

# COMMISSION ON EDUCATIONAL EXCELLENCE

January 30 and 31, 2008

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

## MINUTES OF THE NEW MEMBER ORIENTATION – January 30, 2008

### **COMMISSION MEMBERS PRESENT:**

Caroline McIntosh, Chair  
Melinda Brown  
Bob Chesto  
Roy Parker  
Michele Paul  
Dr. Keith Rheault

### **COMMISSION MEMBERS ABSENT:**

Debbie Duty Deery  
LeAnn Morris

### **DEPARTMENT STAFF PRESENT:**

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services  
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction  
Frankie McCabe, Director of Special Education, ESEA and School Improvement  
Homa Anooshehpour, Consultant, Special Education, ESEA and School Improvement

### **LEGAL STAFF PRESENT:**

Dr. James E. Irvin, Deputy Attorney General

### **AUDIENCE IN ATTENDANCE:**

Shawn Heusser, LCB Audit  
David Steele, LCB Audit  
Diane Neese, Voyager Expanded Learning  
Ann Gordon, Voyager Expanded Learning  
Diane Efthimiou, Clark County School District, Director, Grants Department  
Denna Atkinson, Clark County School District, Grants Department

## **1. CALL TO ORDER/ROLL CALL**

Chairperson McIntosh called the meeting to order at 1:30 p.m., with attendance as reflected above. A quorum of six members was present.

## **2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Commissioner Chesto.

### **3. APPROVAL OF AGENDA**

**Dr. Rheault moved to approve the agenda. Commissioner Chesto seconded the Motion. The motion carried unanimously.**

### **4. WELCOME TO THE COMMISSION**

Chairperson McIntosh introduced herself and thanked everyone for attending today's meeting.

### **5. COMMISSION MEMBER INTRODUCTIONS AND COMMENTS**

Commission members and Department staff introduced themselves. Audience members also introduced themselves at the request of Chairperson McIntosh.

### **6. REVIEW OF COMMISSION FACT SHEET TO INCLUDE HISTORICAL OVERVIEW OF LEGISLATION AND STATUTORY RESPONSIBILITIES OF THE COMMISSION**

Dr. Rheault provided a brief history of how SB185 originated. SB404 had initially been the "brain child" of former Governor Guinn. AB525 was to counter SB404, but it had the Department of Education administering the Remediation Program rather than a seven-member Commission as stated in SB404. It also included innovative funding. SB214 would have created an advisory committee to the Legislative Committee on Education. Therefore, the final outcome was a compromise between AB525 and SB404 to create a nine-member Commission including one extra teacher and one extra administrator. Dr. Rheault reported there were no changes to membership in SB185, which had been passed by the Legislature in 2007. There was a secondary function position still vacant. He reviewed funding for schools. Funds do not have to be reverted, but can be used for future needs. The \$79 million grant allocated by the Commission on Educational Excellence (CEE) had already been subgranted out. The biggest responsibility of the CEE was to oversee funding including establishing criteria to evaluate the effectiveness of the funding. He commended the evaluator's report and the executive summary which had reported \$90 million for two years, but that \$17 million was the estimate amount that might be reverted. There was less funding collected with the CEE funding schools in August 2007 therefore only \$10 million had been reverted; \$3 million of which was to be set aside for new schools in 2009. Dr. Rheault noted the only change in SB185 was in general duties. School districts had been removed for funding and a "consortium of public schools" was added.

Chairperson McIntosh commented that schools had been visited to see how funding was being used. She commended school districts on how funding was being spent. Dr. Rheault noted there was \$33,000 available for members to visit schools. There was also funding to hold Best Practice Fairs or Mega Conferences to showcase the best practices of schools.

Assemblywoman Parnell explained AB525 had been created to recognize both low-performance and high-performance schools.

Dr. Rheault reported the Department of Education wanted a simple plan for approving grants in order to distribute funds to schools before the new school year.

Commissioner Chesto commented that results were not always instantaneous and provided an example. He stated the State of Nevada was now on the right path to help with schools being successful.

Commissioner Paul added funds were targeting more in need populations.

## **7. INFORMATION ON OPEN MEETING LAW REQUIREMENTS AND ETHICS**

Deputy Attorney General Irvin explained there was no statutory definition of “public record”, but that public records were to be disclosed with access to be granted unless the records were confidential by law or unless the interest of the public to disclose the document supercedes the interest of the public in keeping the document confidential. He reported e-mails having to do with business of the Commission would be considered public records and should be retained as such. He cautioned that a quorum discussing business of the Commission outside of a meeting was liable to the Open Meeting Law. Public records including e-mails should be retained for five years. Deputy Attorney General Irvin reviewed the PowerPoint handout which was a simple overview of the Nevada Open Meeting Law manual. He stressed the importance of disclosure if possible involvement in an item agendized for a meeting. He explained a quorum was determined by the majority of individuals who appear at meetings if a public body was elected. If a public body was appointed, a quorum was determined by the majority of individuals appointed.

