

**NEVADA DEPARTMENT OF EDUCATION**

**February 1, 2016**

**9:00 a.m.**

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

And

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

**MINUTES OF REGULATION WORKSHOPS**

**DEPARTMENT STAFF PRESENT:**

**In Carson City**

Steve Canavero, Deputy Superintendent, Student Achievement  
Karen Johansen, Administrative Assistant

**In Las Vegas**

Dena Durish, Deputy Superintendent, Educator Effectiveness and Family Engagement

**LEGAL STAFF PRESENT:**

**In Carson City**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Carson City**

Mary Pierczynski, Nevada Association of School Superintendents  
Will Jenkins, Carson City School District

**In Las Vegas**

Jeanne Donadio, Clark County School District  
Danielle Miller, Clark County School District  
Tiffany Seibel, Clark County School District  
Jennifer McDonald, Special Education Attorney, Legal Aid  
Joanne Vattiato, Clark County School District  
Gerald Born, Odyssey Charter  
Abbe Mattson, EKA

The meeting was called to order at 9:06 a.m.

Steve Canavero, interim superintendent of public instruction, explained the regulation process. Regulation workshops are an opportunity for the public and stakeholders to provide comments about new and proposed changes to regulations.

**Public Comment #1**

There was no public comment.

**Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 385 that provide for the Nevada Educational Choice Scholarship Program** (Statutes of Nevada 2015, Chapter 22). Proposed amendments seek to clarify the testing requirements contained in Sec. 11 of the adopted regulations (i.e., R035-15).

Dr. Canavero opened the workshop at 9:11 a.m. There were seven individuals present in Las Vegas and two individuals present in Carson City.

Dr. Canavero explained the proposed amendments in section 11 subsection 2 (b) of R035-15 clarifies the interest in *content validity*. There were questions about the evidence of concurrent and criterion validity for assessments that may be offered by organizations receiving the scholarship and requiring the Nevada Department of Education (NDE) approval. The clarification is specific to content validity which is a measure of whether or not the questions accurately address the construct it is intended to measure.

Additional clarifying language in section 11, subsection 2 (d) is specific to the assessment for pupils and what subject matters. When core academic areas were described they confused the field. The intent is to have a measure of academic value for organizations that receive the scholarship related to non-recipient state public schools. The language has been narrowed to English language arts and mathematics, eliminating core academic areas.

There was no public comment.

The workshop closed at 9:14 a.m.

**Workshop to solicit comments on proposed regulation to NAC XXX.xxx, NAC Title, for compliance of Senate Bill 391 – Nevada’s Read by Grade 3 Initiative** as cited in Section 5.1 (b) procedures for assessing a pupil’s proficiency in the subject area of reading using valid and reliable assessments that have been approved by the State Board by regulation and Section 6. 4 (a) any training or professional development that a learning strategist is required to successfully complete; (b) any professional development that a teacher employed by a school district or charter school to teach kindergarten or grade 1, 2, 3 or 4 is required to receive from a learning strategist in the subject area of reading; and (c) the duties and responsibilities of a learning strategist.

The workshop opened at 9:14 a.m. There were seven individuals present in Las Vegas and two individuals present in Carson City.

Karl Wilson, Education Programs Supervisor, stated the purpose of this workshop is to consider the assessment for the Read by Grade Three program and the requirements related to the learning strategists. The Board received recommendations and provided temporary policy approval in July, 2015. The NDE released a request for information (RFI) for a K-3 reading assessment suite, and also a kindergarten assessment. The report today is the recommendations of the review team after reviewing the proposals submitted by vendors for the assessment. Utilizing a scoring rubric provided in the RFI, the review team recommended the following vendors to be approved: Curriculum Associates, LLC and the Northwest Evaluation Association (NWEA).

Dr. Canavero said two meetings were held to receive input from teachers and district administrators related to the K-3 literacy assessment. Discussion occurred about whether there would be one or multiple assessments selected by the Board. The groups decided a suite of assessments could provide screeners, diagnostic tools, and progress monitoring tools to identify deficiency in literacy and the necessary information to a learning strategist. Based on discussions during these meetings with teachers and administrators, there was general consensus the number of assessments needed to be narrowed.

