iv) be subject to a background check, prior to entering the premises. The State of Utah or Eligible User may remove any individual for a violation hereunder.
26. **WAIVER:** A waiver of any right, power, or privilege shall not be construed as a waiver of any subsequent right, power, or privilege.
27. **SUSPENSION OF WORK:** Should circumstances arise which would cause the State Entity to suspend Researcher(s)' responsibilities under this Agreement, but not terminate this Agreement, this will be done by formal written notice pursuant to the terms of this Agreement. Researcher(s)' responsibilities may be reinstated upon advance formal written notice from the State Entity.
28. **CHANGES IN SCOPE:** Any changes in the scope of the services to be performed under this Agreement shall be in the form of a written amendment to this Agreement, mutually agreed to and signed by both Parties, specifying any such changes, fee adjustments, any adjustment in time of performance, or any other significant factors arising from the changes in the scope of services.
29. **DISPUTE RESOLUTION:** Prior to either Party filing a judicial proceeding, the Parties agree to participate in the mediation of any dispute. The State Entity, after consultation with Researcher(s), may appoint an expert or panel of experts to assist in the

resolution of a dispute. If the State Entity appoints such an expert or panel, State Entity and Researcher agree to cooperate in good faith in providing information and documents to the expert or panel in an effort to resolve the dispute.

30. **ORDER OF PRECEDENCE:** In the event of any conflict in the terms and conditions in this Agreement, the order of precedence shall be: (i) this Attachment A; (ii) Attachment B; (iii) Agreement Signature Page(s); (iv) the State of Utah's additional terms and conditions, if any; (v) any other attachment listed on the Agreement Signature Page(s); and (vi) Researcher's terms and conditions that are attached to this Agreement, if any. Any provision attempting to limit the liability of Researcher or limit the rights of the State Entity or the State of Utah must be in writing and attached to this Agreement or it is rendered null and void.
31. **SURVIVAL OF TERMS:** Any terms that by their nature would survive the expiration of, completion, or termination of this Agreement shall survive.
32. **SEVERABILITY:** The invalidity or unenforceability of any provision, term, or condition of this Agreement shall not affect the validity or enforceability of any other provision, term, or condition of this Agreement, which shall remain in full force and effect.
33. **ERRORS AND OMISSIONS:** Researcher shall not take advantage of any errors and/or omissions in this Agreement. Researcher(s) must promptly notify USBE of any errors and/or omissions that are discovered.
34. **ENTIRE AGREEMENT:** This Agreement constitutes the entire agreement between the Parties and supersedes any and all other prior and contemporaneous agreements and understandings between the Parties, whether oral or written.
- 35. CONFIDENTIALITY GENERAL PROVISIONS:**
- 35.1. This Agreement applies to all Data sharing between Researcher(s) and USBE. Specific Data to be shared are outlined in the Attachments, along with the purpose of Data sharing, Data ownership and conditions and/or regulations governing the usage of the shared Data, requirements for shared data retention/destruction, and Party processes for implementing these actions.
- 35.2. USBE and Researcher(s) enter into this Agreement to share and exchange Data for the purposes of conducting studies for, or on behalf of, educational agencies or institutions to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction.
- 35.3. This Agreement will be reviewed, updated, and approved on an annual basis.
- 35.4. USBE reserves all right, title, and interest, including all intellectual property and proprietary rights, in and to system data, Data, and all related data and content.
- 35.5. Researcher(s), as USBE's agent, shall comply with all applicable laws and regulations including but not limited to FERPA, the Utah Family Education Rights and Privacy Act, Utah Code § 53E-9-2 ("UFERPA"), and the Individuals with Disabilities Educational Act, 30 U.S.C. §1400 et seq. and 34 C.F.R. Part 300 ("IDEA").
- 35.6. Any terms that by their nature would survive the expiration of, completion, or termination of this Agreement shall survive.
- 35.7. Researcher(s) shall, upon written request, permit USBE or its designated representatives to perform an assessment, audit, examination, or review of all of Researcher(s)' sites and environments in order to confirm Researcher(s)' compliance with this Contract; associated Researcher(s) or Scopes of Work; and applicable laws and regulations.
- 35.8. During the term of this Contract, if USBE requests the Destruction of PII collected, generated or inferred as a result of this Contract, Researcher(s) shall Destroy the information within five calendar days after the date of the request. Researcher(s) shall provide USBE with written confirmation of the date the data was Destroyed.
- 35.9. USBE retains the right to use the established operational services to access and retrieve Data stored on Researcher(s)' infrastructure at its sole discretion.
- 36. DATA ACCURACY:**
- 36.1. The Data provided are the best and most complete documentation available. USBE does not ensure 100% accuracy of all records and fields. Some data fields, including those that are not used, may contain incorrect or incomplete Data. USBE and Researcher(s) will report any systematic problems with the Data to the data owner. Data that has been manipulated or re-processed by either USBE or Researcher(s) is the responsibility of that Party.
- 37. ACCESS TO DATA:**
- 37.1. Researcher shall limit access to Data to Authorized Persons only and shall require a non-disclosure agreement be signed by all Authorized Persons prior to being granted access to Data.
- 37.2. Researcher shall maintain past and current lists of all Authorized Persons, maintain each non-disclosure agreement, and shall permit inspection of the same by USBE upon request.
- 37.3. Researcher(s) shall maintain an audit trail for the duration of this Agreement, which reflects the granting and revoking of access privileges to Authorized Persons. A copy of this audit trail may be requested by USBE from Researcher at any time and shall be provided within 10 days of the USBE request.
- 37.4. Researcher(s) shall have strong access controls in place. Researcher(s) shall disable and/or immediately delete unused and terminated Authorized Persons' accounts and shall periodically assess account inactivity for potential stale accounts.
- 37.5. Researcher(s) shall provide annual, mandatory privacy and security awareness and training for all Authorized Persons, maintain past and current lists of Authorized Persons that have completed training, and permit inspection of the same by USBE upon request.

### **38. USE AND DISCLOSURE OF DATA:**

- 38.1. Researcher(s) shall not collect, use, or share Data beyond the purposes set forth in the Attachments.
- 38.2. Researcher(s) shall share Data only for the purposes stated in the Attachments and then only with the Authorized Persons stated in the Attachments.
- 38.3. If Researcher(s) seek to publicly release Data, Researcher(s) must aggregate the Data by totaling the Data and reporting it at the group, cohort, school, school district, region, or state level. Researcher(s) shall, upon request of USBE, provide USBE with a document that lists the steps and methods the Researcher(s) shall use to de-identify the information. Any Data that is publicly released without being redacted using the methods in this Section shall be considered an Incident. The following methods shall be used on any aggregated reports:
  - 38.3.1. Aggregate data shall be reported publicly only if there is a sufficient number of individuals represented in any demographic or subgroup so that an individual cannot be identified.
  - 38.3.2. Aggregated reports shall be redacted using complementary suppression methods that remove the risk of Data being identifiable using simple mathematics or formulas.
  - 38.3.3. Aggregated reports shall be redacted to remove identifiability risks caused by other prior releases of aggregate data by Researcher.
- 38.4. Researcher(s) shall not use Data for the purposes of Targeted Advertising.
- 38.5. Researcher(s) shall not sell or otherwise monetize Data except Data transferred through the purchase of, merger with, or otherwise acquisition of Researcher(s) provided that all Parties remain in compliance with this Agreement.

### **39. DATA LINKAGE:**

- 39.1. If Researcher(s) will link USBE's Data with Data from another source, the result could be a new data set with potentially unique regulations and conditions governing its use. Prior to linking the Data, Researcher(s) will provide detailed information to USBE outlining the Data being linked and the other sources for Data.
- 39.2. The Data Steward will classify the linked data based on security or privacy risks. This could include evaluating the method of release, on the likelihood of identifying individuals from the linked Data, if linking the Data will violate any laws or regulations, or if the new data set meets the original request.
- 39.3. Based on the results of the risk assessment, USBE may refuse to provide Researcher(s) with some or all of the requested Data in its sole discretion in order to mitigate any risks identified.
- 39.4. Should USBE consent to the Data being linked, the Data Steward shall apply additional constraints as necessary to the usage of the new data set.
- 39.5. Detailed information on the Data being linked, the other sources of Data, and any additional constraints shall be documented in the Attachments.

### **40. SECURITY AND PROTECTION OF DATA:**

- 40.1. Researcher(s) shall notify USBE if there are any material changes that will negatively affect the system where all Data are stored and maintained.
- 40.2. If Researcher(s) are given Data as part of this Agreement, the protection of Data shall be an integral part of the business activities of Researcher(s) to ensure that there is no inappropriate or unauthorized use of Data. Researcher(s) shall safeguard the confidentiality, integrity, and availability of Data.
- 40.3. Researcher(s) shall comply with and protect and maintain Data using methods that are at least as good as or better than that established in the State of Utah's Department of Technology Policies (<https://dts.utah.gov/policies>).
- 40.4. Researcher(s) shall only transmit or exchange Data via secure means (ex. HTTPS or FTPS). Researcher(s) shall not use, store or process Data on any unencrypted portable or laptop computing device or any portable storage medium.
- 40.5. Researcher(s) shall store and maintain all Data in data centers located in the United States.
- 40.6. Researcher(s) shall permit its employees and Subcontractors to access Data remotely only via a secured manner, such as Virtual Private Networks (VPN).
- 40.7. Researcher(s) shall store all Data, as well as any backups made of that Data, in encrypted form using no less than 128 bit key and include all Data as part of a designated backup and recovery process.
- 40.8. Researcher(s) shall enforce strong password protections on all devices and networks with access to or that store Data.
- 40.9. Researcher(s) shall maintain data only until such time that the data is no longer needed (Term Expiration) or upon early termination of this Agreement (with Cause), whichever occurs first. At that point, the data will be destroyed within 30 days by the party holding the data, except for disclosed information possessed by any court. Researcher(s) shall certify to USBE in writing that the data has been destroyed.

