PUBLIC NOTICE

Note: This public notice has been posted at the offices of the Department of Education in Carson City and Las Vegas, at the 17 Nevada County School District Superintendents' Offices, at the 17 county public libraries, and at the Nevada State Library and Archives. Notice of this meeting was posted on the Internet through the Nevada Department of Education website at www.doe.nv.gov.

NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION

MISSION STATEMENT

The Nevada State Board of Education/Nevada State Board for Career and Technical Education is dedicated to fostering excellent educational opportunities provided to all learners by sustaining a coherent, aligned system of instruction and support in partnership with all educational communities.

JOINT MEETING WITH COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

Date: Friday, May 2, 2008
Time: 1:00 p.m.
Location: Department of Education
State Board Conference Room
700 East Fifth Street
Carson City, Nevada

REGULAR MEETING

Date: Friday, May 2, 2008
Time: 3:30 p.m.
Location: Department of Education
State Board Conference Room
700 East Fifth Street
Carson City, Nevada

AND

Date: Saturday, May 3, 2008
Time: 8:30 a.m.
Location: Department of Education
State Board Conference Room
700 East Fifth Street
Carson City, Nevada

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Assistant to the Board, in writing at 700 East Fifth Street, Carson City, Nevada, 89701-5096, or by calling (775) 687-9217, at least one week prior to the meeting.

JOINT MEETING WITH COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

Friday, May 2, 2008
1:00 p.m.

ROLL CALL:

Dr. Vernon Luft, President	_____
Mrs. Carol Lark, Vice President	_____
Mr. Bill Mendenhall	_____
Mrs. Rhogenia McMillan	_____
Mr. Fred Perdomo	_____
Mr. Nicholas Ungaro	_____
Senator Ann O'Connell	_____
Dr. Hardy McNew	_____
Mrs. Karen Votraw	_____

Mrs. Marcia L. Washington, President	_____
Mr. Anthony Ruggiero, Vice President	_____
Mrs. Jan Biggerstaff, Clerk	_____
Dr. Cliff Ferry	_____
Mrs. Sharon Frederick	_____
Dr. John Gwaltney	_____
Dr. Merv Iverson	_____
Mrs. Barbara Myers	_____
Mr. Gregory Nance	_____
Mrs. Cindy Reid	_____
Ms. Madisen McGrath, Student *(Ex-Officio)*	_____

- AGENDA-

The public is hereby noticed that the Nevada State Board of Education/Nevada State Board for Career and Technical Education and the Commission on Professional Standards in Education reserves the right to take agenda items out of posted order, with the exception of public hearings. A time for public comment is provided at the conclusion of the meeting. The Board and Commission President reserves the right to call on individuals from the audience or to allow for public comment at any time. Individuals providing testimony must fill out a Visitor Card which will be numbered in order received by the Board Assistant. Upon receipt from the Board Assistant, the Presidents will make reasonable judgment as to the time limit for each speaker. Time limit: A time limit (three minutes) may be imposed on public testimony by the Board and Commission President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board.

1. **INTRODUCTIONS** **INFORMATION**
   Chairs Marcia Washington and Dr. Vern Luft will introduce members of both boards

2. **OVERVIEW** **DISCUSSION/ACTION**
   Overview, discussion and possible action on respective roles and responsibilities of the State Board of Education and Commission on Professional Standards as it relates to: *(Department of Education Staff will provide overview of each bulleted item)*
   - teacher preparation programs
   - licensure
   - highly qualified teachers
   - ongoing professional development

   Possible action may include the development of joint task forces or setting another meeting in the future. A position related to policy on these issues may be developed.

3. **WHITE PAPER REPORT** **INFORMATION/DISCUSSION/ACTION**
   Review and possible action on the White Paper Report on Developing and Sustaining High Quality Instruction in Nevada Schools

   Possible action may include the development of joint task forces or setting another meeting in the future. A position related to policy on these issues may be developed.

4. Future Activities **INFORMATION/DISCUSSION/ACTION**

5. Member Comments **INFORMATION**

6. Public Comments

   Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The Chair may place reasonable limitations as to the amount of time individuals may address the Board. The Chair may elect to allow public comment on a specific agenda item when that item is being considered.

7. Adjournment of the Joint Meeting

Note: The Nevada State Board of Education/Nevada State Board for Career and Technical Education will hold their regular meeting following the adjournment of the Joint Meeting, beginning at 3:30 p.m.

REGULAR MEETING
Friday, May 2, 2008
3:30 p.m.