Mr. Wilson noted factors considered in administering and scoring assessments and an assessment system that meets the needs of the state. Further discussion included information about A.B. 341 which requires a dyslexia screener for students. Mr. Wilson provided information about the professional development, duties and responsibilities for learning strategists, and the professional development teachers much receive from the learning strategists.

### **Public Comment**

Will Jensen, director of special services, Churchill County School District, asked to clarify the learning strategist and the training for additional staff members. He expressed uncertainty about the intention of the proposed amendments. Over several meetings they agreed it was sufficient to have one person at each site that serves K-3. He asked if this amendment is going in a different direction than what was initially intended.

Dr. Canavero said the intention is to coordinate rather than to layer additional people, which is part of the open question that needs to be answered following this workshop.

Danielle Miller, assistant superintendent of instructional design and professional learning, CCSD, said that the two proposed assessments, NWEA Map and Curriculum Associates i-Ready programs, are both extensive programs that can show what students are learning and their growth. Clark County supports narrowing the choices and comparing results. Both of these assessments have been actively involved with Zoom schools in the south observing growth of younger students over time.

She asked the state to pause and think about the role of the learning strategist and what a classroom teacher is being asked to do. She questioned adding one more responsibility, such as a dyslexia screener, and asked how can one teacher know everything and be effective. This is a critical problem. If the source of knowledge leaves the building, then they must start over. Ms. Miller suggested that kindergarten and

first grade are very different grade levels to teach. The learning strategist needs to be a productive person and change literacy in our schools, but is it more than one person's job?

Gerald Born, principal, Odyssey Charter Elementary School, said he appreciated charter schools being included in this process and encouraged the importance of choice for the assessments. There is efficiency and convenience to going with one tool that seems to fit but many people are trying to do things in a different way and would appreciate having more choice. His elementary school has a unique model, unlike any in the country, and it is a challenge finding the right fit. He asked for flexibility, choice and variety.

Abbe Mattson, Explore Knowledge Academy, said that as a small school where every dime is important; they use K-12 as a testing measure. Discussions have only mentioned K-3, and if that is chosen they will need to make a change for their K-12. They will have measures for K-3, but if they do not stay consistent, when kids get to fourth grade they will not have a growth measure. They use Scantron which has not been on anyone's radar. This will be a major shift for a small school like theirs and the cost needs to be considered.

The workshop closed at 9:57 a.m.

**Workshop to solicit comments on Proposed Amendments to NAC 395.010. Proposal to amend by adding a subsection addressing:** "A pupil with significant disabilities" defined; "Special Education" defined; "Related Services" defined; "Supplementary aids and services" defined; "Transition services" defined; "Department" defined; "Superintendent" defined; Additionally adding the following sections and subsections regarding access to the special education contingency account: Application requirements and process; reimbursement requirements and allowable expenditures; development of a process for a timely review and approval or disapproval of applications; timeline for reimbursement of funds.

The workshop opened at 9:57 a.m. There were seven people in attendance in Las Vegas and two people in attendance in Carson City.

Marva Cleven, director, Special Education, explained chapter 395, the education of persons with disabilities, needed to be amended regarding the contingency account for special education.

Within NAC 395 a pupil with significant disabilities required definition as outlined in S.B. 508. Those that are able to access this contingency account are pupils with significant disabilities. They are defined according to NAC 388.093 for whom the cost of providing special education related services, supplementary aids and services, and if applicable transition services that exceeds a threshold established by the superintendent for the pupil to be considered eligible for reimbursement of expenditures from the contingency account.

That section in NAC was amended and subsections were added to 395. Part of the amendment includes areas of eligibility, reimbursement and application for the use of funds for the contingency account. A school district or charter school may apply to the NDE for the reimbursement for the contingency of

special education services. Once it exceeds a threshold, which has not been determined, they want to make it broad enough so they can continue to work with the districts to establish that threshold.