### **41. INCIDENTS:**

- 41.1. If Researcher(s) become aware of an Incident involving Data by either Researcher or any of Researcher(s)' Subcontractors, Researcher(s) shall notify USBE within one calendar day and cooperate with USBE regarding recovery, remediation, and the necessity to involve law enforcement, if any.
- 41.2. Researcher(s) shall produce a written remediation plan that includes information about the cause and extent of the Incident and the actions Researcher(s) will take to remediate the Incident and to reduce the risk of incurring a similar type of Incident in the future. Researcher(s) shall present its analysis and remediation plan to USBE within 10 calendar days of notifying USBE of an Incident. USBE reserves the right to adjust this plan, in its sole discretion. If Researcher(s) cannot produce its analysis and plan within the allotted time, USBE, in its sole discretion, may perform such analysis and produce a remediation plan, and Researcher(s) shall reimburse USBE for the reasonable costs thereof.



- 41.3. In the event of an Incident, Researcher(s) shall provide USBE or its designated representatives with access seven days a week, 24 hours a day, for the purpose of evaluating, mitigating, or resolving the Incident.
- 41.4. Unless Researcher(s) can establish that Researcher(s) or any of its Subcontractors is not the cause or source of the Incident, Researcher(s) shall be responsible for the cost of notifying each person whose personal information may have been compromised by the Incident.
- 41.5. Disclosure of Data by Researcher(s) or any Subcontractor for any reason may be cause for legal action by third parties against Researcher(s), the State, or their respective agents. Researcher(s) shall indemnify, save, and hold harmless the State, its employees, and agents against any and all claims, damages, liability, and court awards including costs, expenses, and attorney fees incurred as a result of any act or omission by Researcher(s), or its employees, agents, Subcontractors, or assignees pursuant to this Contract. Notwithstanding any other provision of this Contract, Researcher(s) shall be liable to the State for all direct, consequential and incidental damages arising from an Incident caused by Researcher(s) or its Subcontractors.

**ATTACHMENT B:  
CURRICULUM VITAE**

**VITA**  
**RICHARD R SUDWEEKS**

**October, 2022**

**HOME ADDRESS:**

5977 West 10620 North  
Highland, Utah 84003  
(801) 756-9717

**CURRENT POSITION:**

Professor, Instructional Psychology and Technology Department  
Director, PhD Program in Educational Inquiry, Measurement, and Evaluation  
Brigham Young University  
Provo, Utah 84602  
801-422-7078  
richard\_sudweeks@byu.edu

**PREVIOUS EMPLOYMENT EXPERIENCE:**

1965-66 Teacher, Mayfair High School, Bellflower School District, Bellflower, CA  
1966-69 Teacher, Fillmore LDS Seminary, Fillmore, UT  
1969-70 Curriculum Writer, Central Office Staff, LDS Seminaries & Institutes of Religion,  
Provo, UT  
1970-71 Graduate Assistant, Educational Technology Dept., Arizona State University,  
Tempe, AZ  
1971-73 Assistant Director of Secondary Curriculum, Central Office, LDS Seminaries and  
Institutes of Religion, Salt Lake City, UT  
1973-75 Graduate Assistant, Center for Instructional Research & Curriculum Evaluation  
(CIRCE), University of Illinois, Urbana, IL  
1975-78 Research and Evaluation Specialist, LDS Church Education System,  
Salt Lake City, UT  
1978-79 Instructional Psychologist, F-16 Pilot Training Project, Courseware Inc.,  
Clearfield, UT  
1979-80 Associate Director for Evaluation, Center for Instructional Development,  
Syracuse University, Syracuse, NY  
1980-83 Evaluation Specialist, David O. McKay Institute of Education, Brigham Young  
1983-present Faculty Member (Assistant Professor, Associate Professor, & Professor), David O.  
McKay School Education, Brigham Young University, Provo, UT

**EDUCATION:**

B.S.	Brigham Young University	1965	Geography
M.A.	Brigham Young University	1973	Secondary Curriculum and Instruction
PhD.	University of Illinois	1978	Educational Psychology with an emphasis in Quantitative and Evaluative Research Methods

## **BOOKS:**

Worthen, B.R., White, K.R., Fan, X., & Sudweeks, R.R (1999). *Measurement and assessment in the schools* (2nd ed.). New York: Addison Wesley Longman.

## **CHAPTERS IN BOOKS:**

Sudweeks, R.R (1996). Teaching by the power of the Spirit. In L.R. Hartshorn, D.A. Wright, & C.J. Ostler (Eds.), *The Doctrine and Covenants: A Book of Answers* (pp. 105-122). Salt Lake City: Deseret Book.

Sudweeks, R.R & Diamond, R.M. (1998). Questions for evaluating a college course. In R.M. Diamond (Ed.). *Designing and assessing courses and curricula: A practical guide* (rev. ed., pp. 241-246). San Francisco: Jossey-Bass.

Worthen, B.R. & Sudweeks, R.R (1998). Review of the Eskwall/Shanker Reading Inventory. In J.C. Impara and B.S. Plake (Eds.), *The Thirteenth Mental Measurements Yearbook* (pp. 406-407). Lincoln, NE: Buros Institute of Mental Measurements.

Sudweeks, R.R (2004). Thinking habits and dispositions. In *Brigham Young University 2003-2004 Speeches* (pp. 61-67). Provo, UT: Brigham Young University Publications & Graphics.

## **JOURNAL ARTICLES:**

Diamond, R.M. & Sudweeks, R.R (1980). A comprehensive approach to course evaluation. *Journal of Instructional Development*, 4(1), 28-34.

Sudweeks, R.R (1991). Validation and standard-setting studies for using the pre-professional skills test for the teacher education program at Brigham Young University. *Contemporary Issues in Reading*, 6, 95-107.

Tolman, M.N., Sudweeks, R.R, Baird, H. & Tolman, R.R. (1991). Does reading ability affect science test scores? *Science and Children*, 29 (1), 44-47.

Hardy, G.R., Sudweeks, R.R, Tolman, M.N. & Baird, J.H. (1991). The impact of using a look-listen method of test administration on primary grade students who are poor listeners. *Science and Children*, 29 (2), 43-45.

Cook, P.F., Mills, G.E., Andrus, G.R. & Sudweeks, R.R (1992). Video modeling displays: Do we need professional productions? *New Directions for Educational Reform*, 1(1), 81-89.

Sudweeks, R.R & Tolman, R.R. (1993). Empirical versus subjective procedures for identifying gender differences in science test items. *Journal of Research in Science Teaching*, 30(1), 3-19.

Harward, S.V., Allred, R. A. & Sudweeks, R.R (1994). The effectiveness of four self-corrected spelling test methods. *Reading Psychology*, 15(4), 245-271.

- Reutzell, D.R., Sudweeks, R.R. & Hollingsworth, P.M. (1994). Issues in reading instruction: The views and information sources of state-level textbook adoption committee members. *Reading Research and Instruction*, 34(2), 149-171.
- Hardy, G.R., Sudweeks, R.R., Tolman, M.N. & Burton, S.J. (1996). Dollars and Sense. *Science and Children*. 34(3), 12-15 & 34.
- Allen, R.D., Swain, M.R., Sudweeks, R.R. & Schaalje, G.B. (1998). The impact of recognition opportunities and examination format on students' examination performance. *Advances in Accounting Education*, 1, 189-214.
- Bahr, D. & Sudweeks, R.R. (1998). An evaluation of full graphemic cues reading instruction. *Utah Journal of Reading and Literacy*, 3(1), 13-19.
- Kitchen, E., Bell, J.D., Sudweeks, R.R., & Bradshaw, W.S. (2003). Teaching cell biology in the large-enrollment classroom: Methods to promote analytical thinking and assessment of their effectiveness. *Cell Biology Education*, 2, 178-192.
- Wilder, L.K. & Sudweeks, R.R. (2003). Reliability of ratings across studies of the BASC. *Education and Treatment of Children*, 26, 382-399.
- Dyches, T.T., Wilder, L.K., Sudweeks, R.R., Obiakor, F.E., & Algozzine, B. (2004). Multicultural issues in autism. *Journal of Autism and Developmental Disorders*, 34, 211-222.
- Sudweeks, R.R., Glissmeyer, C.B., Morrison, T.G., Wilcox, B.R., & Tanner, M.W. (2004). Establishing reliable procedures for rating ELL students' reading comprehension using oral retellings. *Reading Research and Instruction*, 43(2), 65-86.
- Wolfersberger, M.E., Reutzell, D.R., Sudweeks, R.R., & Fawson, P.C. (2004). Developing and validating the *Classroom Literacy Environmental Profile* (CLEP): A tool for examining the "print richness" of early childhood and elementary classrooms. *Journal of Literacy Research*, 36(2), 211-272.
- Hansen, K. Reeve, S., Sudweeks, R.R., Hatch, G., Gonzalez, J., & Bradshaw, W.S. (2004). An argument for changing institutional policy on granting AP credit in English: An empirical study of college sophomores' writing. *Writing Program Administration*, 28, 29-54.
- Sudweeks, R.R., Reeve, S. & Bradshaw, W.S. (2005). A comparison of Generalizability Theory and Many-Facets Rasch Measurement in an analysis of college sophomore writing. *Assessing Writing*, 9(3), 239-261.
- Young, E. & Sudweeks, R.R. (2005). Gender differential item functioning in the Multidimensional Self Concept Scale with a sample of early adolescent students. *Measurement and Evaluation in Counseling and Guidance*. 38, 29-44.
- Dyches, T.T., Hobbs, K., Wilder, L.K., Sudweeks, R.R., Obiakor, F.E., & Algozzine, B. (2005). Multicultural representation in autism. *Linking Research and Practice in Special Education: An International Perspective*, 1(1), 1-15.

