

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

Department of Education
Board Conference Room
700 East Fifth Street
Carson City, Nevada

MINUTES OF THE TELEPHONE CONFERENCE MEETING

**WEDNESDAY, MAY 12, 2010
3:00 p.m.**

BOARD MEMBERS PRESENT:

In Las Vegas:

Christopher Wallace, President
Jan Biggerstaff, Member
Gloria Bonaventure, Member
Willia Chaney, Member
Dave Cook, Member
Charlotte Hill, Member
Anthony Ruggiero, Member
Christopher Wallace, Member
Craig Wilkinson, Member
Zhan Okuda-Lim, Student Representative

BOARD MEMBERS ABSENT

Dr. Cliff Ferry, Vice President

DEPARTMENT STAFF PRESENT

Dr. Keith Rheault, Superintendent of Public Instruction
Jim Wells, Deputy Superintendent, Administrative and Fiscal Services

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Senior Deputy Attorney General
Robert Whitney, Attorney General

Call to order: Roll Call

President Wallace called the meeting to order at 3:00 p.m. with attendance as reflected above. Member Ruggiero arrived at 3:07 p.m.

The State Board of Education has adopted positions regarding the K-12 Governance structure and the State Board Composition being considered by the ACR 2 Committee and has directed staff to take such a position before the ACR 2 Committee or take similar or related actions pertaining to the issues under consideration by the ACR 2 committee.

The State Board of Education may revisit those positions and may adopt another position regarding the K-12 Governance structure and the State Board Composition being considered by the ACR 2 Committee or direct staff to take such a position before the ACR 2 Committee or take similar or related actions pertaining to the issues under consideration by the ACR 2 Committee.

Dr. Keith Rheault, Superintendent of Public Instruction, addressed the first item on the Work Session Document from the Legislative Commission's Committee to Study the Governance Oversight of the System of K-12 Public Education (ACR2) regarding the State Board of Education. He summarized the possible changes for the composition of the State Board including:

- State Board of Education to be a seven member board to take effect on January 1, 2013;
- Four voting members to be elected based on the congressional districts in Nevada;
- Three appointed voting members, as follows:
 - ✓ One appointed by the Governor;
 - ✓ One appointed by the Senate Majority Leader; and
 - ✓ One appointed by the Speaker of the Assembly.
- Three nonvoting members, as follows:
 - ✓ One student representative appointed by the Nevada Youth Legislature;
 - ✓ One member of a local board of trustees appointed by the Nevada Association of School Boards; and
 - ✓ One local school district superintendent appointed by the Nevada Association of School Administrators.

Each member appointed by the Governor and legislative leadership must:

- Be a resident of Nevada; and
- Have experience in pre-K, elementary, secondary, or postsecondary education.

The appointments made by the Governor and legislative leadership shall be made, to the extent practicable, from a list of nominations provided by education associations and other organizations of Nevada with four-year staggered terms. The elected members of the proposed board would run for election in 2012. Current elected board members would need to run for election or their terms would expire on December 31, 2012.

In response to Member Biggerstaff's question whether Nevada will acquire another congressional district; Dr. Rheault responded that the congressional districts referenced include the additional district that Nevada is anticipating due to the census results.

President Wallace stated he made the suggestion at an ACR 2 meeting that the appointed members to the State Board serve a two year term, and only the elected members that ran a congressional campaign be allowed to serve in a leadership position with a four year term. He added the ACR 2 committee was not receptive to a 13 member State Board of Education mirroring the Board of Regents that was suggested in the board's recommendations; rather, they were receptive to paring down the Board of Regents to nine members.

Member McKenna suggested recommending two elected members from four congressional districts, totaling eight elected members. He reasoned if one elected member was not present on a board with four elected and three appointed members, the power of the board could begin to shift to the appointed members.

President Wallace and Member Cook concurred with the suggestion of eight elected members from four congressional districts on the Board.

Responding to Member Chaney's question if the role of the Superintendent was discussed, President Wallace responded that the proposal was for the Superintendent to remain appointed by, and answerable to the Board.

Student Representative Okuda-Lim stated the Nevada Association of Student Council (NASC) and the State Board has had a strong 20-year relationship. He requested that the Board continue to support a student representative elected by NASC, resulting in a representative that is accountable to the students.

Member McKenna made a motion that President Wallace put forth the Board's request at the ACR 2 Committee meeting advocating that appointed members do not have the ability to have leadership positions on the Board and that they serve two-year terms. The elected members would serve four-year terms, there would be two per congressional district and that the student representative be elected by NASC. Member Hill seconded the motion. The motion carried.

