

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

Friday, May 14, 2010

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

And

Department of Education
9890 South Maryland
Second Floor Conference Room
Las Vegas, Nevada

MINUTES OF THE REGULAR MEETING
(Video Conferenced)

BOARD MEMBERS PRESENT:

In Las Vegas:

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

In Carson City:

Dr. Cliff Ferry, Member (Excused)
Ken McKenna, Member (Excused)

DEPARTMENT STAFF PRESENT:

In Las Vegas:

Dr. Keith Rheault, Superintendent of Public Instruction

In Carson City:

Jim Wells, Deputy Superintendent, Administrative and Fiscal Services

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Karen Johansen, Administrative Assistant to the State Board of Education
Carol Crothers, Director, Office of Assessment, Program Accountability, and Curriculum
Anne Davidson, Assistant Director, Evaluation Consultant
David Brancamp, K-12 Math Consultant
Tracy Gruber, K-12 Math Consultant
Kim Vidoni, Education Technology Consultant
Tom Mc Cormack, Charter School Consultant

LEGAL STAFF PRESENT:

In Las Vegas:

Robert Whitney, Deputy Attorney General

In Carson City:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Alan Staggs, Silver State Charter School
Peter Yeager, Educational Testing Service
Deb Hegna, Office of Charter Schools, Clark County School District
Deena Holloway, Clark County School District
Kimberly Rushton, Attorney, Cooper Levenson Law Firm
Jeff Blanck, Attorney, Silver State Charter School
Sue Daellenbach, Clark County School District
Eileen Gilligan, Clark County School District, Curriculum and Professional Development Division
Feyzi Tandogan, Corporate-Executive Director, Coral Academy
Brenda Carson Mitchell, Clark County School District
John Matsis, Director of Compliance, Beacon Academy
Jasmine Roman, Imagine School in the Valle
Connie Jordan, Imagine School in the Valle
K. Diane Stump, Program Director, White Pine Boys Ranch
Gary Waters, Director, Beacon Academy
Heather Eggert, Imagine School in the Valle
Teri Reed, Imagine School in the Valle
Nicole Rourke, Clark County School District
Jennifer Longyear, Parent, Imagine School in the Valle
Stephanie Gabany, Imagine School in the Valle
Valerie Vondrak, Imagine School in the Valle
Renee Crain, Imagine School in the Valle
Michael Andrews, Parent, Imagine School in the Valle
Megan Little, Parent, Imagine School in the Valle
Robin Hookway, Parent, Imagine School in the Valle
Kimberly Polk, Imagine School in the Valle
Alyssa McCoy, Parent, Imagine School in the Valle
Phatcharin Carabas, Parent, Imagine School in the Valle

Ruth Stewart, Parent, Imagine School in the Valle
Lynette Green-Cherry, Parent, Imagine School in the Valle
Leisha Crawford, Parent, Imagine School in the Valle
Shaundell Newsome, Imagine School in the Valle
Steve Knight, CSO, Silver State School
Edie Grub, Former President, Silver State School
Jeff Blanck, Attorney, Silver State School
Vernon Law, Vice President, Imagine School in the Valle

In Carson City:

Eugene T. Paslov
Christine Brandon, Silver State Charter School
Adam Baker
Paul Richter, Washoe County School District
John Uhart, Commercial Real Estate
Paul LaMarca, Washoe County School District
Dotty Merrill, Nevada Association of School Boards
David Papke, Silver State Charter School
Susan Luschar, Silver State Charter School
Jan Martin, Silver State Charter School
Crystal Abba, Nevada System of Higher Education
Stacy Woodbury, Deputy Chief of Staff, Office of the Governor

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Wallace called the meeting to order at 3:19 p.m., with attendance as reflected above.

Member Cook moved to approve a flexible agenda. Member Hill seconded the motion. The motion carried.

President's Report

President Wallace reported on his meeting with Member Biggerstaff, Member Chaney and candidate for governor, Rory Reid. They discussed Mr. Reid's plans for education should he be elected Governor of Nevada and Mr. Reid said he would like further meetings with President Wallace to share ideas on education in Nevada.

President Wallace gave an update on the Blue Ribbon Task Force (BRTF) meetings regarding the Race To The Top (RTTT) application, which is about 98% complete. It is due to the Governor's office on May 21, 2010 and to the U.S. Department of Education on June 1, 2010. President Wallace discussed the work session proposals for the 2011 Legislative Session that came from the last meeting of the Legislative Subcommittee on Governance and Oversight of the System of K-12 Public Education (ACR 2) on May 13, 2010. Their proposals for the State Board include:

- Four elected members – one from each of the congressional districts, assuming the census results will give Nevada another congressional district;
- Three appointed members:
 - ✓ One appointed by the Governor;
 - ✓ One appointed by the Senate Majority Leader;
 - ✓ One appointed by the Speaker of the Assembly;

- Three non-voting members:
 - ✓ 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;
 - ✓ One local school district superintendent appointed by the Nevada Association of School Administrators.