- Hall, K.M., Smith, L.K., Draper, R.J., Bullough, R.V., & Sudweeks, R.R (2005, Winter). Measuring the self-efficacy of mentor teachers. *Academic Exchange*, 188-192.
- Lusk, M.G., Bickmore, B.R., Christiansen, E.H., & Sudweeks, R.R (2006), Use of a mentored creative writing project to improve the geology education of preservice elementary teachers. *Journal of Geoscience Education*, 54(1), 31-40.
- Hansen, K., Reeve, S., Gonzalez, J., Sudweeks, R.R., Hatch, G.L., Esplin, P., & Bradshaw, W.S. (2006). Are advanced placement English and first-year college composition equivalent? A comparison of outcomes in the writing of three groups of sophomore college students. *Research in the Teaching of English* 40, 461-501.
- Kitchen, E., King, S.H., Robison, D.F., Sudweeks, R.R, Bradshaw, W.S., & Bell, J.D. (2006). Rethinking exams and letter grades: How much can teachers delegate to students? *CBE—Life Sciences Education*, 5, 270-280.
- Fawson, P.C., Ludlow, B.C., Reutzler, D.R., Sudweeks, R.R, & Smith, J.A. (2006). Examining the reliability of running records: Attaining generalizable results. *Journal of Educational Research*, 100, 113-126.
- Kitchen, E., Reeve, S., Bell, J.D., Sudweeks, R.R, & Bradshaw, W.S. (2007). The development and application of affective assessment in an upper-level cell biology course, *Journal of Research in Science Teaching*, 44(8), 1057-1087.
- Lemley, D., Sudweeks, R.R, Howell, S., Laws, D. & Sawyer, O. (2007). The effects of immediate and delayed feedback on secondary distance learners. *Quarterly Review of Distance Education*, 8(3), 251-260. [This article received the Elizabeth Powell 2008 Community of Practice Award given by the University Continuing Education Association at the association's annual meeting in New Orleans, LA on March 27, 2008. "The Elizabeth Powell Award recognizes publication of merit that make significant contributions to research in the field of distance education."]
- Bahr, D.L. & Sudweeks, R.R. (2008). Teacher-developed mathematics performance assessments in the context of reform-based professional development. *Focus on Learning Problems in Mathematics*, 30 (1), 12-33.
- Cantrell, P. & Sudweeks, R. (2009). Technology task autonomy and gender effects on students performance in rural middle school science classrooms. *Journal of Computers in Mathematics and Science Teaching*, 28, 359-379.
- Battisti, B., Hanegan, N., Sudweeks, R.R, & Cates, R. (2010). Using item response theory to conduct a distracter analysis on the Conceptual Inventory of Natural Selection. *International Journal of Science Education*, 8(5), 845-868.
- Hartshorn, K.J., Merrill, P.F., Evans, N., Anderson, N., Strong-Krause, D., & Sudweeks, R.R (2010). Effects of dynamic corrective feedback on ESL writing accuracy. *TESOL Quarterly*, 44, 84-109.
- Reutzler, D.R., Dole, J.A., Read, S., Fawson, P., Herman, D., Jones, C.D., Sudweeks, R.R, & Fargo, J. (2011). Conceptually and methodologically vexing issues in teacher knowledge assessment. *Reading & Writing Quarterly*, 27(3), 183-211.

- Reeve, S., Kitchen, E., Sudweeks, R.R, Bell, J.D., & Bradshaw, W.S. (2011). Development of an instrument for measuring self-efficacy in cell biology. *Journal of Applied Measurement*, 12 (3), 242-260.
- Bernfeld, L.E.S., Morrison, T.G., Sudweeks, R.R, & Wilcox, B. (2013). Examining reliability of reading comprehension ratings of fifth grade students' oral retellings. *Literacy Research and Instruction*, 52 (1), 65-86.
- Hawkins, A., Graham, C.R., Sudweeks, R.R, & Barbour, M.K. (2013). Academic performance, course completion rates, and student perception of the quality and frequency of interaction in a virtual high school. *Distance Education*, 34, 64-83.
- Burbank, M., Bennion, J., Clark, S., Moulding, L., Sudweeks, R., & Rawlins, T. (2013). Today's teacher education: Bridges in an age of accountability. *Impact Journal*, 14(2), 34-38.
- Everson, K.C., Feinauer, E., & Sudweeks, R.R (2013). Rethinking teacher evaluation: A conversation about statistical inferences and value-added models. *Harvard Educational Review*, 83, 349-370.
- Moser, G.P., Sudweeks, R.R., Morrison, T.G., & Wilcox, B.R. (2014). Reliability of ratings of children's expressive reading. *Reading Psychology*, 35(1), 58-79.
- Nelson, K.L., Alexander, M., Williams, N.A., & Sudweeks, R.R (2014). Determining adolescent struggling readers' word attack skills with the Core Phonics Survey. *Reading Improvement*, 51(4), 333-340.
- Clark, S.K., Byrnes, D., & Sudweeks, R.R (2015). A comparative examination of student teacher and intern perceptions of teaching ability at the preservice and inservice stages. *Journal of Teacher Education*, 66(2), 170-183.
- Henrie-Barrus, P., Averill, L.A., Sudweeks, R.R., Averill, C.L., & Mota, N. (2016). Development and preliminary validation of the Opioid Abuse Risk Screener. *Health Psychology Open*, 3(1), 1-12.
- Jones, E.A., Larsen, R.A.A., Sudweeks, R.R., Young, R.K., & Gibb, G.S. (2018). Evaluating paraeducator-led reading interventions in elementary school: A multi-cutoff regression-discontinuity analysis. *Journal of Research on Educational Effectiveness*. 11(4), 507-534.
- Manwaring, K.F., Jensen, J.L., Gill, R.A., Sudweeks, R.R., Davies, R.S., & Bybee, S.M. (2018). Scientific reasoning ability does not predict scientific views on evolution among religious individuals. (2017). *Evolution Education & Outreach*. Doi.org/10.1186/s12052-018-0076-8
- Vogeler, H. A., Fischer, L., Sudweeks, R. R., & Skinner, K. B. (2018). An examination of the factor structure of the Trauma Inventory for Partners of Sex Addicts (TIPSA). *Sexual Addiction & Compulsivity*, 25(1), 46-64.
- Moulton, S.D., Young, E.L., & Sudweeks, R.R (2019). Examining the psychometric properties of the SRSS-IE with the nominal response model within a middle school sample. *Assessment for Effective Intervention*, 44(4),1-14.

- Nixon, R.S., Smith, L.K., & Sudweeks, R.R (2019), Elementary teachers' subject matter knowledge across the teacher career cycle. *Journal of Research in Science Teaching*, 56(6), 707-731.
- Wright, J.L., Caldarella, P., Sudweeks, R.R., Anderson, D.H., Heath, M.A., & Williams, L. (2019). A psychometric analysis of the Primary Intervention Rating Scale. *Education*, 139, 219-231.
- Manwaring, K.F., Jensen, J.L., Gill, R.A, Sudweeks, R.R, Davies, R.S., Olsen, J.A., Phillips, A.J., & Bybee, S.M. (2019). Religious affiliation and religiosity and their impact on scientific beliefs in the United States. *BioScience*, 69(4), 292-304.
- Stokes, S.S., Moulton, S., Sudweeks, R.R, & Fischer, L. (2020). An item analysis of the Trauma Inventory for Partners of Sex Addicts. *Sexual Addiction & Compulsivity*, 65(1-2), 65-89.
- Rino, J., Bahr, D.L., Larsen, R.A.A., Sudweeks, R.R, Robinson, J., Everson, K., & Monroe, E.E. (2021). Examining the validity argument of a survey measuring elementary teachers' implementation of standards-based mathematics teaching: An argument-based approach. *Investigations in Mathematics Learning*, 13(2), 91-106.
- Smith, L.K., Nixon, R.S., Sudweeks, R.R, & Larsen, R.A.A. (2022). Elementary teacher characteristics, experiences, and science subject-matter knowledge: Understanding the relationships through structural equation modeling. *Teaching and Teacher Education*, 113, 103661. doi.org/10.1016/j.tate.2022.103661
- Morrison T.G., Wilcox, B., Sudweeks, R.R, Bird, L., Murdoch, E., Bursey, H., & Helvey, M. (2022). Assessment of inference types (AIT): A new test for measuring how well students make inferences. *Reading Psychology*, 43(5-6), 293-316.

### **EVALUATION REPORTS:**

- Sudweeks, R.R., & Walters, L. (1993). *Evaluation of inter-district special education programs and services in Oakland County*. (Report of an evaluation presented to the board of education of the Oakland Intermediate School District and the 28 constituent school districts in Oakland County, Michigan.)
- Sudweeks, R.R & Sudweeks, J.S. (2003). *An evaluation of the K-2 integrated curriculum in selected Utah schools*. A report submitted to the Utah State Office of Education, Salt Lake City, UT.
- Sudweeks, R.R (2015). *An evaluation of the Robert Noyce Scholarship program at Utah Valley University*. Report of an evaluation submitted to the National Science Foundation (NSF grant 0934942). Washington, D.C.