Ms. Cleven summarized the eligibility requirements for reimbursement and additional details were provided about additional documentation determined necessary by the NDE.

In response to questioning from Dr. Canavero, Ms. Cleven clarified this is different from how the state administered units in the past. The unit funding was based on districts having a set number of units provided to them through the legislature. This goes above that now that the state is going to a weighted formula for students, and there was a 13 percent cap. Some districts have students who could completely deplete their account for special education and general funds. Extraordinary costs will differ from one district to another. She explained a two-tier threshold she hopes to implement.

Will Jensen, director, special services, Churchill County School District, vice chair, Special Education Advisory Committee, and president, Special Education Directors Association, commented about the process and input that was solicited from both of the groups he represents. The NDE did a good job with both groups. Directors had several weeks to give input, support or propose changes for the amendment having heard from a majority of the special education directors association in support of a positive step forward for their most significantly impacted students with disabilities. The special education advisory committee discussed this at a meeting and everyone agreed this is a positive step forward. He commended the NDE for their solicitation for input and dialog.

The workshop closed at 10:13 a.m.

**Workshop to Solicit Comments on new proposed regulations to NAC 391.xxx pursuant to NRS 391.465, requiring that the State Board shall, based upon the recommendations of the Teachers and Leaders Council of Nevada submitted pursuant to NRS 391.460, adopt regulations establishing a statewide performance evaluation system which includes a process for peer evaluations of teachers by qualified educational personnel which is designed to provide assistance to teachers in meeting the standards of effective teaching, and includes, without limitation, conducting observations, participating in conferences before and after observations of the teacher and providing information and resources to the teacher about strategies for effective teaching. The regulations must include the criteria for school districts to determine which educational personnel are qualified to conduct peer reviews pursuant to the process.**

The workshop opened at 10: 13 a.m. There were two individuals present in Carson City and seven individuals present in Las Vegas.

Dena Durish, deputy superintendent, Educator Effectiveness and Family Engagement, said that now the Nevada Education Performance Framework (NEPF) is operating for teachers and administrators this year, the TLC has recommendations for a process for peer evaluations of teachers by certain qualified educational personnel. This would allow evaluators who are not administrators to assist in conducting observations, participating in pre and post conferences and also providing assistance and feedback.

Kathleen Galland-Collins, education programs professional, Educator Effectiveness summarized the purpose of the regulation, the number of required scheduled observations a peer evaluator may conduct as well as qualifications and the content of the training required for teachers chosen to serve as peer evaluators. Information was also given about specific performance, what the training can consist of including online and in person components of the training and monitoring of peer evaluators.

There was no public comment.

The workshop closed at 10: 24 a.m.

**Workshop to Solicit Comments on proposed amendments to regulations to NAC 391. 571 Performance evaluation of school-level and probationary administrators: Required Domains, and NAC 391.574 Performance evaluation of teacher: Required Domains.** Proposed amendments related to the Student Performance Domain are based on recommendations from the Teachers and Leaders Council pursuant to Section 11 of A.B.447 (2015) requiring the State Board to adopt regulations designating the assessments that may be used by a school district to determine pupil achievement for the purposes of evaluating teachers and building level administrators as stated in NAC 391.571 and NAC 391.574.

The workshop was opened at 10: 24 a.m. There were seven individuals present in Las Vegas and two individuals present in Carson City.

Ms. Durish explained that A.B. 447 from the 2015 Legislative Session specified there would not be student achievement included in the NEPF for 2015-16, and that 2016-17 would include 20 percent and 2017-18 and beyond would include 40 percent. Of the 20 and 40 percent it will be split, half will be utilizing statewide assessment data for the first portion and the other half will be district determined assessments.

Ms. Galland-Collins explained the assessment data that will be used for half of the district determined assessments will be based on the student learning goal for the individual. The student learning goal is imbedded in the NEPF and is already part of the goal setting and a planning tool. That along with the district determined assessments will be used to measure progress. She listed criteria the policy must meet and the selection process priorities.

There was no public comment.

The workshop closed at 10:35 a.m.

There was no public comment #2.

The meeting adjourned at 10:36 a.m.