President Wallace added the name of the State Board of Education would change to the Nevada Commission of Public Education, and the members would be Public Education Commissioners. The rest of the work session document was in agreement with the Recommendations to ACR2 adopted by the State Board of Education and previously submitted.

Superintendent's Report

- Dr. Rheault reported that the BRTF held their final meeting regarding approval of the RTTT proposal. The Academics Standards Council met on May 4, 2010 and adopted the draft Common Core Standards for English Language Arts and Math. They did not add any additional standards.
- Dr. Rheault gave an update on the School Improvement Grant under the American Recovery Act. The grant totaled \$22 million for limited use in Title I schools identified as the lowest five percent of low achieving schools in the state. There was one school in Carson City; seven in Washoe County with the remainder of the schools located in Clark County. Each school is eligible for a three-year award up to \$2 million. A list of the schools will be provided when it becomes available.
- Dr. Rheault reported that a \$9 million application for the Longitudinal Data System Grant phase II has been submitted. It would allow the longitudinal data system to share information seamlessly between the department and higher education. He said he anticipates being notified if they are to receive the grant in the next couple of weeks.
- Dr. Rheault reported that this would be Jim Wells, Deputy Superintendent, Administrative and Fiscal Services last meeting as he was selected to be the new Director of the Public Employee Benefits Program. He thanked Mr. Wells for his last three years at the department and noted he will be difficult to replace. Interviews will be conducted in the next few weeks to replace Mr. Wells.

Consent Agenda

The Board approved the following consent Agenda Items:

- Approval of Minutes from the March 18-19, 2010 State Board Meeting
- Approval of relicensing for Citibank Family Center in Las Vegas and approval of private school license for Treasure Chest Learning Center in Las Vegas and approval of private school license for Treasure Chest Learning Center in Reno
- Approval of State Board Member Travel for President Wallace to attend the C.L.A.S.S. conference, July 2010.
- Award Special Education Discretionary Units FY10
- Appointments to the Special Education Advisory Committee (SEAC)

Member Chaney made a motion to approve the Consent Agenda. Member Cook seconded the motion. The motion carried.

Conversion of the Subsection 7 Charter of the Entrepreneurial-Technical and Engineering Charter High School (ETECHS) to a full charter

The conversion of the Subsection 7 Charter was not heard and will be rescheduled for the June 17-18 State Board Meeting.

Update of Corrective Action Plan from Imagine School at Las Vegas

Kimberly Rushton, Counsel for Cooper Levenson, appeared on behalf of the governing board of Imagine School at Las Vegas. Ms. Rushton stated that Imagine School at Las Vegas has surrendered its Subsection 7 provisional approval for a charter school in Nevada, as they were unable to identify a suitable location for a school and they are continuing to have problems with the composition of their governing board. The governing board would like to move forward with an application at a future date.

Possible renewal of Silver State Charter School

Jim Wells addressed the supplemental packet of information that was provided to the Board. Mr. Wells read highlights from a letter dated April 15, 2010 addressed to Sue Cocking, Governing Body President, Silver State High School from Dr. Rheault. The letter stated the Nevada Department of Education received an application for charter renewal from Silver State High School on March 10, 2010. Pursuant to NRS 386.530, a charter school sponsor “shall renew the charter unless it finds the existence of any ground for revocation set forth in NRS 386.535.” The recommendation from the Department is that the State Board find grounds exist for revocation of the charter pursuant to NRS 386.535.

Mr. Wells explained the deficiencies included under Deficiency 1; Governing Body has Failed to Govern Silver State High School:

1. Failure to Adhere to written charter and by-laws regarding membership;
2. Failure to adhere to chapter 322 of the Nevada Revised Statutes;
3. Failure to adhere to chapter 281A of the Nevada Revised Statutes;
4. Failure to adopt policies and procedures relating to purchasing and the ethical conduct of the Governing Body members and employees and failure to reprimand illegal and unethical acts;
5. Failure to adopt policies and procedures relating to travel reimbursement and reconciliation of student activity accounts;
6. Failure to comply with subsection 7 of NRS 386.590.

Mr. Wells continued to describe items under Deficiency 2, Charter Renewal Application irregularities:

1. The School’s statement in the renewal application that “all” teachers at the School are “highly qualified is inaccurate.
2. Measureable objectives were requested under Item 7 of the renewal application, but not provided by the School.
3. “A report on the amount of money that the charter school has, on average, expended on each pupil during the preceding three years” is required under Item 8 of the renewal application. The only data the School submitted is for the 2007-2008 and 2008-2009 school years. A third year of data is missing.

4. As requested by a State Board member for any charter school seeking charter renewal, Department staff requested from the School in an April 8, 2010 email a copy of the current budget. The Department has not received a response to the request.
5. Regarding “additional of accelerated students”, (June 29, 2009 minutes Item 11), no “accelerated students” are included in the charter and no request for an amendment to the charter to add them has been received by the Department. Any amendment of the charter must be addressed through request for a charter amendment; it cannot be accomplished by means of the charter renewal.