### **OTHER WRITINGS AND PRODUCTS:**

- Tolman, M.N., Tolman, R.R., Sudweeks, R.R, Baird, J.H. & Hardy, G., (1990). *Utah core curriculum assessment series end of level tests: Test booklets*. Two forms (A & B) plus an administrative manual for each of grades 1-3. Salt Lake City, UT: Utah State Office of Education.



- Tolman, R.R., Tolman, M.N., Sudweeks, R.R., Baird, J.H. & Hardy, G., (1990). *Utah core curriculum assessment series end of level tests: Test booklets*. Two forms (A & B) plus an administrative manual for each of grades 4-6. Salt Lake City, UT: Utah State Office of Education.
- Tolman, R.R., Baird, J.H., & Sudweeks, R.R., (1990). *Utah core curriculum assessment item pools: Elementary science, intermediate levels 4-6*. Salt Lake City, UT: Utah State Office of Education.
- Sudweeks, R.R. & Baird, J.H., (1990). *Technical manual: Utah core assessment series end of level tests*. Salt Lake City, UT: Utah State Office of Education.
- Tolman, M.N., Baird, J.H. & Sudweeks, R.R., (1990). *Users Guide: Utah Core Assessment Series End of Level Tests*. Salt Lake City, UT: Utah State Office of Education.
- Zimmerman, B.B., Sudweeks, R.R., Shelley, M.F. & Wood, B., (1990). *How to prepare better tests: Guidelines for university faculty*. Provo, UT: Testing Services, Brigham Young University.
- Burton, S.J., Sudweeks, R.R., Merrill, P.F. & Wood, B., (1990). *How to prepare better multiple-choice tests: Guidelines for university faculty*. Provo, UT: Testing Services, Brigham Young University.
- Sudweeks, R.R. (1990). *Validation of the Pre-Professional Skills Tests and determination of performance standards for the BYU College of Education*. College of Education, Brigham Young University, Provo, UT. (Technical report prepared for Educational Testing Service, Princeton, NJ.)
- Sudweeks, R.R. (1992). *Content validation and standard setting studies for use of the Pre-Professional Skills Test at Utah State University*. College of Education, Utah State University, Logan, UT. (Technical report prepared for Educational Testing Service, Princeton, NJ.)
- Sudweeks, R.R., Dickson, T., & Burton, S.J. (1993). *Instructor's manual* (including teaching tips and test item bank) to accompany the textbook, *Measurement and evaluation in the schools* by B.R. Worthen, W.R. Borg, & K.R. White. New York: Longman.
- Sudweeks, R.R. (1993). *Local validation and standard setting studies for use of the Pre-Professional Skills Tests at Weber State University*. College of Education, Weber State University, Ogden, UT. (Technical report prepared for Educational Testing Service, Princeton, NJ.)
- Sudweeks, R.R., Bahr, D., Jones, C.J., Jones, D., Bishop, K., Bishop, B. & Cook, V. (1993). Series of 28 performance assessment exercises developed for the Utah State Office of Education to accompany the new Utah Elementary School Science Core Curriculum.
- Sudweeks, R.R., Baird, J.H., & Lawrence, B. (1994). Intended learning outcomes for the Utah core curriculum in science. In *Elementary School Science Core Curriculum Standards* (pp. 5-7). Salt Lake City, UT: Utah State Office of Education.
- Sudweeks, R.R. & Fan, X. (1999). *Instructor's manual/Test Bank* to accompany the textbook *Measurement and assessment in the schools* (2nd ed.) by B.R. Worthen, K.R. White, X. Fan, & R.R. Sudweeks. New York: Longman.

- Sudweeks, R.R & Baird, J.H. (2002). *Reading, writing, and mathematics skills recommended for inclusion in Utah's Basic Skills Competency Test*. Report to the Steering Committee for the *Basic Skills Competency Test*, Utah State Office of Education.
- Sudweeks, R.R. (2018). Guttman scaling. In B.B. Frey (Ed.), *The SAGE Encyclopedia of Educational Research, Measurement, and Evaluation* (vol. 2, pp. 763-766). Los Angeles: Sage Publications.
- Sudweeks, R.R. (2018). Internal consistency. In B.B. Frey (Ed.), *The SAGE Encyclopedia of Educational Research, Measurement, and Evaluation* (vol. 2, pp. 853-856). Los Angeles: Sage Publications.
- Sudweeks, R.R. (2018). Interval-level measurement. In B.B. Frey (Ed.), *The SAGE Encyclopedia of Educational Research, Measurement, and Evaluation* (vol. 2, pp. 870-871). Los Angeles: Sage Publications.
- Fischer, L., Larsen, R.A.A., & Sudweeks, R.R (2019). *The incidence and impact of missing data on Utah's 2018 Sage tests due to parental opt-out and self opt-out*. A report presented to the Office of the Legislative Auditor General.
- Pfleger, P.I., Clark, J.C., Simpson, D., Larsen, R.A.A., Olsen, J.A., Owens, M., & Sudweeks, R.R (2021). *Report of Research Aimed at Identifying Barriers to Success and Predictors of Utah Students' Participation in and Completion of Postsecondary Education Based on Statewide Longitudinal Data*. A report presented to the Utah State Board of Education (Grant No. USBE-MI19034-PS).

#### **PRESENTATIONS AT MEETINGS OF PROFESSIONAL SOCIETIES:**

- Baird, J.H., Sudweeks, R.R, Tolman, M.N., Tolman, R.R., & Hardy, G. (April, 1990). *Solving problems encountered in large-scale test development projects*. Seminar presented at the annual meeting of the National Science Teachers Association, Atlanta, GA.
- Sudweeks, R.R & Tolman, R.R. (April, 1990). *The use of empirical versus subjective procedures for identifying science test items which function differentially for females and males*. Paper presented at the annual meeting of the National Association for Research in Science Teaching, Atlanta, GA. (This paper was selected by NARST officers to be presented as one of the association's best papers at the annual meeting of the National Science Teachers Association in Houston, TX, March, 1991.)
- Petersen, G.A., Sudweeks, R.R & Baird, J.H. (April, 1990). *Test-wise responses of third-, fifth-, and sixth-grade students to clued and unclued multiple-choice science items*. Paper presented at the annual meeting of the National Council on Measurement in Education, Boston, MA.
- Sudweeks, R.R (Oct., 1990). *Science misconceptions of Utah elementary school students*. Symposium presentation at the annual meeting of the Northern Rocky Mountain Educational Research Association, Greeley, CO.
- Sudweeks, R.R & Dickson, T. (April, 1991). *The planning practices of high school biology and social studies teachers in designing tests and other assessment procedures*. Paper presented at the

annual meeting of the National Association for Research in Science Teaching, Lake Geneva, Wisconsin.

Harris, B.R., Harrison, G.V., & Sudweeks, R.R (April, 1991). *Learner-generated summaries in tutorial courseware*. Paper presented at the annual meeting of the American Educational Research Association, Chicago, IL

Sudweeks, R.R, Larson, D.C., Briscoe, R.G. & Van Komen, G.J. (April, 1991). *Adolescent alcohol consumption: Beer drinking in a non-drinking state*. Paper presented at the annual meeting of the Western Social Science Association, Reno, NV.

Sudweeks, R.R & Dickson, T. (Oct., 1991). *Issues related to constructing and grading essay exams: A review of recent research*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.

Griph, G.W. & Sudweeks, R.R (Oct., 1991). *The stability and agreement of the Mantel-Haenszel and item response theory methods of detecting differential item functioning*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.

Sudweeks, R.R & Baird, J.H. (Oct., 1991). *Constructing interpretive exercises*. Seminar presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.

Sudweeks, R.R & Baird, J.H. (Nov., 1991). *Improving the use of performance assessment in public school classrooms*. Workshop presented at the annual meeting of the Utah Association for Supervision and Curriculum Development, Salt Lake City, UT.

McKenna, H. J & Sudweeks, R.R (April, 1992). *The effects of thick versus thin matching on Mantel-Haenszel estimates of differential item functioning*. Paper presented at the annual meeting of the National Council on Measurement in Education, San Francisco.

Griph, G.W. & Sudweeks, R.R. (April, 1992). *Differential item functioning: Issues of item classification*. Paper presented at the annual meeting of the National Council on Measurement in Education, San Francisco.

Baird, J.H. & Sudweeks, R.R (Oct., 1992). *Classroom assessment practices of biology and social science teachers in Utah high schools*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Custer State Park, South Dakota.

Sudweeks, R.R., Van Mondfrans, A., & Walters, L.C. (Sept., 1993). *The development of a Likert scale to assess educators' attitudes toward the practice of inclusion*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.

Sudweeks, R.R. & Clay, S.L. (March, 1994). *Using performance assessment to elicit cognitive processes: A comparison of knowledgeable versus less knowledgeable students*. Paper presented at the annual meeting of the National Association for Research in Science Teaching, Anaheim, CA.

Sudweeks, R.R. & Clay, S.L. (Oct., 1994). *Constructing performance assessments for use in science and mathematics classrooms*. Workshop presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Sun Valley, ID.

