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

October 7, 2011

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
Dave Cook, Vice President
Gloria Bonaventura, Member
Willia Chaney, Member
Stavan Corbett, Member
Adriana Fralick, Member
Craig Wilkinson, Clerk
Annie Yvette Wilson, Member
Daniela Sanchez. Student Representative

BOARD MEMBERS EXCUSED:
Cliff Ferry, Member
Sandy Metcalf, Member

DEPARTMENT STAFF PRESENT:

In Las Vegas:
Dr. Keith Rheault, Superintendent of Public Instruction

In Carson City:
Donnell Barton, Interim Deputy Superintendent of Instructional, Research and Evaluative Services
Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs
Mike Raponi, Director, Office of Career and Technical Education

LEGAL STAFF PRESENT:

In Las Vegas:
Robert Whitney, Deputy Attorney General

In Carson City:
Dr. Ed Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:
Donna Levy, Career and Technical Education, Clark County School District
Nicole Rourke, Clark County School District
Loretta Asay, Clark county School District
Trevon Milliard, Las Vegas Review Journal
Rosemary Flores, Family Leadership Initiative
Craig Stevens, Nevada State Education Association
Tiffany Ferguson, Quest Academy
David McElwain, Career and Technical Education, Clark County School District
Yvette Williams, Clark County Black Caucus
Melody Nelson, Clark County Black Caucus
Juanita Simpson, Clark County Black Caucus
Robin Kincaid, Nevada Parents Encouraging Parents (PEP)

In Carson City:
Terra Graves, Washoe County School District
Joanna Jacobs, Ferrari Public Affairs,
Judy Osgood, Policy Analyst, Office of the Governor
Bryn Lapenta, Washoe County School District
Jim Endres, K-12 Inc, Nevada Virtual Academy

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA
President Wallace called the meeting to order at 9:00 a.m. with attendance as reflected above.

Member Cook made a motion for a flexible agenda. Member Wilkinson seconded the motion. The motion carried.

There was no public comment.

President's Report
President Wallace reported that he and Member Wilson met with Teri Janison from the Governor's office to work on a tentative timeline and qualifying factors for the selection of the next Superintendent of Public Instruction. He said it was a positive and productive meeting.

Superintendent's Report
Dr, Keith Rheault, Superintendent of Public Instruction reported on the Wested Data conference recently held in Las Vegas. There were approximately 100 people from the NDE, school district

administrators and members from the Teachers and Leaders Council. The Data Conference was co-partnered with Wested, NDE and the Governor's Office. Staff provided a lab demonstration on how to access the Bighorn student achievement data and discussions were held regarding the future direction of the Longitudinal Data Systems. Governor Sandoval addressed education reform initiatives to improve the data quality within the state. The Governor is revitalizing the P-16 Council. The specific purpose of the P-16 Council is to review Longitudinal Data Systems in the State, and then make recommendations to the Governor

Dr. Rheault discussed the upcoming Nevada Association of School Boards (NASB) conference scheduled in Reno on November 17-19, 2011. National speakers, including Kati Haycock, Education Trust, a national expert on achievement gap research between student ethnic groups, will be speaking at the conference. He advised the Board there are enough funds for two members to attend the conference.

Dr. Rheault announced the John I. Wilson Leadership for Learning Award was presented to Nevada for the Nevada Pathway to 21st Century Learning project. Awards were presented to Loretta Asay and Joe Elcano in recognition of their hard work on the two-year project. Loretta Asay said she was honored to accept the award on behalf of the State. She reported many people worked very hard on the statewide project to assure every district could participate. Teachers committed to two years of professional development that resulted in changes to classrooms where students received 21st century experiences. The Partnership for 21st Century recognized Nevada for the Years Best Practice award in the nation. Terra Graves, in Carson City, accepted the award on behalf of Joe Elcano.

Dr. Rheault reported that U. S. Department of Education Secretary Duncan announced waivers would be allowed for the No Child Left Behind Act. The waivers are aimed at the Adequate Yearly Progress provisions of the act. The criteria for states to get approval for the waiver was released the end of September. Nevada will apply for the waiver in February 2012 and intends to use their growth model to identify achievement by students within schools. The waiver shifts from identifying every school that is not making progress, to identifying the priority and focus schools in each state. Priority schools are the lowest 5 percent of schools based on overall student achievement or graduation rate combination. Focus schools require the state to have a formula that determines which schools have the largest achievement gaps between the categories of the No Child Left Behind act, which include ethnic gaps, and achievement gaps between English second language students, Special Education and Title I. There is a formula using student achievement data that will identify at least 10 percent of the lowest schools in the state. Those schools will be the focus of the funds and improvement.