Mr. Wells explained that if the Board denies the renewal, Silver State High School would have an opportunity to correct the deficiencies and return to the June Board meeting. If the State Board is satisfied with the responses of the school, the renewal may be granted at that time. The Department recommends that the Board determine that sufficient grounds exist relating to the lack of governance to revoke the charter of Silver State High School, and the Board may decide to not renew their charter. The department further asks the Board to instruct the department to issue the written notice to Silver State High School outlining the deficiencies enumerated in the letter dated April 15, 2010 upon which the denial of renewal is based and to prescribe Silver State High School respond and correct the deficiencies within 30 days. This would allow the department to bring this item to the June State Board meeting at which time the Board can determine whether the deficiencies have been corrected and whether or not the charter should be renewed in accordance with NRS 386.530.

Member Cook disclosed he is a member of the Sierra Crest Charter School governing body sponsored by Douglas County, and is also a part time math teacher for Beacon Academy, an online distance education charter school, sponsored by the State of Nevada. He stated he would not discuss or vote on the matter.

Steve Knight, Executive Director, Silver State Charter School stated that the school submitted a complete booklet to Mr. Nutting and Mr. Peltier on May 10, 2010, that shows they have dealt with every item that has been enumerated by Mr. Wells. Mr. Knight introduced Mrs. Edie Grub, former board president, Sue Cocking, governing board president, and Jeff Blanck, attorney for Silver State High School.

Member Ruggiero asked if there is a timeframe where action must be taken on the packet that was received Monday, May 10, 2010 or if the item can be held in abeyance until staff has had an opportunity to review the documentation.

Dr. Rheault responded that Department staff has not had an opportunity to verify if the deficiencies have been corrected. He suggested general discussion could occur today and determine if deficiencies have been corrected, then make a decision later. The action today is to approve or deny renewal.

Mr. Tom McCormack, Charter School Consultant, said that Nevada Revised Statute (NRS) states material submitted to the department regarding this matter must be in response to a written notice sent to the school, after the State Board decides not to renew the charter. The material Silver State High School recently submitted is premature.

Ed Irvin, Senior Deputy Attorney General stated that he was acting as counsel for the Department of Education in Carson City and Robert Whitney, Deputy Attorney General was in Las Vegas acting as counsel for the State Board.

Mr. Irvin said the issue today is whether the board intends to not renew the charter. The non-renewal of the charter will be an issue at a future time. Statute requires another 30-day notice giving the allowed time for a response. The question today is if grounds exist for non-renewal and whether or not the State Board intends to renew the charter. That can only occur at the next meeting.

Jeff Blanck, Legal Counsel, Silver State High School stated the allegations have been dealt with and there is no willful noncompliance by the school. He added the school is successful and the students are doing well. Silver State is willing to provide the information at the next board meeting to renew the charter and at that time go into depth about the individual allegations.

Mr. McCormack requested that the following be included in the record, page six of the April 15, 2010 letter from the Nevada Department of Education, under the heading of misstatements, paragraph three states:

The renewal application identifies the School as "High Achieving" (Item 9, page 19). The School's AYP (Adequate Yearly Progress) designation for 2008-09 is "Watch," not "High achieving." The School did not make adequate yearly progress for the 2008-09 school years.

Further discussion occurred.

Member Ruggiero made a motion to follow staff recommendations to not renew Silver State High School's Charter. Member Hill seconded the motion. The motion carried. Member Cook abstained from voting.

Submission of Agency Bill Draft Requests to the Department of Administration

Dr. Rheault stated there are four bill drafts that were submitted to the budget office by the Department. Mr. Wells discussed the first Bill Draft Request (BDR) amending portions relating to distributive school accounts of NRS 387 with the following four items:

- Clarify that apportionment may be adjusted for the results of a pupil enrollment verification audit;
- Clarify that a school district or charter school is not eligible for hold harmless enrollment if it eliminates grades, moves to a smaller facility or otherwise deliberately causes its enrollment to decline;
- Clarify that the Department may deduct amounts owed to the Department from a school district, charter school or university school for profoundly gifted pupils from future apportionment payments;
- Allow for the withholding of apportionment payments to a school district, charter school or university school for profoundly gifted pupils that fails to submit data or a report in accordance with applicable statutes or regulations.

Mr. Wells continued with the second BDR relating to charter schools, NRS 386. He listed the clean-up provisions:

- Clean up certain provisions relating to the operation of charter schools;
- Clarify membership of committee to form and governing body of a charter school;

- Provide for monthly payments if a charter school's charter is under revocation proceedings;
- Clarify that certain information regarding licensed teachers provided by a charter school include teachers who are provided by a contractor or retained by an independent contract with the teacher;
- Eliminates the prohibition for a pupil who is homeschooled to participate in a program of distance education and provides for additional manner in which to withdraw a student from homeschool.