- AGENDA -

Call to order; Roll Call; Pledge of Allegiance; Approval of Agenda (Marcia Washington, President) ***(Action)***

1. President's Report (Marcia Washington, President) ***(Information)***
   - Update of the Clark County School District Violence in the School Meeting

2. Superintendent's Report (Dr. Keith Rheault, Superintendent of Public Instruction) ***(Information/Discussion)***
   - Update of the Legislative Committee on Education Meeting
   - Update of the P-16 Council Meeting
   - Update of the 2007 NAEP 8th Grade Writing Results

3. Approval of Consent Agenda (Marcia Washington, President) ***(Information/Discussion/Action)***

   Information concerning the following consent agenda items has been forwarded to Board members for study prior to the meeting. Unless a Board Member or a member of the public has a question concerning a particular item and asks that it be withdrawn from the consent list, items are approved at one time by the Nevada State Board of Education.

   A. Approval of Minutes:
      - May 4-5, 2007
      - June 29-30, 2007
      - October 5-6, 2007
      - November 30-December 1, 2007
      - January 25-26, 2008
      - March 7-8, 2008

   B. Approval of upcoming State Board Member Travel.

   C. Approval of .50 special education discretionary unit as requested by Nye County School District; award 3.75 units to the Clark County School District; and 1.50 units to Washoe County School District with the utilization to be determined by the districts. Also, it is recommended that the Board not award an additional 2.00 units to Silver State Charter High School. (Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs)

   D. Approval of the 2008-2015 Elementary and Secondary textbook adoption lists for the Adoption period of May 5, 2008 to June 30, 2015. (William Strader, NDE Education Consultant)

4. Welcome from the Governor's Office (Dianne Cornwall, Chief Operating Officer, Office of the Governor) ***(Information/Discussion)***

TIMES ARE SCHEDULED IN BOLD BELOW FOR WORKSHOPS AND PUBLIC HEARINGS: ***After a presentation by Department of Education staff, members of the public will be invited to give comments on the proposed regulation language. Time limit: A time limit (three minutes) may be imposed on public testimony by the Board President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board. The Board will then discuss and may take action only on scheduled public hearings posted for possible Board adoption. Items may be remanded for additional public hearings at future Board meetings.***

5. **Time: 4:00 p.m. PUBLIC HEARING** and possible Board adoption of Proposed Revision to Regulation Language for independent study, alternative programs and distance education necessitated by NRS legislative changes; NAC 385, 387, 388, and 389 – LCB File No. R134-07 ***(NOTE: This is the first and ONLY Public Hearing with possible action to adopt may be taken.)*** (Bill Arensdorf, Director, Office of Fiscal Accountability and Rick Rasmussen, Consultant, Office of Career and Technical Education) ***(Information/Discussion/Action)***

6. **Time: 4:15 p.m. PUBLIC HEARING** and possible Board adoption of Proposed Revision to Regulation Language for charter schools' trustee changes, university sponsorship and direct sponsorship by the State Board, NAC 386 – LCB File No. R169-07 ***(NOTE: This is the first and ONLY Public Hearing with possible action to adopt may be taken.)*** (Bill Arensdorf, Director, and Tom McCormack, Consultant, Office of Fiscal Accountability) ***(Information/Discussion/Action)***

7. **Time: 4:30 p.m. PUBLIC HEARING** and possible Board adoption of Proposed Revision to Regulation Language for State Board approval/denial criteria for State Board sponsorship of charter schools, NAC 386 – LCB File No. R-061-08 ***(NOTE: This is the first and ONLY Public Hearing with possible action to adopt may be taken.)*** (Bill Arensdorf, Director, and Tom McCormack, Consultant, Office of Fiscal Accountability) ***(Information/Discussion/Action)***

8. Approval of Jan Biggerstaff to be appointed as a Member on WestEd Board of Directors beginning on June 1, 2008 and ending on May 31, 2011 (Dr. Keith Rheault, Superintendent of Public Instruction) ***(Information/Discussion/Action)***

9. Approval of Revisions to the 2008 Board Appointments (Marcia Washington) ***(Information/Discussion/Action)***

10. Approval of National University Program Request for Teacher Education (Dr. Jerry Barbee, Director, Office of Teacher Licensure and the Southern Office) ***(Information/Discussion/Action)***

Recess until 8:30 a.m., Saturday, May 3, 2008

REGULAR MEETING
Saturday, May 3, 2008
8:30 a.m.

-AGENDA-

Recall to Order; Roll Call; Pledge of Allegiance (Marcia Washington, President)

Upon reconvening, Department of Education staff and/or other individuals will present information on the following items for Board discussion and possible action. A time for public comment is provided at the conclusion of the meeting. The Board President reserves the right to call on individuals from the audience or to allow for public comment at any time. Individuals providing testimony must fill out a Visitor Card which will be numbered in order received by the Board Assistant. Upon receipt from the Board Assistant, the President will make reasonable judgment as to the time limit for each speaker. Time limit: A time limit (three minutes) may be imposed on public testimony by the Board President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board.