- Sudweeks, R.R. (Dec., 1994). *Development of the intended learning outcomes for the new Utah elementary school science curriculum*. Presentation at the National Science Teachers Association Area Convention, Las Vegas, NV.
- Sudweeks, R.R. (Dec., 1994). *How to construct performance assessments for elementary school science classrooms*. Workshop presentation at the area convention of the National Science Teachers Association, Las Vegas, NV.
- Sudweeks, R.R. & Clay, S.L. (April, 1995). *Two alternative approaches to performance assessment*. Paper presented at the annual meeting of the National Association for Research in Science Teaching, San Francisco, CA.
- Sudweeks, R.R. (Oct., 1995). *How to successfully score performance assessments*. Workshop presented at the area convention of the National Science Teachers Association, Salt Lake City, UT.
- Sudweeks, R.R. (Oct., 1995). Organizer and moderator of panel discussion: Overcoming the obstacles to successful use of performance assessments in science classrooms. Participants included C. J. Jones, J. H. Baird, M. N. Tolman, D. Jones, and G. Twitchell. Presented at the area convention of the National Science Teachers Association, Salt Lake City, UT.
- McKenna, H.J. & Sudweeks, R.R. (April, 1996). *Detection of mathematics application items in the Stanford Achievement Test that function differentially for students with different levels of reading ability*. Paper presented at the annual meeting of the American Educational Research Association, New York, NY.
- Sudweeks, R.R. (Oct., 1996). *Teaching statistics using spreadsheet software*. Workshop presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Detroit Lakes, MN.
- Tolman, M.N., Hardy, G.R., & Sudweeks, R.R. (Oct., 1996). *Effectiveness of the Christa McAuliffe Space Education Center*. Presented at the area convention of the National Science Teachers Association, Phoenix, AZ.
- Hardy, G.R., Sudweeks, R. R, and Tolman, G.R. (Oct., 1996). *Dollars and Cents*. Presented at the area convention of the National Science Teachers Association, Phoenix, AZ.
- Hardy, G.R., Tolman, M.N. & Sudweeks, R.R. (Dec., 1997). *Availability of science materials in the elementary school classroom*. Presented at the area convention of the National Science Teachers Association, Nashville, TN.
- Hardy, G.R., Tolman, M.N. & Sudweeks, R.R. (Dec., 1997). *Reference materials used by elementary teachers and students in America*. Presented at the area convention of the National Science Teachers Association, Nashville, TN.
- Glissmeyer, C.B. & Sudweeks, R.R. (Nov. 1998). *Oral retelling as a measure of reading comprehension: The generalizability of ratings of college-aged second language learners reading expository text*. Paper presented the annual meeting of the California Educational Research Association, San Diego.

- Mitchell, A., Erickson, L.B. & Sudweeks, R.R (Nov. 1998). *Literature or textbook: Does method really make a difference?* Paper presented at the 78th annual conference of the National Council for the Social Studies, Anaheim, CA.
- Wolferberger, M. A. & Sudweeks, R.R (April, 1999). *The development of the Classroom Literacy Environment Profile and an investigation of the generalizability of CLEP ratings.* Poster session presented at the annual meeting of the American Educational Research Association, Montreal, Canada.
- Allen, S. & Sudweeks, R.R (April, 2001). *Identifying and managing local item dependence in context-dependent item sets.* Paper presented the annual meeting of the American Educational Research Association, Seattle, WA.
- Sudweeks, R.R., Bell, J.D. & Bradshaw, W.S. (May, 2001). *Factors affecting the reliability of ratings of data analysis skills in cellular biology.* Poster session presented at the 8th Annual Undergraduate Education Conference of the American Society for Microbiology, Orlando, FL.
- Bell, J.D., Sudweeks, R.R., & Bradshaw, W.S. (May 2001). *Assessing student performance on data interpretation tasks in a cell biology course.* Poster session presentation at the 8th Annual Undergraduate Education Conference of the American Society for Microbiology, Orlando, FL.
- Bradshaw, W.S., Bell, J.D., & Sudweeks, R.R (May 2001). *Didactic strategies in teaching analytical skills in a cell biology course.* Poster session presented at the 8th Annual Undergraduate Education Conference of the American Society for Microbiology, Orlando, FL.
- Sudweeks, R.R., Rogers, E. & Smith, R.M. (June, 2001). *Using Rasch scaling methods to describe and report student achievement of intended outcomes.* Poster session presented at the annual Assessment Conference of the American Association of Higher Education, Denver, CO.
- Sudweeks, R.R., Curtin, J. & Smith, K. (October, 2001). *Creating a mission-based alumni questionnaire using Rasch scaling procedures.* Workshop presented at the annual meeting of the Rocky Mountain Association for Institutional Research, Vail CO.
- Olsen, D., Sudweeks, R.R., & Smart, D. (2002, June), *Assessing difficult to measure institutional aspirations: Using alumni feedback to examine character, service, and spirituality.* Presented at the annual assessment conference of the American Association of Higher Education, Boston, MA.
- Sudweeks, R.R (2002, July). *Understanding the uses and abuses of grade-equivalent scores from standardized tests.* Presented at the Utah Rural Schools Conference, Cedar City, UT.
- Sudweeks, R.R (2002, July). *Using scores from standardized tests to improve instruction.* Presented at the Utah Rural Schools Conference, Cedar City, UT.
- Curtin, J.A., Sudweeks, R.R, Smith, R.M. (2003, April). *Analyzing DIF for polytomous responses of university alumni to a follow-up questionnaire.* Paper presented at the annual meeting of the American Educational Research Association, Chicago, IL.
- Sudweeks, R.R, Bradshaw, W.S. & Reeve, S. (2003, July). *Using generalizability theory to improve the reliability of an essay rating procedure.* Paper presented at the Summer Conference of Writing Program Administrators, Grand Rapids, MI.

- Miller, R.L., Sudweeks, R.R., & Erickson, L. (2003, Oct.). *The reliability of ratings of student Teachers in the Teacher Education Department at Brigham Young University*. Paper presented at the annual meeting of the National Network for Educational Renewal, Salt Lake City, UT.
- Reutzler, D.R., Dole, J.A., Sudweeks, R.R., Fawson, P.C., Read, S., Smith, J.A., Donaldson, R., Jones, C.D., Herman, K., & Drits, D. (2007, April). *Developing the Literacy Instruction Knowledge Scales (LIKS): A comprehensive assessment of primary grade teachers' knowledge of reading and writing instruction*. Paper presented at the annual meeting of the American Educational Research Association, Chicago.
- Sudweeks, R.R., Forgione, M.A., Bullough, R., V., Jr., Bahr, D.L., Monroe, E.E., Thayn, S., & McEwen, M. (2008, March), *Constructing vertically scaled mathematics tests for tracking student growth in value-added studies of teacher effectiveness*. Paper presented at the annual meeting of the National Council on Measurement in Education, New York City.
- Reutzler, D.R. & Sudweeks, R.R (2008, June). *Assessing teacher knowledge in reading and writing instruction: Perplexities, problems, and promises*. Symposium presentation at the Third Annual Research Conference sponsored by the Institute of Education Sciences, Washington, DC.
- Davison, K. & Sudweeks, R.R. (2010, September). *Uses, misuses, and abuses of hypothesis testing*. Workshop presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Big Sky, MT.
- Sudweeks, R.R, Olsen, J., & Allen, D. (2010, October). *A divide-and-conquer approach to assessing the dimensionality of vertically scaled mathematics items using exploratory and confirmatory factor analysis*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Big Sky, MT.
- Sudweeks, R.R, Walker, T., & Davison, K. (2010, October). *An introduction to and overview of confirmatory factor analysis*. Workshop presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Big Sky, MT.
- Bernfeld, E.S., Morrison, T., Wilcox, B., & Sudweeks, R.R (2010, November). *Establishing reliability of ratings of fifth-graders' oral retellings of narrative text*. Paper presented at the annual meeting of the Association of Literacy Educators and Researchers, Omaha, NB.
- Hardy, A., Young, M., Yi, Q., Sudweeks, R.R, & Bahr, D. (2011, March). *Investigating the content and construct representation of a common-item design when creating a vertical scale*. Paper presented at the annual meeting of the National Council on Measurement in Education, New Orleans, LA.
- Hite, J.M., Hite, S.J., Sudweeks, R.R, & Walker, T.D. (2011). *Validating TRENDS: the Typology of Relational Embeddedness Network Data Survey*. Paper presented at the 31<sup>st</sup> Sunbelt Conference, St. Petersburg, FL.
- Sudweeks, R.R & Eckstein, G. (2011, October). *The effects of different decisions about how many factors to retain when performing exploratory factor analysis*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.

- Sudweeks, R.R & Bliss, T.J. (2011, October). Using and interpreting Cronbach's alpha coefficient properly and avoiding misuse and misinterpretation. Workshop presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.
- Sudweeks, R.R, Davison, K., Shaw, L, & Hall, G. (2011, October). Issues and promise of value-added measurement to improve teaching. Panel discussion presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Jackson, WY.
- Bliss, T.J, Zaugg, H., Allen, D. & Sudweeks, R.R (2011, October), *Descriptive and psychometric analysis of the Alberta Assessment Model*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Park City, UT.
- Bahr, D., Monroe, E., Wentworth, N., Sudweeks, R.R, & Rino, J. (2012, October), *Survey measuring elementary teacher's implementation of standards-based mathematics teaching: A psychometric analysis*. Paper presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Park City, UT.
- Davison, K. & Sudweeks, R.R (2012, October). *Introduction to propensity score matching*. Series of two workshops presented at the annual meeting of the Northern Rocky Mountain Educational Research Association, Park City, UT.
- Jensen, E., Olsen, D., & Sudweeks, R.R (2016, April). *Substantiating goal fulfillment in higher education: Developing useful measures of noncognitive college success indicators*. Paper presented at the International Objective Measurement Conference, Washington, DC.
- Jones, E.A., Sudweeks, R.R, & Larsen, R.A.A. (2016, April). *Using regression discontinuity with multiple cutoffs to estimate treatment effects in elementary school reading interventions*. Poster presented at the annual meeting of the American Educational Research Association, Washington, DC.
- Nixon, R.S., Smith, L.K., & Sudweeks, R.R. (2017, January). *Prospective vs. novice teachers: Teaching experience and science subject-matter knowledge*. Paper presented at the annual meeting of the Association for Science Teacher Education, Des Moines, IA.
- Smith, L.K., Nixon, R.S., & Sudweeks, R.R. (2017, April). *Aspects of elementary teachers' experience: Predictors of science teachers' subject-matter knowledge*. Paper presented at the annual conference of the National Association for Research in Science Teaching, San Antonio, TX.
- McLachlan, L., Sudweeks, R.R, & Pinnegar, S. (2017, April). *Exploring relationships among teacher beliefs, motivation, and classroom practices: A structural equation modeling analysis*. Poster presented at the American Educational Research Association, San Antonio, TX.
- McLachlan, L., Popham, A., Sudweeks, R., & Summers, T. (2018, April). *Development of a teacher performance assessment used within a state consortium of teacher preparation programs*. Poster presented at the annual meeting of the American Educational Research Association, New York City, NY.