Dr. Rheault discussed BDR's relating to Paraprofessionals and Test Reporting. He said they clean up NRS 386 and NRS 389 with the following:

- NRS 386.650 currently requires the Department of Education to maintain a system of accountability information that includes the identification of paraprofessionals who are assigned to provide services to individual pupils. The requirement is beyond the capability of the current system in that individual pupil data cannot be isolated to an individual paraprofessional. The BDR would eliminate the paraprofessional requirements from the state system of accountability information;
- The reporting requirements identified in NRS 389.017 related to charter school certification of pupils taking state required examinations is not consistent with the reporting requirements identified in NRS 386.650 under the system of accountability maintained by the Department. The BDR would align the reporting requirements of NRS 389.017 with the requirements of NRS 386.650.

Dr. Rheault stated the last BDR request relates to License Expiration Notification, NRS 391:

- NRS 391.042 requires the Department of Education to provide written notice to the holders of Nevada license regarding the expiration date of their license by the first class mail to the last known address of the license. Since the enactment of this requirement, the Department has established a web based program titled "find a Teacher" that is available 24 hours a day on the Department website. The "find a Teacher" program allows any license holder to review their license information including date of expiration and all endorsements with provisions to be met at anytime from anywhere they have access to the internet.

Over 30 percent of current notifications mailed to the last known address of license holders come back to the Department as undeliverable, resulting in significant cost, due to address changes that have not been reported to the teacher licensing office. The deleted written notification would be replaced by a requirement that the Department maintain a website with the expiration date of all licenses that can be readily accessed by all license holders.

PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Johnny Diaz.

Dr. Rheault stated a certified letter of notification of the date, time and place of the hearing was mailed on March 25, 2010. Johnny Diaz and his lawyer did not respond that they would participate in the hearing, and they were not in attendance at the Board meeting. Dr. Rheault recommended that the State Board revoke the license for Johnny Diaz effective immediately.

Member Hill made a motion to revoke the teacher license of Johnny Diaz. Member Bonaventure seconded the motion. The motion carried.

Review of August Board Retreat

- **Retreat in Carson City**
- **One or two-day retreat - currently scheduled for Aug 11-13**
- **Conduct Regular meeting prior to or following retreat**
- **Agenda items to be Discussed at the Retreat i.e., Vision, Goals, Legislative Agenda**

In response to Member Biggerstaff's question about funds available for the Board Retreat, Dr. Rheault responded the cost is built into the budget.

Member Biggerstaff suggested a two-day retreat followed by a one-day board meeting. She addressed the possibility of a representative from the National Association of State Boards of Education (NASBE) attending to help facilitate the meeting. She suggested discussing the Superintendent's workplan, the Department's structure; compare Superintendent's salaries and workplans across the country.

Dr. Rheault added the ACR 2 Committee has asked the Board to revisit their Vision and Mission Statement and establish benchmarks and goals for the State.

Member Biggerstaff made a motion to hold a two-day Board Retreat and a one-day Board meeting, contact NASBE to facilitate the meeting, discuss the mission, vision statement, goals and benchmarks of the Board and the structure of the Department of Education. Member Hill seconded the motion. The motion carried.

PUBLIC HEARING and Possible Board Adoption of Proposed New Regulation R041-10; New Regulations for College Readiness Standards; Definition and Criteria Prescribing the Standards for College

President Wallace opened the public hearing at 12:49 p.m. There were 36 individuals in attendance in Las Vegas and 2 individuals in attendance in Carson City.

Dr. Rheault stated the standards were developed in a task force with the Chancellor's office and the Department of Education. Dr. Rheault explained a change of wording for the regulation was requested from the Chancellor's office regarding Section 2 and the definition of College readiness. The proposed change is "*College Readiness*" means the demonstrated proficiency of a pupil who graduates from high school in this State to participate and succeed in an academic program resulting in the completion of a degree at the postsecondary educational institution.

Crystal Abba, Associate Vice Chancellor, Academic and Student Affairs, Nevada System of Higher Education stated she strongly supports the adoption of the regulations.

Paul LaMarca, Washoe County School District (WCSD), stated he supports the language. He said WCSD is requesting a consideration for a technical edit to replace the term *foreign languages* with the term *world languages*. He explained it is a modern term that is more inclusive.

Ms. Abba stated they would be fine using foreign or world language. However, she added that standard terminology used throughout the research supported using the term foreign language.

Member Cook said at the secondary level, the term foreign languages is significant and has particular meaning. He strongly recommended using the term foreign language until the term world language has a definition behind it as to what it specifically references.

President Wallace closed the public hearing at 10: 30 a.m.

Member Biggerstaff made a motion to adopt the new regulation for College Readiness Standards Definition and Criteria Prescribing Standards for College as amended using the wording foreign language. Member Cook seconded the motion. The motion carried.

Report from the Governor's Office

Stacy Woodbury, Deputy Chief of Staff, Office of the Governor, reported on the progress with RTTT. She informed the Board that the Governor has scheduled a signing ceremony for the application on Thursday, May 27, 2010 at 11:00 a.m. at the Capitol and she extended an invitation to the Board and the Department.