11. Approval of the 2008-2009 State of Nevada Out-Of-Service Criteria (Gloria Dopf, Deputy Superintendent, Instructional, Research & Evaluative Services) ***(Information/Discussion/Action)***

12. Discussion and possible action on the agency budget request for the 2010-2011 biennium and the submission of agency bill draft requests to the Department of Administration (Jim Wells, Deputy Superintendent, Office of Fiscal Services) **(Information/Discussion/Action)**

TIMES ARE SCHEDULED IN BOLD BELOW FOR WORKSHOPS: ***After a presentation by Department of Education staff, members of the public will be invited to give comments on the proposed regulation language. Time limit: A time limit (three minutes) may be imposed on public testimony by the Board President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Board. The Board will then discuss and may take action only on scheduled public hearings posted for possible Board adoption. Items may be remanded for additional public hearings at future Board meetings.***

13. **Time: 10:00 a.m. WORKSHOP** to solicit comments to NAC, Chapter 388 – Modification of Existing Sections: 388.150.8 Maximum number of cases per teacher in unit; maximum size of class; exceptions; 388.195 Transfer of rights to pupil who attains age of majority; 388.380 Assessment of performance in current educational setting; 388.387 Eligibility of pupil with autism; 388.390 Eligibility of pupil with hearing impairment; 388.395 Eligibility of pupil with visual impairment; 388.400 Eligibility of pupil with orthopedic impairment; 388.402 Eligibility of pupil with health impairment other than orthopedic impairment; 388.405 Eligibility of pupil with speech and language impairment; 388.407 Eligibility of pupil with traumatic brain injury; 388.410 Eligibility of pupil with mental retardation; 388.415 Eligibility of pupil with emotional disturbance; 388.420 Eligibility of pupil with specific learning disabilities; 388.430 identification of certain pupils with developmental delays (Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs) ***(Information/Discussion/Action)***

14. Discussion and possible recommendation from the Subcommittee on Charter Schools to approve or deny a Subsection 7 Charter for Insight School of Nevada (Charter School) (Cindy Reid, Chair of Subcommittee on Charter Schools) ***(Information/Discussion/Action)***

    A. The Subcommittee may make recommendations about the completeness and compliance of the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, clarification is needed on 1) a complete and accurate budget; 2) the employment status of the school's administrator; and 3) the start up costs provided by the EMO "Insight Schools, Inc." The Subcommittee may make recommendations about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

    B. Department staff will have the opportunity to present information and evidence similar to that presented to the Subcommittee about the completeness and compliance of the application. Department staff will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

    C. Representatives of Insight School of Nevada will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Insight School of Nevada will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

    D. The Board will discuss and possibly make a decision concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its decisions) and conclusions of law (the decisions), separately stated. Findings of fact and recommendations must be based upon substantial evidence presented at the hearing.

    If the State Board denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The State Board findings of fact (reasons for its decision) should be sufficient to provide notice of the reasons for the denial, if denial is the decision.

15. Discussion and possible recommendation from Subcommittee on Charter Schools to approve or deny a NRS 376.527 Subsection 7 Charter for the Imagine School at Las Vegas Charter School Application (Cindy Reid, Chair of Subcommittee on Charter Schools) **(*Information/Discussion/Action*)**

    A. The Subcommittee may make recommendations about the completeness and compliance of the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, other concerns about the school have arisen along with serious deficiencies discovered in the proposed contract between the governing body and the EMO, "Imagine Schools." The Committee to Form the School stopped communicating with the Department about October 30, 2007, and did not respond to Department inquiries about continuing issues with the EMO contract. The Subcommittee may make recommendations about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

    The Department recommendation to the Subcommittee was for denial of the application for the following reasons:

    1. Department reviewers identified concerns with the proposed Operating Agreement between the charter school and the EMO "Imagine Schools, Inc."
    2. The Committee to Form the School did not respond to Department inquiries about conditions in the proposed contract between Imagine School at Las Vegas and the EMO, "Imagine Schools."

3. The proposed contract appears to enable the Chief Financial Officer (CFO) to act as a fiduciary advocate for the contractor rather than the school.
4. The proposed contract appears to tie the hands of the governing body into a forced operation with the contractor having powers that remove authority from the governing body.
5. The two year budget submitted by the school as required by NAC 386.180 (4) does not appear to contain realistic expectations or sound and accurate estimates of expenditures for operation in the Clark County market for various reasons. Additionally, the school failed to provide a statement of cash flow as required by the NAC.
6. Past performance of the EMO contractor with One Hundred Academy of Excellence has resulted in serious deficiencies discovered by Department staff in completing State oversight of public schools.
7. Past performance of this EMO contractor with One Hundred Academy of Excellence and its sponsor, Clark County School District, has resulted in serious deficiencies noted in the sponsor's annual review with noncompliance findings in several areas.
8. Past performance of this EMO contractor in other states has resulted in publicly reported deficiencies including debt of the school(s), control of school(s) by the contractor rather than a public entity, and lack of proper control for financial management insuring tax payer dollars are being appropriately spent.