McEwen, M.R. & Sudweeks, R.R (2018, April). *Creating and visualizing incomplete rating designs intended for Many-Facet Rasch Model analysis*. Paper presented at the meeting of the International Objective Measurement Workshop, New York City, NY.

McEwen, M.R. & Sudweeks, R.R (2018, April). The effects of incomplete rating designs on results from Many-Facets Rasch Model analyses. Paper presented at the biannual meeting of the International Objective Measurement Workshop, New York City, NY.

Sudweeks, R.R., Cox, T., & McEwen, M.R. (2018, April). *How to use Facets software*. Workshop presented at the biannual meeting of the International Objective Measurement Workshop, New York City, NY.

Osguthorpe, R.D., Clark, S.K., & Sudweeks, R.R (2021, April). *Measuring self-efficacy in the moral work of teaching*. Paper presented at the online meeting of the American Educational Research Association.

### **OTHER PRESENTATIONS AND SPECIAL PROJECTS:**

Co-Director and Instructor, Five-week summer workshop in instructional development, LDS Seminaries and Institutes of Religion, Provo, UT, 1970.

*Alternative approaches to assessing affective outcomes*. Paper presented at the symposium on Measuring Affect in Education, College of Education, Brigham Young University, April, 1972.

*Assessing the outcomes of training sessions*. Workshop presented at the annual training conference, Illinois Department of Transportation, Allerton Park, IL, January, 1974.

*Designing and conducting an evaluation*. Presented at the Curriculum Development Workshop, Instructional Development Center, University of Bridgeport, CT, June 15, 1979.

Four presentations on evaluation in higher education, Seventh and Eighth Annual Sagamore Seminars on Instructional Development in Higher Education, Syracuse University Minnowbrook Conference Center, Blue Mountain Lake, NY, July 1979 and July 1980.

*Responsive evaluation*. Presented as part of a series of traveling workshops for the National Curriculum Study Institute on Evaluation sponsored by the Association for Supervision and Curriculum Development, New York City, August 1979; San Francisco, August 1980; Sarasota, FL, January 1981; and Colorado Springs, CO, June 1981.

Evaluation consultant, College of Arts and Science, University of Rhode Island, Kingston, RI, June 1979 to February 1980.

*Uses and abuses of testing in school evaluation*. Presentation at the Mid-year Faculty Workshop, Payson High School, Payson, UT, January 1981.

*A review of research findings on class-size and teaching effectiveness*. Presented at the Creative Classroom Conclave, College of Engineering Faculty, Brigham Young University, January, 1981.

*Developing and using performance tests*. A workshop presented to the faculty of the College of Engineering, Brigham Young University, January-February, 1982.



*Improving classroom testing and evaluation procedures.* Faculty Inservice Workshop, Brigham Young University--Hawaii Campus, Laie, Hawaii, August, 1982.

*Suggestions for improving public education in the state of Utah.* Presented to the Joint Interim Committee on Education, Utah State Senate and House of Representatives, June, 1984.

*What patrons can do to improve schools.* Series of four classes presented jointly with Adrian Van Mondfrans at Education Week, Brigham Young University, Provo, Utah, August, 1984.

*How to evaluate your performance as a school board member.* Workshop presented jointly with R.G. Briscoe at the annual meeting of the Utah School Boards Association, Salt Lake City, January, 1986 and at the annual convention of the National School Boards Association, San Francisco, April, 1987.

*Constructing and scoring essay tests, and Performance testing in the college classroom,*  
Two inservice training workshops presented to the faculty of Utah Valley Community College, May, 1987.

*Using essay tests and interpretive exercises to assess complex cognitive outcomes, and Writing better objective test items.* Two inservice training workshops presented at the CES Higher Education Summer Workshop, Brigham Young University, Provo, Utah, June, 1987.

*Alternatives to consolidation of rural school districts.* A seminar presented jointly with Adrian Van Mondfrans to the 10th annual Utah Rural Schools Conference sponsored by the Utah State Office of Education, Price, Utah, August, 1988.

*A review of the feasibility study conducted for the Cache County and Logan City School Districts.*  
Report presented to the Joint Interim Committee on Education, Utah Legislature, September 21, 1988 and to the Utah State Board of Education, October 14, 1988.

*Constructing better examinations.* An inservice training workshop presented to the faculty of Snow College, Ephraim, Utah. September, 1989.

*Improving the use of essay exams.* Faculty inservice training workshop sponsored by the Honors and General Education Program. Brigham Young University, Provo, Utah. March 3, 1990.

*How to write lesson plans to teach higher order thinking skills.* Presented at the ACT Workshop, Granite School District, Salt Lake County, UT, June, 1990

*Evaluation of Learning.* Presented jointly with J. Hugh Baird at the Dimensions of Teaching Effectiveness Workshop sponsored by the Honors and General Education Program, Brigham Young University, Provo, UT, August, 1990.

*Evaluating student achievement in design courses.* Presented jointly with Adrian van Mondfrans to the faculty of the Department of Design, Brigham Young University, February, 1991.

Series of inservice training workshops on assessing higher-order thinking presented to teachers of the Science-Technology-Society courses in Utah high schools with the assistance of J. Hugh Baird.

These workshops were funded by an \$8,000 Title II Eisenhower grant administered by the Utah State System of Higher Education, September, 1990--June, 1992.

*Developing curriculum and instruction consistent with the purposes of schooling.* Presentation to the faculty of Dixon Middle School, Provo, Utah, November, 1991.

*Family, school, and peer influence on adolescent alcohol use in Utah.* Paper by Larson, D.C., Briscoe, R.G., Caycedo, J.C., & Sudweeks, R.R. Paper presented at the 19th annual conference of the Center for Studies of the Family, Brigham Young University, Provo, Utah, March 1992.

*Planning and evaluating classroom tests.* Presentation to the Utah NCS Users Group Meeting sponsored by National Computer Systems. Salt Lake City, Utah, May 1992.

*Authentic Assessment.* Seminar presented to the 14th annual Utah Rural Schools Conference sponsored by the Utah State Office of Education, Orem, Utah, July 1992.

*Constructing better test items for certification examinations.* Workshop presented at Word Perfect Corporation, Orem, Utah, July 1992.

Expert witness called by the defense to testify in the court hearing of a case challenging the validity of the performance test used in the chiropractic licensing examination, Division of Occupational and Professional Licensing, Utah State Department of Commerce, Salt Lake City, UT, December, 1992.

*The basics of item response theory.* A series of two training seminars presented to the Learning Disabilities Test Selection Committee, Utah State Office of Education, Salt Lake City, UT, March and October, 1993.

Consultant, PPST Validation and Standard Setting Project, College of Education, Weber State University, Logan, Utah, April-November, 1993.

Steering committee member and consultant on assessment-related issues, Elementary School Science Core Curriculum Revision Project, Utah State Office of Education, Salt Lake City, Utah, 1993-94.

Consultant on the development of performance assessments for elementary school mathematics curricula. Jostens Learning Corporation, Carlsbad, CA. (April 1993-June, 1994).

*Improving assessment of student achievement in university courses.* Workshop presented jointly with Adrian van Mondfrans, Faculty Development Center, Brigham Young University, June, 1994.

*Constructing valid and reliable tests.* Workshop presented to the faculty at Utah Valley State College, Orem, Utah, August 1994

*How to score performance assessments in science.* Workshop presented to secondary science teachers sponsored by the Utah Office of Education, Midvale Utah, January, 1995.

*How to write and score essay questions.* Series of two faculty development workshops presented to the faculty of the Department of Spanish and Portuguese Languages, Brigham Young University, January-February, 1995.

*How to construct context-dependent test items.* Presented at the workshop for new faculty sponsored by the Faculty Center, Brigham Young University, Provo, UT, May 6th, 1997.

*Performance assessment in college classrooms.* Presented at the workshop for new faculty sponsored by the Faculty Center, Brigham Young University, Provo, UT, May 13th, 1997.

*Improving the use of essay tests in college classrooms.* Presented at the workshop for new faculty sponsored by the Faculty Center, Brigham Young University, Provo, UT, May, 1998.

*Mistakes to avoid when using students' scores from standardized tests as a basis for making instructional decisions.* Keynote speech presented at the Utah Testing and Evaluation Conference, Snowbird Resort, October 29, 1998.

*Basic concepts and applications of item response theory.* Inservice training workshop presented to the staff of the Evaluation and Assessment Division, Utah State Office of Education, Provo, Utah, June 22, 2000.

*Using test scores as basis for making informed decisions about how to improve classroom instruction.* Series of two inservice workshops presented to the principals and central office staff of the Provo School District, Provo, Utah, December 10, 2001 and January 7, 2002.