Student Representative Okuda-Lim followed up on his inquiry from the March Board meeting regarding the prospects of a student representative on the BRTF.

Ms. Woodbury responded that she needed to speak with the two Chairman of the BRTF; and that the RTTT application time constraints had taken precedence so the task force has continued with the original team. She added the BRTF would meet again in a few weeks and would be looking at adding a student representation at that time.

PUBLIC HEARING and Possible Board Adoption of Proposed Amendments to R030-10; Amendments to NAC 388.300 – Parental consent; Notice to Parents of Proposed or Refused Action; Statement of Parental Rights.

President Wallace opened the public hearing at 10:35 a.m. There were 36 individuals present in Las Vegas and 6 individuals in attendance in Carson City.

Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education, and School Improvement Programs explained the regulation allows parents of special education students who no longer wish to have their children receive special education and related services, to revoke their consent. The change would bring the state regulations into alignment with the federal regulations that are required under the Individuals with Disabilities Education Act.

There was no public comment.

President Wallace closed the public hearing at 10: 38 a.m.

Member Biggerstaff moved to permanently adopt the revisions to NAC 388.300. Member Cook seconded the motion. The motion carried.

PUBLIC HEARING and Possible Board Adoption of Proposed Amendments to R008-10; New Sections for Technology and Computer Standards and Delete NAC 389.289 – Technology Computers; NAC 389.2948 – Technology and Computers; NAC 389.3905 - Technology and Computers; NAC 389.505 Technology and Computers.

President Wallace opened the public hearing at 10:30 a.m. There were 36 individuals in attendance in Las Vegas and 8 individuals in attendance in Carson City.

Dr. Kim Vidoni, Educational Technology Coordinator suggested an amendment changing the wording in Section 1 from *Instruction in the second grade in technology* to *Instruction in the early elementary grades in technology*. She explained it reads as though it is only specific to the second grade and they would like to begin instruction before the second grade.

In response to Member Biggerstaff's question whether computers are available to all students; Dr. Vidoni responded it has been established that every classroom in the State has at least one computer.

There was no public comment.

The public hearing was closed at 10:44 a.m.

Member Cook made a motion to approve the regulations as amended. Member Bonaventura seconded the motion. Member Chaney voted no. The motion carried.

Formally adopt the new cut scores in CRT Math and Science for grades 3-8 & High School Proficiency Exam (HSPE), alternate cut scores in Math, Science, Reading and Writing for grades 3-8 & 11.

Carol Crothers, Director, Assessment, Program Accountability and Curriculum, commented on the importance of adopting the cut scores and that they have an immediate effect on a large amount of students.

Dr. Anne Davidson, Assistant Director, Evaluation Consultant explained how student achievement levels are determined on the assessments will effect student transcripts and impacts graduation expectations, as well as school accountability consequences. Deciding individual cut scores that determine achievement are a concern to many students.

Dr. Davidson said the achievement levels were re-visited this year because of required revisions to Math, Science, CRT and HSPE bringing the system into alignment with changed content standards, not to be confused with achievement standards. Dr. Davidson described the standards setting as a process where representatives, a diverse group of Nevada Educators and stakeholders, work together to create defensible and meaningful cut scores using state of the art methods.

Tim Crockett, Senior Vice President, Measured Progress, said his company has contracts providing services for general, alternate assessment and professional development in 17 states, including Nevada. He explained standard setting is a two-stage process, the first stage is data gathering and the second stage is policy making. The standard setting process took place in Reno, late April and early May, using two different methodologies frequently employed by many states.

Dr. Davidson conducted a PowerPoint presentation regarding the spring 2010 Standard Settings for the Nevada Proficiency Examination Program. She explained that the policy making phase is being addressed today and involves intensive reviews of the recommendations from the standard settings panels. The review considerations include:

- Ultimate goal:

- To establish a strong baseline for this year and future years;
- Compare across;
 - Past years' results
 - Other grade levels within a content area
- Potential consequences to students and to schools (i.e., AYP);
- Changes to the content and/or the assessment themselves;
- Changes to the accountability system;
- Technical requirements for validity and reliability;
- Policy implications and precedents;
- Larger movements in education.

Dr. Davidson further explained the cut scores and recommendations for HSPE and CRT (3-8) in Math, Science and Alternate (NAA) cut scores in Math, Science, Reading and Writing for use in the current school year 2010.

Dr. Rheault stated he supports the recommended transitional cut in math, the recommended transitions for the alternate assessment and the normal approach for science.