Dr. Rheault listed the additional items proposed in the Work Session Document concerning the State Board:

- Amend the NRS (primarily at NRS 385.3785) to transfer the duty of the Commission on Education Excellence to establish a statewide program of educational excellence to the State Board of Education on July 1, 2011.
- Provide transitory language that the State Board review the current vision and mission statements and submit the revised vision and mission statements to the Governor, the Director of the LCB for distribution to the Legislative Commission, the Committee, and the Legislative bureau of Educational Accountability and Program Evaluation on or before July 1, 2013.
- Clarify that the State Board, in developing its State Plan for Improvement establish clearly defined goals and benchmarks for improving academic achievement of students in the Nevada.
- Amend the NRS to require the State Board to meet not fewer than nine times in any calendar year, beginning January 1, 2013.
- Amend the NRS to require the State Board to hold an annual special meeting of the school district superintendents and presidents of the local boards of trustees in the State. The primary purpose of the meeting shall be to discuss the state's goals and benchmarks for improving the academic achievement of students in Nevada and the effect on local school districts.

- Amend the NRS to require the State Board of Education to hold an annual special meeting of the chairs of all boards, commissions, and councils included in the education governance system. This is an and/or item depending on whether the make-up of the Board changes.

Dr. Rheault explained the section of the work session document relating to the Superintendent of Public Instruction. The State Board of Education would continue to appoint the Superintendent and three additional items were added:

- Amend the NRS to require the Superintendent of Public Instruction to be the educational leader of the State.
- Amend the NRS to provide that the Superintendent of Public Instruction require the observance of all laws relating to schools and education AND amend the NRS to require the Superintendent of Public Instruction to request a plan for corrective action for school districts, board of trustees of a school district, charter schools and the governing body of a charter school that have not observed all laws relating to schools and education.
- Amend the NRS to require the Superintendent of Public Instruction, in consultation with the State Board of Education, to compile and present in person an annual written report concerning the state of public education in Nevada. The report shall be made public and be presented, at a minimum, to the Governor, the Legislative Committee on Education each interim, and to the standing education committees during each legislative session.

Member McKenna asked to be excused at 3:35 P.M.

Member Ruggiero made a motion to request reconsideration of the prior motion. Member Chaney seconded the motion.

Responding to Member Cook's question regarding the reason for the reconsideration, Member Ruggiero explained he does not agree with all the recommendations coming from the ACR 2 Committee. He added the Board has never given up the fight to retain their elected membership in the past and does not understand why they are agreeing with the recommendations from the ACR 2 Committee to have a combination of elected and appointed members. He stated he would like to change his previous vote to no.

Member Cook stated he understands Member Ruggiero's position and supports Member McKenna's suggestion of two elected persons from four congressional districts.

A roll call vote was taken: Member Biggerstaff voted no; Member Bonaventura voted no; Member Chaney voted yes; Member Cook voted no; Member Hill voted no; Member McKenna voted no; Member Ruggiero voted yes; Member Wilkinson voted no; Member Ferry was absent. The motion failed with 7 no, 2 yes and 1 absent.

Dr. Rheault listed four proposals from the ACR 2 work session document relating to the Department of Education:

- Require the State Board and the Superintendent of Public Instruction to review the current mission statement for the DOE and develop a vision statement and revise the mission

statement, as needed, to support a statewide program of educational excellence and reflect the need for Nevada's students to have the ability to succeed in a global economy.

- Amend the NRS to create the Division of Reform and Innovation in the DOE. The Division would be primarily responsible for developing, monitoring, implementing, and evaluating reform and innovative education programs for pre-K grade 12 public education system. It would also recommend an additional Deputy Superintendent of the Office of Reform and Innovation.
- Require performance indicators be established for each office established within the Department of Education during the 2011-2012 biennium and be reported to the 2013 Legislature.
- Provide a letter to the Governor, legislative leadership, State Board, Legislative Committee on Education, and the Superintendent of Public Instruction stressing the Committee's concern with the ability of the DOE to enforce, monitor, and assist all school districts to the extent needed. The Committee urges all parties to make a study of the structure of the DOE, as compared to other departments of education in the country, a priority during the 2011-2012 Interim and make recommendations to the 2013 legislature.

Member Hill asked to be excused at 3:55 P.M.

Member Cook and Student Representative Okuda-Lim asked to be excused at 4:00 P.M. Roll call was taken again to assure a quorum remained.

President Wallace called for Public Comment. Ed Irvin, Senior Deputy Attorney General, commented that the Work Session Document from the ACR 2 Committee states the document is based upon findings of the Survey of Opinions, however, Mr. Irvin stated the scientific nature of the survey is non-existent.

Dr. Rheault reported on the proposals from the ACR 2 Committee regarding the Councils and Commissions, and the following would transfer their duties to the DOE:

- Council to Establish Academic Standards for Public Schools;
- Commission on Educational Technology;
- Commission on Educational Excellence.

Dr. Rheault clarified the proposals for the Regional Training Programs for the Professional Development of Teachers and Administrators would include the transfer of duties to the Superintendent of Public Instruction for the state coordinating council only. The ACR 2 Committee proposed the Commission on Professional Standards in Education remain, with a change in the make-up of the membership. Currently, the commission's nine members are appointed by Governor. The Committee proposes five appointees by the Governor, two members appointed by the Majority Leader of the Senate and two members appointed the Speaker of the Assembly.

President Wallace commented that the ACR 2 Committee was mostly in agreement with recommendations submitted by the State Board of Education to the ACR 2 Committee regarding the Councils and Commissions. The meeting was adjourned at 4:17 P.M.