Member Cook asked for clarification that waivers could only be obtained through a state's Department of Education and they are for every school in the state. Dr. Rheault concurred; it is all of the state or none of the state. In addition, there are many assurances that must be met. If the waiver is approved from the February application, it will take effect this year.

Dr. Rheault informed the Board that Nevada is one of six states to receive the Striving Readers Grant and it will go a long way to keep student literacy moving in the right direction. It is a five-year, $72 million grant. The funds must be spent for specific categories; 15 percent is for reading and writing literacy for Pre-K, 40 percent is for grades K-5, and the remaining 45 percent is for grades 6-12. Nevada is one of only a few states that are doing well on the National Assessment of Educational Progress (NEAPS) scores by increasing reading proficiency and those results will be released

November 1, 2011. Nevada is also applying for another round of funding available from the Longitudinal Data Grant to link K-12 and higher education. The grant is for $4 million.

Consent Agenda

The Board approved the following Consent Agenda Items:

A. Minutes
- August 10-11, 2011 Board Retreat and August 12, 2011 Regular Meeting
- September 7, 2011 Special Meeting

B. Relicensing a Private Reno School for a two-year period: Early Learning Program; Relicensing a Private Reno School for a four-year period: St. John's Children's Center; Relicensing Private Las Vegas/Henderson Schools for a two-year period; Children's Choice Learning Center – Sunset & Children's Choice Learning Center – MGM, Lone Mountain Creative Learning Center and New Horizons Academy.

C. Four Nevada Public Education (NPEF) Nominations for NPEF Board of Directors
- Dr. Heath Morrison, Superintendent Washoe County School District;
- United Sates Magistrate Judge Valarie Cooke, Federal Court, Reno;
- Mike Draper, Executive R&R Partners, Inc.;
- Fred Boyd, former Reno/Sparks Chamber CEO.

Member Fralick disclosed that she does not have a conflict with the Nevada Ethics in Government law regarding the approval of relicensing of St. John's Children's Center, however, between 2006 and August 2011, she had one or two children attend St. John's Children's Center. She added she no longer has children attending the school, and does not have a substantial and continuing business relationship with St. John's. Member Fralick stated she would vote on the approval.

Member Cook moved to approve the Consent Agenda. Member Wilkinson seconded the motion. The motion carried.

WORKSHOP to solicit comments on NAC 389.602 and 389.603 for state standards for Architectural Drafting Design and Mechanical Drafting and Design and for new language to NAC 389 for State Standards for Graphic Design.

Mike Rapoini, Director, Office of Career, Technical and Adult Education (CTE) provided an overview of the three sets of standards. Part of the CTE Improvement Plan is revitalizing state CTE standards by streamlining the format and consolidating the standards. These standards are being revised by direct alignment with assessment questions and performance indicators. There are three assessments under development for the three sets of standards today. Mr. Raponi explained a renewed set of employability skills for career readiness standards will be brought to the Board for all CTE students along with program completers that must be fulfilled by the end of their program sequence.

Alex Kyser, Education Programs Professional, Trade and Industrial Education stated Nevada trends align with national trends, to separate Architectural from Mechanical Drafting and Design, as they are two separate career paths.

Mr. Raponi explained the Graphic Design Standards are new, they have been aligned with the Common Core Standards and that will be the process for all their standards.

President Wallace opened the Workshop at 9:50 a.m. There were five individuals present in Carson City and seven individuals present in Las Vegas. There was no public comment. The Workshop closed at 9:51 a.m.

WORKSHOP to Solicit Comments on NAC 386.407 Limitations on Provisions of Teachers and other Personnel by Educational Management Organization.
Dr. Rheault informed the Board this regulation deals with Special Education Licensure, which the Commission on Professional Standards has authority to oversee. Because there was a change to NAC 386.407, as a result of the Commission regulations, the Board has to hold the workshop and public hearings on the regulation changes. This is a technical change regarding NAC 386 and falls under the Board's authority to adopt the regulations.

President Wallace opened the Workshop at 9:55 a.m. There were five individuals in attendance in Carson City and seven individuals were in attendance in Las Vegas. There was no Public Comment. The workshop closed at 9:54 a.m.

PUBLIC HEARING to Solicit Comments on Revisions to Permanently Adopt Regulations, NAC 387.103, Pupil enrolled in Program of Distance Education.
Dr. Rheault explained that charter schools along with distant education providers were involved in revising the accountability portion of how distance education students are counted for purposes of per pupil payments. This regulation will allow evidence of work progression by the pupil in each course as documented through the electronic learning management system used in education programs. In addition, if a pupil is admitted into the distance education program during the calendar week prior to count day, and the pupil has not had work progression in each course, the pupil will be counted as enrolled if there is evidence of work progression in each course documented by the electron learning management system the following week. Dr. Rheault recommended approving the regulation.