Member Biggerstaff read a statement for the record from Bill Hanlon, Regional Director Southern Nevada RPDP:

I am concerned with that problems can not be fixed unless they are identified. Specifically, I am concerned with the inconsistencies in the reporting of student performances on different tests; i.e. HSPE vs. semester exams by course. In order to gain public trust, I believe we should be transparent in our reporting so we gain credibility in the community. In order to gain public trust, I believe we should be transparent in our reporting so we gain credibility in the community. How you set "cut" scores on CRT's and the HSPE is entirely up to the State Board of Education. The way you report those results should accurately and plainly result in student, parent, and community understanding. Therefore I would request that when you set the "cut" scores, they should be reported as a scaled score of 0-100 so the scale score, while not being a %, would approximate a % so the score has some meaning to the community. If you feel that would cause a hardship or too great of difficulty with such an interpretation, then I would request the scaled scores should have a range of %, based on the equating, to increase public awareness and understanding of student performance. 64% ie scaled score 302 -- 60%.

Ms. Crothers responded that in years past there was a scale of 0-100 and it created confusion because of the association to the grades given in classes. An intentional move was made to a scale that did not create confusion but could be associated to the percentage of items that is correct from year to year. She stated she recommends staying with a scale that does not allow for the 0-100 confusion.

Member Cook said he appreciated both positions. He asked if there is way to explain the nature of the scale so it can be easily understood by the public.

Ms. Crothers responded that if they believed the score of 0-100 was less confusing, they would go back to that.

Dr. Rheault said parents want to know if their child is below standard, approaching standard, meets standard or exceeds standard, not whether their score was 267 on a scale of 500.

Ms. Dopf commented that the Board's obligation is to adopt a scale score that is reliable and valid, and that the Board's adoption and the public's understanding should be considered separately.

Member Cook made a motion to formally adopt the Department's recommendations on the new cut scores for HSPE and CRT 3-8 in Math, Science, and Alternate (NAA) cut scores in Math, Science, Reading and Writing in Grades 3-8 and 11, that these will be in use in the current school year 2010. The motion was seconded by Member Hill.

In response to Dr. Davidson's inquiry if the motion includes the transitional cuts for 2-3 years, Member Cook stated his intent was for the motion to include the transitionals.

The motion carried.

President Wallace called for a lunch recess at 11:57 p.m. The meeting resumed at 12:49 p.m.

WORKSHOP to Solicit Comments for NAC 387.345 Hold Harmless Affect on Calculating Basic Support.

President Wallace opened the Workshop at 12:40 p.m. There were 36 individuals in attendance in Las Vegas and 2 individuals in attendance in Carson City.

Mr. Wells stated the regulation is being brought forward as part of non-regulatory guidance (NRG) policies that need to be put into regulation. It will codify current practice relating to the application of the hold harmless in determining the allocation of basic support. It revises NAC 387.345 by adding two subsections. The first, subsection 6, provides that if two schools claim a pupil for apportionment and if those entities, either a school district or a charter school, have different count days as defined in the NRS, the entity of the later count day can count the pupil and the entity with the earlier count will be denied the counting of the pupil per NRS 387.123, subsection 2c prohibits counting the student more than once. Additionally, subsection 8 provides that a hold harmless agreement for a charter school that serves pupils for multiple counties applies to the school as the whole and not to enrollment from the individual school districts that send students to that school.

President Wallace opened the workshop for public comment.

Dotty Merrill, Nevada Association of School Boards said she was in support of the proposed regulations, NAC 387.345 and they will provide clarification about the policy related to hold harmless agreements.

President Wallace closed the workshop at 12:53 p.m.

WORKSHOP to Solicit Comments for NAC 386 regarding Charter Schools limiting enrollment in certain instances; information for initial enrollment of a new Charter School; to Subsection 5 of NRS 386.527; amending Written Charters terms of Educational Management (EMO) contracts; Evaluations and Reports of EMO's.

President Wallace opened the workshop at 12:54 p.m. There were 36 people in attendance in Las Vegas and 2 people in attendance in Carson City.

Mr. Wells stated Section 1 adds language to NAC Chapter 386 clarifying a charter school shall enroll students throughout the year regardless of when a student seeks to attend the charter school. Subsections 2-9 allows a charter school to limit its enrollment if it falls into certain categories such as building limitations, or if it is approved by the Superintendent of Public Instruction. It also includes documentation that is required for limiting enrollment and an appeal process if the limitation is denied by the Superintendent.

Mr. Wells reported that Section 2 adds language clarifying the information that needs to be submitted by a new charter school to determine its initial enrollment for apportionment purposes in the first year of operations and requiring the student information be uploaded to the state student enrollment and accounting system no later than the count day of the school's first year. Section 3 amends NAC 386.180 to limit information relating to contracts that must be submitted with a charter school application to those relating to educational management organizations, agreements and leases. Section 4 would propose a board of trustees of a school district, the State Board or the System of Higher Education to delegate conversion of a subsection 7 charter to full charter under limited circumstances.

Board discussion occurred. There was no public comment.

President Wallace closed the workshop at 1:05 p.m.

Update with Imagine in the Valle School board Members regarding their school facility.

Vernon Law, Vice Chair, Imagine School in the Valle, Las Vegas, reported the school is temporarily located in the YMCA and is currently working with the EMO, Imagine Inc., to get into a permanent proposed facility. They cannot remain at the YMCA for the next school year. He said the governing advisory board and the EMO met and discussed concerns regarding the proposed facility, including it may be inadequate for students in 2011.