*Aligning instructional methods and assessment practices with curricular goals.* Presented to the faculty of Orem High School, Orem, Utah, February 1, 2008.

*Problems and Possibilities Associated with Using Mathematics Tests to Track Student Growth and Assess Teacher Effectiveness.* Presented jointly with John Bennion to the Education Interim Committee of the Utah Legislature in Salt Lake City, May 22, 2008.

*The Use, Misuse, and Misinterpretation of Coefficient Alpha,* Invited presentation given at the meeting of the Church Sponsored Educational Research Practitioners, Aug. 1, 2008, Provo UT.

*Why Documenting Student Learning Matters* (Keynote Address to the Faculty at the New Academic Year Annual Meeting). Dixie State University, St. George, UT, August 15, 2016.

#### **THESES AND DISSERTATIONS SUPERVISED:**

Isbell, Celia Ann (1985). *The incongruence of two criterion-referenced tests used to assess mastery of the same skills.* EdD dissertation.

Gubler, Shandon D. (1985). *The development and evaluation of a collegiate excellence program designed to utilize an organizer as a tool to assist students in improving their academic performance.* EdD dissertation.

Applegate, Lynn R. (1985). *The formative evaluation of a graduate-level quantitative reasoning class.* EdD dissertation.

Smith, Brian L. (1986). *Academic tasks and student response strategies in LDS Seminary classrooms.* PhD dissertation.

- Lake, David L. (1987). *The effects of self-evaluation and teacher-evaluation on missionary trainees*. PhD dissertation.
- Thurman, Richard (1988). *The effect of temporal position of reviews on the retention of a paired-associate task*. PhD dissertation.
- Hall, Robert F. (1988). *Highly-similar versus relatively-dissimilar stimuli in instruction on an aural discrimination task*. PhD dissertation.
- Moss, Vanessa D. (1988). *The development and validation of a scale for assessing parents' attitudes towards year-round school*. M.S. thesis.
- Francis, Leslie (1988). *Alternative methods of estimating the curricular validity of locally constructed course examinations*. PhD dissertation.
- Dunn, Bill, (1989). *Respondent centered item generation vs. expert centered item generation for Likert Scale construction*. PhD dissertation.
- Petersen, Gary A. (1989). *Test-wise responses of third-, fifth-, and sixth-grade students to clued and unclued multiple-choice science items*. PhD dissertation.
- Eisley, Mark E. (1990). *The effect of sentence form and problem scope in multiple-choice item stems on indices of test and item quality*. PhD dissertation.
- Johnson, Kelly C. (1990). *The development and evaluation of an information management system for LDS Seminaries*. EdD dissertation.
- Lin, Wang Man (1992). *The development of a reading comprehension test for the Chinese Basic Course at the Defense Language Institute*. M.S. thesis.
- Matsumoto, Audrey (1993). *Performance assessment of separate component skills in elementary school science versus a composite integrated skill*. M.S. thesis.
- Gull, Gayla (1993). *Standardized testing results in grades four, seven, nine, and ten from a predominantly home school population*. M.S. thesis.
- Eschler, Wayne (1993). *How explicit, empirically-determined mental models of experts and typical users influence design decisions*. PhD dissertation.
- Howell, Scott L. (1994). *The effects of using test blueprints as a test preparation method*. PhD dissertation.
- Mishou, Matthew A. (1995). *Tutor fidelity in the implementation of a remedial reading program*. M.S. thesis.
- McKenna, Hazel (1995). *Detection of mathematics application items in the Stanford Achievement Test that are differentially difficult for students with different levels of reading ability*. PhD dissertation.

- Zaugg, Holt (1995). *Development of process-centered assessments for Grade 8 mathematics*. M.S. thesis.
- Griph Gerald W. (1996). "It's all in the translation:" *The equivalence of an English language versus a Japanese language version of a computer certification exam*. PhD dissertation.
- Martineau, Joseph A. (1997). *Exchangeability of two modes of performance assessment*. M.S. thesis.
- Bothell, Timothy W. (1998). *Exact replacement scoring versus semantically acceptable scoring of cloze passages as a basis for classifying students into reading ability levels*. PhD Dissertation.
- Elzey, Robert (1998). *The construct validity of the principles of edification as measures of edifying teaching in the LDS Church Educational System*. PhD dissertation.
- Allen, Sally (2000). *Identifying and managing local item dependence in context-dependent item sets*. M.S. Thesis.
- Miller, Robert L. (2001). *The reliability of ratings of student teachers in the Teacher Education Department at Brigham Young University*. PhD Dissertation.
- Thayn, Kim Scott (2001). *The effects of small sample sets in item selection*. M.S. project.
- Nielson, Elizabeth R. (2002). *Investigating the effects of combining positively and negatively oriented items on the dimensionality of Likert scales*. PhD Dissertation.
- Reiner, Christian M. (2002). *How to prepare effective essay questions: Guidelines for university faculty*. M.S. Project.
- Spencer, Steven G. (2002). *The generalizability of ratings in a freshman English composition course*. M.S. Project.
- Steadman, Anna Kay (2003). *The development and use of a performance assessment and a two-tiered, multiple-choice test to identify misconceptions among preservice elementary school teachers about the area of rectangles*. M.S. Thesis.
- Pearson, Kathryn R. (2003). *Design and development of the Self-Efficacy for Musical Studies scale*. M.S. Project.
- Rogers, Eric Paul (2005). *Scale construction and halo effect in secondary student ratings of teacher performance*. PhD Dissertation.
- Lemley, Duane Charles (2005). *Delayed versus immediate feedback in an independent study high school setting*. PhD Dissertation.
- Robison, Diane F. (2006). *Active learning in a large enrollment introductory biology class: Problem solving, formative feedback, and teaching as learning*. PhD Dissertation.

- Curtin, Joseph (2007). *Testing the assumption of sample invariance of item difficulty parameters in the Rasch rating scale model*. PhD Dissertation.
- Talbert, Bradford N. (2007). *Development of the Characteristics of Science Questionnaire (CSQ): Assessing student knowledge of the Utah State Secondary Science Core intended learning outcome 6 on the nature of science*. M.S. Thesis.
- Hunter, Eric D. (2007). *Using interactive diagrams in a Web-based tutorial to teach graduate students about statistical power*. M.S. Thesis.
- Lees, Jared (2007). *Differential item functioning analysis of the Herrmann Brain Dominance Instrument*. M.S. Project.
- Verhaaren, Catherine (2008). *Improving course assessments through a product assessment template*. M.S. Thesis.
- Plummer, Kenneth J. (2008). *Psychometric properties of a construct-a-map task designed to account for proposition choice*. PhD dissertation.
- Wang, Kairong (2008). *Investigating the domain of geometric indicative reasoning: A structural equation modeling analysis*. PhD dissertation.
- Radford, Brian (2009). *The effect of formative assessments on teaching and learning*. M.S. thesis.
- Erskine, Dana (2010). *Effect of prompted reflection and metacognitive skill instruction on university freshmen's use of metacognition*. PhD dissertation.
- Snelson, Laura Jimenez (2011). *Estimating the reliability of concept map ratings using a scoring rubric based on three attributes*. PhD dissertation.
- Thayn, Kim Scott (2011). *An evaluation of multiple-choice test questions deliberately designed to include multiple correct answers*. PhD dissertation.
- Ure, Abigail (2011). *The effect of raters and rating conditions on the reliability of the Missionary Training Assessment*. PhD dissertation.
- Hardy, Assunta (2011). *Investigating How Equating Guidelines for Screening and Selecting Common Items Apply When Creating Vertically Scaled Elementary Mathematics Tests*. PhD dissertation.
- Yoon, Young-Beol (2011). *A comparative analysis of two forms of Gyeonggi English Communicative Ability Test based on classical test theory and item response theory*. M.S. thesis.
- Davison, K.K.C. (2012). *Propensity score methods as alternatives to value-added modeling for the estimation of teacher contributions to student achievement*. PhD dissertation.
- Phillips, W. (2012). *Evaluation of the effectiveness of the Students and Teachers Achieving Reading Success program for first graders*. PhD dissertation.

- Bliss, T.J. (2013). *A model of digital textbook quality from the perspective of college students*. PhD dissertation.
- Radford, B. (2014). *The effect of formative assessments on language performance*. PhD. dissertation.
- Thompson, K.R. (2015). *Analysis of undergraduate grade trends at Brigham Young University across a 20-year period*. PhD dissertation.
- Qudisat, R. M. (2015). *Effect of gender, guilt, and shame on BYU Business school students' innovativeness: A structural equation modeling approach*. PhD dissertation.
- Jones, E. (2016). *A multiple-cutoff regression-discontinuity analysis of the effects of Tier 2 reading interventions in a Title 1 elementary school*. PhD. dissertation.
- Allen, D. (2016). *The impact of shortening a long survey on response rate and response quality*. PhD. dissertation.
- Chapman, S. (2016). *Student growth trajectories with summer achievement loss using hierarchical and growth modeling*. PhD. dissertation.
- Wilcox, M. (2016). *Evidence for the validity of the Student Risk Screening Scale in middle school: A multilevel confirmatory factor analysis*. PhD. dissertation.
- Alsarhan, A.M. (2017). *Alternative methods of estimating the degree of uncertainty in student ratings of teaching*. PhD. dissertation.
- Stokes, S.S. (2017). *An examination of the psychometric properties of Trauma Inventory for Partners of Sex Addicts (TIPSA)*. PhD. dissertation.
- McEwen, M. (2018). *The effects of incomplete rating designs on results from Many-facets Rasch Model analyses*. PhD. dissertation.
- Anderson, N. (2019). *Testing a scale of teacher beliefs about universal curriculum integration in the 21<sup>st</sup> century*. PhD dissertation.
- Fuentes, D. (2019). *A validity study of the Cognitively Guided Instruction Teacher Knowledge Assessment*. PhD dissertation.
- Allen, H. L. (2020). *Factor structure of the Jordan Performance Appraisal System: A multilevel, multi-group study using categorical and count data*. PhD dissertation.
- Pfleger, P.I. (2020). *Designing software to unify person-fit assessment*. PhD dissertation.
- Jones, B.L. (2021). *A psychometric analysis of the Precalculus Concept Assessment*. PhD dissertation.
- Simpson, D.M. (2021). *The problem of missing data and the Conover solution in state-level data*. PhD dissertation.