Member Cook disclosed he is a math instructor for Beacon Academy Charter School; a distance education provider sponsored by the State Board of Education and will not discuss or vote on this item.

There were five individuals in attendance in Carson City and seven individuals were in attendance in Las Vegas. There was no Public Comment.

Member Corbett moved to adopt Revisions to Regulations NAC 387.193, Pupil Enrolled in Program of Distance Education. Member Wilkinson seconded the motion. The motion carried. Member Cook abstained.

Status update on Nevada Teacher and Leaders Council
Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education and School Improvement provided the Board with a general overview of the requirements of AB 222. The intended outcome of the legislation was to create a system of educator effectiveness for Nevada. The Council will recommend methods to evaluate teachers and school administrators to determine whether their performance is Highly effective; Effective; Minimally effective; or Ineffective. The Teachers and Leaders Council will make recommendations regarding a system of professional development so teachers and administrators have an opportunity to improve their practice based upon

the results of their evaluations. A 15-member council has been appointed by Governor Sandoval. The members include:

- Four public school teachers
- Two public school administrators
- One school district superintendent
- Two school board members
- One representative of teacher and administrative training programs
- One parent or guardian of a public school student
- Two experts in education policy, designated by the State Superintendent
- The State Superintendent of Public Instruction (ex officio) or designee
- The Chancellor of the Nevada System of Higher Education (ex officio) or designee.

The council is required to make recommendations to the State Board concerning the adoption of regulations for establishing a statewide performance evaluation system for teachers and administrators by June 1, 2012. The Board is required to adopt the regulations by June 1, 2013. Ms. Fitzpatrick said several federally funded technical assistance centers would be available to provide knowledge and support and a core team of Nevada stakeholders has been attending ongoing professional development opportunities for almost a year.

Ms. Fitzpatrick said Member Fralick contacted the Governor's office with recommendations on how to move forward in a way that accommodates the transition of the existing board to the new board. Member Fralick suggested that recommendations coming from the Teachers and Leaders Council are presented in the form of regulations to expedite the process.

Dr. Rheault informed the Board that he appointed Robert McCord and Mary Peterson to the council. Mr. McCord retired from Clark County as a government relations person then went on to UNLV as an Educational Administrator. Mary Peterson was a former State Superintendent of Public Instruction serving six years and is familiar with state policy and northern Nevada.

Dr. Rheault explained Donnell Barton would serve as the Interim Deputy Superintendent through October 30. Beginning November 1, Ms. Fitzpatrick has agreed to serve as the Interim Deputy Superintendent until the new Superintendent is appointed. Her current director position will be kept open for her is she chooses to return to it.

Review of qualifications and criteria for the selection of the next Superintendent of Public Instruction to include comments from stakeholder groups and the community, with possible new recommendations for the application process.

President Wallace reviewed the Superintendent Search Timeline. Dr. Ed Irvin, Senior Deputy Attorney General reminded the Board that all their meetings must comply with the Open Meeting Law (OML). He suggested a special board meeting held in compliance with the OML for public input regarding the superintendent search could be more effective than holding town hall meetings. Mr. Irvin also suggested the February timeline with three meetings scheduled, one contingent upon another, might become problematic when developing and posting the agendas with as much specificity as possible.

Member Fralick moved in lieu of holding public input town hall style meetings a special meeting of the SBE is held in November for the purpose of public input with regard to the superintendent search. Member Chaney seconded the motion.

Member Corbett stated the NDE office in Las Vegas is on the outskirts of the community and requested the meeting be held in a more central location. President Wallace suggested checking with the Grant Sawyer building and possibly other locations.

Member Fralick amended the motion to include the meeting be changed to the Grant Sawyer building via videoconference to the Carson City Legislative building, and the Great Basin College in Elko. **The motion carried**

Member Cook recommended the meeting agenda be sent to education stakeholder groups, school boards, and other organizational groups.

Dr. Irvin discussed how an agenda could be built in February, with as much specificity as possible, for contingency meetings.

Dr. Rheault suggested the first meeting in February is, in part, to create, develop and approve interview questions, and in an effort to save time that could be accomplished during the January meeting. President Wallace agreed and added the Board will conduct candidate interviews the end of February. After the interviews are held and reviewed, the Board will submit three names to the Governor.

Member Corbett moved to approve the timeline presented today. Member Wilson seconded the motion. The motion carried.

President Wallace said the Governor's office provided a rough draft of the Superintendent position for the Department of Personnel to post. He asked the Board for additions or changes to the qualifying factors and position description.