B. Department staff will have the opportunity to present information and evidence similar to that presented to the Subcommittee about the completeness and compliance of the application. Department staff will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

C. Representatives of Imagine School at Las Vegas will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Imagine School at Las Vegas will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

D. The Board will discuss and possibly make a decision concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its decision) and conclusions of law (the decision), separately stated. Findings of fact and recommendations must be based upon substantial evidence presented at the hearing.

If the State Board denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The State Board findings of fact (reasons for its decision) should be sufficient to provide notice of the reasons for the denial, if denial is the decision.

16. Discussion and possible recommendation from Subcommittee on Charter Schools to approve or deny a NRS 376.527 Subsection 7 Charter for the Imagine School at Mountain View Charter School Application (Cindy Reid, Chair of Subcommittee on Charter Schools) **(*Information/Discussion/Action*)**

A. The Subcommittee may make recommendations about the completeness and compliance of the application. Although Department reviewers have found the application to be mostly complete and possibly compliant, other concerns about the school have arisen along with serious deficiencies discovered in the proposed contract between the governing body and the EMO, "Imagine Schools." The Committee to Form the School stopped communicating with the Department about October 30, 2007, and did not respond to Department inquiries about continuing issues with the EMO contract. The Subcommittee may make recommendations about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

The Department recommendation to the Subcommittee was for denial of the application for the following reasons:

1. Department reviewers identified concerns with the proposed Operating Agreement between the charter school and the EMO "Imagine Schools, Inc."
2. The Committee to Form the School did not respond to Department inquiries about conditions in the proposed contract between Imagine School at Mountain View and the EMO, "Imagine Schools."
3. The proposed contract appears to enable the Chief Financial Officer (CFO) to act as a fiduciary advocate for the contractor rather than the school.
4. The proposed contract appears to tie the hands of the governing body into a forced operation with the contractor having powers that remove authority from the governing body.
5. The two year budget submitted by the school as required by NAC 386.180 (4) does not appear to contain realistic expectations or sound and accurate estimates of expenditures for operation in the Clark County market for various reasons. Additionally, the school failed to provide a statement of cash flow as required by the NAC.
6. Past performance of the EMO contractor with One Hundred Academy of Excellence has resulted in serious deficiencies discovered by Department staff in completing State oversight of public schools.
7. Past performance of this EMO contractor with One Hundred Academy of Excellence and its sponsor, Clark County School District, has resulted in serious deficiencies noted in the sponsor's annual review with noncompliance findings in several areas.
8. Past performance of this EMO contractor in other states has resulted in publicly reported deficiencies including debt of the school(s), control of school(s) by the contractor rather than a public entity, and lack of proper control for financial management insuring tax payer dollars are being appropriately spent.

B. Department staff will have the opportunity to present information and evidence similar to that presented to the Subcommittee about the completeness and compliance of the application. Department staff will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

C. Representatives of Imagine School at Mountain View will have the opportunity to present information and evidence about the completeness and compliance of the application. Representatives of Imagine School at Las Vegas will have the opportunity to present information and evidence about whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto.

D. The Board will discuss and possibly make a decision concerning: 1. Whether or not the application is complete and compliant; and, 2. Whether or not a NRS 376.527 Subsection 7 Charter should be granted and possible conditions related thereto. The possible recommendations should be based upon findings of fact (reasons for its decision) and conclusions of law (the decision), separately stated. Findings of fact and recommendations must be based upon substantial evidence presented at the hearing.

If the State Board denies an application, it shall include in the written notice the reasons for the denial and the deficiencies in the application. The applicant must be granted 30 days after receipt of the written notice to correct any deficiencies identified in the written notice and resubmit the application. The State Board findings of fact (reasons for its decision) should be sufficient to provide notice of the reasons for the denial, if denial is the decision.

17. Discussion on process and scheduling of the Superintendent's Evaluation (Marcia Washington, President) ***(Information/Discussion/Action)***

18. Board Member comments (Marcia Washington, President) ***(Information)***
    - Update of the American Indian/Alaskan Native Education Summit held March 25-26, 2008, Reno, Nevada (Sharon Frederick, Member)

19. Future agenda items (Marcia Washington President) ***(Information/Discussion/Action)***

20. Public comments ***(Information)***

    Public comment will be taken during this agenda item. No action may be taken on a matter raised under this item until the matter is included on an agenda as an item on which action may be taken. The Chair may place reasonable limitations as to the amount of time individuals may address the Board. The Chair may elect to allow public comment on a specific agenda item when that item is being considered.

21. Adjournment

Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Assistant to the Board, in writing at 700 East Fifth Street, Carson City, Nevada, 89701-5096, or by calling (775) 687-9217, at least one week prior to the meeting.