Busath, C.H. (2021). *The development of a social and emotional well-being scale using ESEM and CFA: Synergistic stories in complex models*. PhD dissertation.

**PROFESSIONAL AFFILIATIONS:**

National Council on Measurement in Education

American Educational Research Association

Program chair for the Multiple Linear Regression/General Linear Model SIG (2004 and 2005)

**FUNDED RESEARCH:**

Dissemination and Assessment of Best Practices in Teaching Analytical Reasoning in Biology, Co-investigators: John D. Bell, William S. Bradshaw, and R.R Sudweeks. Funded by the Fund for the Improvement of Postsecondary Education (Grant No. P116B041238, \$486,570, Sept. 1, 2004-Aug. 31, 2007)

Connecting Primary Grade Teacher Knowledge to Primary Grade Student Achievement: Developing the Evidence-Based Reading/Writing Teacher Knowledge Assessment System. Co-investigators: D. Ray Reutzel, Parker Fawson, and Jamison Fargo (Utah State University), Janice A. Dole (University of Utah), and R.R Sudweeks (Brigham Young University), Teacher Quality Research—Reading/Writing Grant (No. CFDA #84.305, \$926,810, Sept. 1, 2005-August 31, 2008) funded by the Institute for Education Sciences

Influence of Teaching Experience on Elementary Teachers' Grade-level Subject Matter Knowledge and Documented Science Misconceptions. Principal investigator: Ryan S. Nixon (Teacher Education Department); Co-investigators: Leigh K. Smith (Teacher Education Department) and Richard R. Sudweeks (Department of Instructional Psychology); \$22,900 awarded by the David O. McKay School of Education Research and Projects Committee, January 2016—January 2018.

Determining the Effects of Two Instructional Strategies when Teaching Second Graders to Read and Write Science Informational Text. Principal investigator: Sarah Clark (Teacher Education Department); Co-investigator: Richard Sudweeks (Instructional Psychology & Technology Department); \$33, 597 awarded by the David O. McKay School of Education Research and Projects Committee, January, 2018--January, 2020.

Analysis of data from the Utah Statewide Longitudinal Data System aimed at identifying barriers to success and predictors of Utah students' participation in and completion of postsecondary education. Principal Investigator: Richard Sudweeks (Educational Inquiry, Measurement, and Evaluation PhD program); Co-investigators: Joseph Ross Larsen, Joseph Olsen, Michael Owens and four EIME graduate students; \$75,000 awarded by the Utah State Board of Education, January 2019-August 2020 (Grant No. USBE-MI19034-PS).

**AWARDS RECEIVED:**

David O. McKay Fellowship



Two-year fellowship awarded August 23, 2005 at the Annual University Conference “In recognition of scholarly efforts in teaching and teacher education, especially in light of the aims of a BYU education.”

Benjamin Cluff Jr. Award for Excellence in Education

Awarded by the David O. McKay School of Education, March 2010

Steven M. Rose Teaching and Learning Faculty Fellowship

Three-year fellowship (2012-2015) awarded “To recognize achievement in and support for teaching and learning and mentoring activities.”

Nancy Peery Marriott Outstanding Mentor Award

Awarded by the David O. McKay School of Education, August 2013

Distinguished Service Award for Contributions to Higher Education in Utah,

Awarded at the annual conference of the Utah Academy of Sciences, Arts, & Letters, March 27, 2015.

# NATHANIEL MITCHELL

---

---

cell-(801)-885-2264

nathaniel.mitchell@wasatch.edu

## Education

---

### **PhD Education**—*Brigham Young University*

- ❖ Currently enrolled - expected graduation August 2023

### **Master in Educational Leadership**—*Brigham Young University*

- ❖ Graduated April 20<sup>th</sup> 2012 and received a Utah Administrative license

### **B.S. Neuroscience**—*Brigham Young University* - 2006

## Work Experience

---

### **Wasatch County School District**—(Aug '11- to date)

- ❖ District Data Analyst – (June '21 – to date)
  - Develop and monitor program metrics to evaluate efficacy
- ❖ High School Academic Director – (July '17 – May '21)
  - Develop PD for teachers and PLC teams
- ❖ Summer School Principal – (July '15 – May '21)
  - Maintain Budget, Hire Staff, Oversight of teaching and learning
- ❖ Assessment Specialist – (Jun '14 – July '17)
  - Implement State Mandates: *Principal and Teacher Evaluations, SLOs*
- ❖ Science Teacher & Chair: 7<sup>th</sup> & 8<sup>th</sup> grade – (Aug '11 – May '14)
  - Collaborate & Coordinate with department
  - Implement Principal's Vision
- ❖ Coach: Wrestling – (Nov '11 – Feb '20)

### **Provo Freedom Academy**—(Aug '07-April '11)

- ❖ Science Teacher: 7<sup>th</sup> & 8<sup>th</sup> grade
- ❖ Science Coordinator K-8 program
- ❖ Coach: Girls Basketball & Coed Soccer

## Achievements

---

- ❖ **2004-2005 Peach Belt Scholar Athlete**—*University of North Carolina at Pembroke (Wrestling)*
- ❖ **Coached League Championship Soccer Teams back-to-back years; and Runner-up the following year** – *Freedom Academy 2008 – 2010*
- ❖ **Coached junior high state championship wrestling team 3 consecutive years** – *RMMS 2012 - 2014*

## References

---

Johnson, Tod  
(435) 654-0280  
[tod.johnson@wasatch.edu](mailto:tod.johnson@wasatch.edu)

Judd, James  
(435) 654-0550  
[james.judd@wasatch.edu](mailto:james.judd@wasatch.edu)

Campbell, Eric  
(435) 654-0280  
[eric.campbell@wasatch.edu](mailto:eric.campbell@wasatch.edu)

**ATTACHMENT C:  
INITIAL DATA REQUEST**

Research Data Sharing Agreement with ULEAD Partnership

**Amendment:** 1 **To Agreement:** \_\_\_\_\_

The purpose of this amendment is to provide more detail to the original agreement and to fulfill the initial data request.

**RESEARCH OVERVIEW:**

**PROJECT TITLE:**

State the title of the study.

No changes

 ▾

Describe changes, if applicable:

---

---

**PURPOSE OF STUDY:**

Provide a description of the study, including the reason the data is needed.

No changes

 ▾

Describe changes, if applicable:

---

---

**DURATION:**

Enter the estimated end date of the study.

No changes

 ▾

Describe changes, if applicable:

---

---

**ADDITIONAL INFORMATION:**

**RESEARCH QUESTIONS:**

List your research questions.

---

---

**VARIABLES OF INTEREST:**

List specific variables.

---

---

**OUTPUT:**

Provide a summary of the output. This section states what reports or information will be produced because of this research and where that information will go.

---

---

**DATA LINKAGE:**

Provide detailed information on the Data being linked, the other sources of Data, and any additional constraints to protect the linked Data.

---

---

**ANALYTIC APPROACH:**

Describe analysis.

---

---

**DATA REQUESTED:**

Data (Data and other information requested)	Data Type			Source System	USBE Owner
	Student PII	Student-level De-identified	Unmasked Aggregate		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		

**DELIVERY:**

Desired delivery date:

Delivery method:

Researchers will receive requested data on premise at the Utah State Board of Education office building, 250 E 500 S, Salt Lake City, UT 84111.

**ROLES:**

		Name	Title
<b>RESEARCHER #1</b>	Data Steward:		
	Authorized Persons:		
<b>RESEARCHER #2</b>	Data Steward:		
	Authorized Persons:		
<b>ULEAD</b>	Data Steward:	Meghan Everette	Director
<b>USBE</b>	Data Steward:		
	Data Quality Manager:	Aaron Brough	Director of Data and Statistics

**AGREEMENT PERIOD:**

Original Effective Date: \_\_\_\_\_

Original Termination Date: \_\_\_\_\_, unless terminated early or extended in accordance with the terms and conditions of this agreement.

New Termination Date:  No change \_\_\_\_\_, unless terminated early or extended in accordance with the terms and conditions of this agreement.

**SIGNATURES OF APPROVAL:**

Each signor below represents that s/he has the requisite authority to enter into this Agreement.

IN WITNESS WHEREOF, the Parties sign this Agreement as follows.

<b>RESEARCHER #1</b>				
	Signature	Date	Name	Title
<b>RESEARCHER #2</b>				
	Signature	Date	Name	Title
<b>ULEAD</b>			<b>Meghan Everette</b>	<b>Director</b>
	Signature	Date	Name	Title
<b>USBE</b>			<b>Katy Challis</b>	<b>Director of Privacy</b>
	Signature	Date	Name	Title
			<b>Aaron Brough</b>	<b>Director of Data and Statistics</b>
	Signature	Date	Name	Title
		<b>Jared Felt</b>	<b>Director of Information Technology</b>	
Signature	Date	Name	Title	