In response to Member Biggerstaff's question regarding how much the school pays the EMO monthly, Connie Jordan, Principal, Imagine School in the Valle responded 12 percent of the revenue or \$35,000 to \$40,000 a month.

Member Biggerstaff asked if that amount was standard. Mr. Wells responded that staffing costs are approximately 80 percent and combined with the cost of the lease and operating expenses, their budget may not support the expenditures of the school. He added the cost of the EMO could vary according to the services they provide.

Member Cook expressed concerns that the Governing Board of the school is becoming secondary to the EMO. Mr. Law agreed and added they are in a position where they could close the school and surrender the charter, or they can continue with the job of educating the children and try to move forward.

Mr. Law, Ms. Jordan and the Board discussed the challenges in locating an appropriate facility and the cost of the EMO for Imagine School in the Valle.

Christine Fuentes, President of the Board of Imagine School in the Valle, stated they were at this State Board meeting to give an update on the school's progress in response to the parents that

attended the State Board meeting in March. She added the school should be moving into a facility soon.

President Wallace called for Public Comment pertaining to Imagine School in the Valle.

Jasmine Roman, Parent, stated she is a parent of two children attending Imagine School and that education is crucial for her children. She said the building problem is unacceptable. She asked why it is ok for business to win over education in Nevada.

Stephanie Gabany, Parent, said she appreciates that Imagine School had found a state of the art facility, but it is sad that they have outgrown the building before they have moved into it. She added that in the future, the EMO's should consider if the facility has enough room for the school to grow.

Lynette Green-Cherry, Parent, thanked the State Board for allowing the parents to speak about their concerns. She expressed concern that the EMO's were holding them hostage dangling the promise of a facility for the school without disclosing the location. She said they are being told they must sign the EMO or they will not be allowed to have the facility.

Jennifer Longyear, Parent, stated she was the parent of a first grader at Imagine School in the Valle. She said she feels as though the EMO has sold her a dream that is not there. The school has a long waiting list and she is afraid they have outgrown the facility before they have moved in.

Leisha Crawford, Parent, said she is a proud parent of a first grader. She stated she loves the school and it is like a family to her. At first they were told they would have a school in three months, then one year, now it has been two years and they still do not have a facility. The education the kids are receiving is exceptional but they need a facility. She said she is worried that the school will not be able to continue.

Shandell Newsome, Newsome Marketing Enterprises, Public Relations and Representative for Imagine Schools, clarified that Imagine Inc. said they would have a facility in four months, unfortunately, the location did not work out. Another location was found, the recession hit, developers laid off workers and there were issues preventing them from building on the site. Then the YMCA was found as a temporary location for the school. He said a school that provides a quality education will probably continue to have a waiting list.

WORKSHOP to Solicit Comments for Common Core Standards in Mathematics and English Language Arts.

President Wallace opened the workshop at 1:48 p.m. There were 36 people in attendance in Las Vegas and 7 people in attendance in Carson City.

Dr. Rheault reported that Nevada joined a consortium with 48 states that worked together to develop Common Core English/Language, Arts and Mathematics Standards. The advantages are that 48 states will have the same standards allowing for the same curriculum materials, professional development, and matching tests. The Council to Establish Academics Standards has adopted the draft Common Core Standards, and then they will go before the State Board to become regulations. States are required to adopt the Common Core Standards as part of the RTTT application process. The Race to The Top application is due June 1; however, because it is a tight timeline, states have until August 2

to adopt the standards to earn all of the points available. If a state does not receive the points for the Common Core section, they will not be competitive for the funding. In addition, the standards must be adopted in total. If Nevada is going to compete for the \$175 million in RTTT, it is critical that Nevada adopt the Common Core Standards.

Ms. Dopf read for the record a comment from Paul B. Richter, Director of Assessment, Washoe County School District:

Washoe county School district supports the full adoption of the Common Core Standards in Mathematics and English/Language Arts and further recommends that Nevada not enhance them further. After vigorous review of the Common Core Standards by WSCD teacher groups, curriculum content experts and representatives of both the University of Nevada, Reno and Truckee Meadows Community College, we find the standards sufficiently rigorous as they stand.

President Wallace closed the workshop at 2:04 p.m.

Approval of the Revisions to the Statewide Technical Preparation Policy Statement

Mike Raponi, Acting Director, Office of Career, Technical and Adult Education stated that the Statewide Technical Preparation Policy Statement was adopted early in the 1990's between the State Board of Education and the Board of Regents. It was revised in 2005 and approved by the Board of Regents and the State Board of Education. He added the Board of Regents approved an additional revision in June 2009 and the revision is being brought to the State Board for approval. Significant differences were made regarding protocol for awarding credit in 2009. The implication was students must be in the 11th and 12th grade to earn the tech prep credit. This policy clarifies that students, who take a course in the 9th to 12th grade, stay in sequence and earn an A or B, will have the credit added retroactively as a junior or senior. In addition, the maximum number of technical credits that a high school student may earn changed from 15 to 21.