Dr. Rheault provided comments from Member Ferry, who was unable to attend the meeting. Member Ferry expressed concerns about the qualifying factors that require the candidate to have experience in the classroom and experience in working with English language learners, suggesting it narrows the field and will eliminate candidates. President Wallace replied the Governor's position is firm regarding those qualifying factors.

Member Ferry questioned mixing unrelated qualifications within one bullet and proposed separate bullets for the items. In addition, he questioned the effectiveness of a superintendent located in Las Vegas while most NDE staff is in Carson City. Another potential difficulty is the superintendent is frequently required to attend legislative meetings on short notice, which is easily accomplished when located a block away in Carson City.

President Wallace said the Governor wanted the option for the candidate to be located in Las Vegas or Carson City. He added if the superintendent is in Las Vegas, the travel budget would need to be increased during the legislative session.

Member Wilson added she would like the candidate to be technology driven to keep up with rapid technology advancements in 21st century.

Public Comment for Item # 9

Yvette Williams, Chair of Clark County Black Caucus, stated it is important to have a superintendent who has experience or success working with turn-around schools, literacy, Title I schools and underperforming schools. She said she would like Title I mentioned because it speaks to the free lunch programs, which is the majority of the African American and Hispanic students. She requested changing the word from *can* to *will,* in the third bullet from the bottom, to read *possess excellent communication skills and will effectively establish dialog.* Ms. Williams said she appreciates engagement and involvement with the community in relation to the timeline. She stressed the meeting needs to be open and suggested notifying the media of the schedule.

Craig Stevens, Nevada State Education Association (NSEA), said he represents 28,000 teachers and support professionals from across the State. He said they have had an excellent working relationship with Dr. Rheault, and are sorry to see him leave. He stated NSEA would like to see that type of relationship continue with the next superintendent by adding a new bullet to the Qualifying Factors that states; *Demonstrate the ability to partner with state education associations through the collaboration of policies, regulations, proposed legislation, and the implementation of new laws that affect Nevada's public schools.* He explained when Dr. Rheault testifies at the legislature to modify language in a bill, that language affects NSEA members. Mr. Stevens added when talking about educator evaluations, they want something more than *excellent communication skills and effectively establish dialog*. He said they want to work with the state superintendent to cultivate a good relationship to make the best laws and regulations that will affect NSEA and other administration associations. Mr. Stevens said they need more than just dialog, they need input, capacity building, and they need someone that can accomplish what needs to be done.

Mr. Stevens added that speaking as a private citizen, a group called Ready for Life, successfully brings different agencies across the State together and helps children with basic needs. They want the next superintendent to break up the silos, to assure education is not just in one slot, health and human services in another slot, transportation in another slot, but will cooperatively work together for the whole child and not just one narrow aspect of education.

Rosemary Flores, Executive Director, Family Leadership Initiative Southern Nevada, stated there is a challenge in Nevada with changing demographics. She would like the next superintendent to understand the challenges Nevada has faced in the last 10-20 years with a newly diverse student population. Ms. Flores suggested building strong relationships with teachers at school sites and involving parents from the community. The Hispanic population has grown and would like to provide input but would need interpreting services to be heard. She said Nevada does not receive funds other states receive, and funds need to be identified and sought for literacy and language acquisition.

Member Fralick moved to approve the criteria and qualifications for the next Superintendent of Public Instruction to include the following changes to the qualifying factors:

- **Bullet #4 - Break the points separated by commas into three separate bullets;**
- **Bullet #5 - Add must have experience with underperforming and Title I schools;**
- **Third bullet from the bottom; take out the word *can* and replace with *will***

- **Add bullet point to *partner with education associations through collaboration* comment suggested by NSEA**
- **Bullet #5 from the bottom, add *technology driven programs***

Dr. Rheault acknowledged there was a request that parents are identified and suggested *parents* be added to the sixth bullet from the bottom. He suggested adding experience with Federal Grants to the bullet concerning experience with large budgets. Member Fralick amended the motion to include Dr. Rheault's suggestions. Member Bonaventura seconded the motion. The motion carried.

Public Comment
Yvette Williams, Chair Clark County Black Caucus, said she was concerned about the Teachers and Leaders Council and expressed a strong interest in a community-based committee that can help drive the agenda and issues of the council. She said she is looking for reform, will not accept anything less, and would like a discussion regarding how communities of interest can be represented. She asked how many members on the council have experience with the over 100 under performing schools and how they will address their problems. Ms. Williams provided her email address ccblackcausus@gmail.com to receive notifications of the Teachers and Leaders Council meetings.

Future Agenda Items
Dr. Rheault commented there would be a couple of Public Hearings in December. He recommended the 2012 agenda calendar be adopted at the December meeting. The officer elections will be held in January.

The meeting was adjourned at 11:35 am.