Member Wilkinson made a motion to approve the Statewide Technical Preparation Policy Statement revisions. Member Hill seconded the motion. The motion carried. Members Cook and Biggerstaff were absent for the vote.

Approval for Race To The Top Grant Application Signature

Dr. Rheault stated a signing ceremony will take place at the Capitol on May 27, 2010 at 11:00 a.m. and then the document will be expedited to reach the U.S. Department of Education by June 1, 2010. Dr. Rheault added that he, as well as the governor, the president of the State Board and the attorney general must sign off on the statutes that are referred to in the document. Of particular importance was removing the eligibility barrier that uses student achievement data for evaluation purposes for teachers and principals. Dr. Rheault continued to highlight details included in the draft Race To The Top Federal Proposal. He explained the main goals that are expected under RTTT are to increase graduation rates and reduce the achievement gap between minorities and other groups. Nevada's goal is to reduce the achievement gap from where it currently is by 50 percent. Nevada also hopes to increase the percentage of students who are proficient based on the National Assessment of Education Progress (NAEP).

Member Biggerstaff commented this information could be the foundation for discussions at the upcoming Board Retreat.

Dr. Rheault said Nevada must show it has the capacity to implement the RTTT grant. As part of the grant, a Nevada reform office would be formed with funding from the grant. The office would be part of the Department of Education, located in Las Vegas, with 20 staff to be hired. He further discussed areas of the application including implementing a statewide longitudinal data system, providing high-quality pathways for aspiring teachers and principals, turning around the lowest-achieving schools. He stated his recommendation is to support the approval of the draft application and authorize President Wallace to sign off on it.

Member Chaney asked what is the duration of the grant. Dr. Rheault responded that states will be notified around September 1, 2010, and the funding would begin in the fiscal year October 1, 2010 and run through September 30, 2014.

Member Cook made a motion to approve the Race to The Top Application Signature by the State Board President, Chris Wallace. Member Chaney seconded the motion. The motion carried.

Ms. Dopf thanked the chairs of the BRTF, Chancellor Klaich and Mrs. Elaine Wynn, plus the work of the Wynn Group, along with the external grant writer provided by the Governor's office, in helping complete the RTTT application.

Mr. Wells read a statement from Dr. Dotty Merrill:

The Nevada Association of School Board's (NASB) Executive Committee voted unanimously in support of the four major reform initiatives included in Nevada's Race To the Top application. We have provided a letter of support. We appreciate the leadership that Dr. Keith Rheault has brought to the collaborative process and his willingness to meet with local school boards around the state. We also appreciate the direct assistance provided by the Blue Ribbon Education Reform Task force.

Dr. Rheault reported at the request of Nevada School Boards Association (NASB), a pilot program was proposed to train all new board members in 2011 including Charter School Governing Boards and the new State Board members as part of the RTTT application. After each election cycle, NASB would be sub-granted funds to hold a State Governing Board Training.

Board Member/Public Comments

Member Cook thanked the Department and President Wallace for all the work they put into the RTTT grant.

Member Biggerstaff thanked Jim Wells for his help over the past years. She also commented that losing Assemblywoman Bonnie Parnell in 2011 is a serious loss for education.

Student Representative Okada-Lim reported that he was re-elected as the Student Representative to the State Board of Education at the State Conference of the Nevada Association of Student Councils. He added he no longer supports the position to appoint the Student Representative to the State Board of Education, rather he believes being elected assures the position truly represents the students. He announced he formed a Nevada "Education First" page on Facebook, and encouraged students to become a fan and keep up

to date. He addressed the ACR2 committee recommendations to encourage that the Student Representative be from the Nevada Association of Student Councils, and he looks forward to the final proposal.

President Wallace expressed gratitude to Jim Wells for the time and work he has put into education.

Public Comment

Gary Waters, Executive Director, Beacon Academy stated the Beacon Academy entered into an agreement with White Pine Boys Ranch in 2009 to provide educational instruction to 27 students. Diane Stump, Program Director and CFR, White Pine Boys Ranch stated they are a residential treatment facility for 27 troubled youth. She stated her goal is to give them the best opportunity and education; however, they have been advised that Beacon Academy can no longer provide an education to the students because they are licensed as a private school. She asked the State Board for their support.

Mike Opp, Principal, Beacon Academy, spoke about regulations regarding attendance being used to determine funding status. He urged the Board and Dr. Rheault to have Distance Education providers be included in discussions for regulations being submitted to the legislature.

Ms. Jordan and Vernon Law thanked Jim Wells for his work at the Department of Education.

Future Agenda Items

Member Biggerstaff requested a Subcommittee on Charter Schools meeting on Thursday, June 17, 2010 in the afternoon. Topics could include EMO's and student count information from Distance Education providers, and any pertinent issues regarding charter schools.

The meeting was adjourned at 3:00 p.m.