Dr. Rheault added the Commission would never call for a closed meeting or an emergency meeting.

Deputy Attorney General Irvin commented on the information that could be obtained from the Ethics Commission website and reviewed the hypothetical samples provided to the Commission in the PowerPoint handout.

Dr. Rheault pointed out Commission members have abstained from votes when their school was being voted on.

At 3:10 p.m., a ten-minute break was called for. At 3:23 p.m., the meeting resumed.

## **8. REVIEW OF PROCESS FOLLOWED BY COMMISSION IN APPROVING REMEDIATION AND INNOVATIVE GRANTS TO SCHOOLS:**

- **GRANT PROCESS**
- **AMENDMENT PROCESS**
- **REVISION SCHEDULE**

With a PowerPoint presentation, Frankie McCabe, Director of Special Education, ESEA and School Improvement distributed and reviewed information for tomorrow’s meeting regarding changes to the budget. Ms. McCabe explained there were two parts to the budget information provided: the summary page and the supplemental schedule. The three areas required to collect data were: direct instruction; instructional support; and administrative support. Direct instruction reflected direct services to students. Instructional support reflected professional development. It was to enrich instruction, but not directly to students. Administrative support did not directly impact individual students, but provided support for parents, teachers, and the learning community.

Discussion followed about having the Clark County School District as the sample provided on the website. Ms. McCabe explained the supplemental schedule had to balance with the information provided on the summary page.

Homa Anoshehpour, Consultant of Special Education, ESEA and School Improvement reviewed criteria information provided for budget changes. The Commission would review revision or amendments in excess of ten percent. Discussion followed. Ms. McCabe explained the Commission would review grants during regular

meetings. Dr. Rheault summarized by stating all budgets were approved on the original grants, but amendments in excess of ten percent would need to be reviewed individually. Ms. McCabe reviewed the revision cycle information provided. School districts were invited to speak on their behalf regarding revision requests, if any.

## **9. COMMISSION MEETING TRAVEL AND OPERATIONS TO COMMISSION RULES OF MANAGEMENT AND PRACTICE**

Dr. Rheault reviewed the process for travel reimbursement which included providing receipts for such things as meal and hotel costs. A copy of the “50-mile rule” was provided which stated that individuals less than 50 miles from a meeting site were not entitled to per diem costs. A signed travel expense form needed to be submitted for reimbursement.

It was noted that public comment would be heard during agenda items.

Ms. Arnold noted member lists were provided and that vendor forms needed to be completed and returned by the two new members in order to receive a State ID number for travel reimbursement.

## **10. COMMENTS FROM PUBLIC**

There were no public comment requests.

## **11. COMMENTS FROM STAFF**

Ms. Dopf introduced Shawn Heusser and David Steele, LCB Auditors.

## **12. COMMENTS FROM COMMISSION MEMBERS**

Commissioner Paul welcomed the two new members to the Commission. Dr. Rheault reported there were actually three new members, but one member had to attend a National Teaching Conference.

Commissioner Brown requested to know if calendar meetings could be changed. It was clarified the revision cycle was set in place and could not be changed.

Commissioner Parker thanked everyone for clarifying information.

At 4:20 p.m. Chairperson McIntosh recessed the meeting to reconvene at 8:30 a.m. on Saturday, January 31, 2008.

**MINUTES OF THE REGULAR MEETING, January 31, 2008**

**COMMISSION MEMBERS PRESENT:**

Caroline McIntosh, Chair  
Melinda Brown  
Bob Chesto  
Debbie Duty Deery  
Roy Parker  
Michele Paul  
Dr. Keith Rheault

**COMMISSION MEMBERS ABSENT:**

LeAnn Morris

**DEPARTMENT STAFF PRESENT:**

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services  
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction  
Frankie McCabe, Director of Special Education, ESEA and School Improvement  
Homa Anooshehpour, Consultant, Special Education, ESEA and School Improvement

**LEGAL STAFF PRESENT:**

Dr. James E. Irvin, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

Mike Perrier, Donner Springs Elementary School  
Richard Swanberg, Kate Smith Elementary School  
Kristen Brown, Jessie Beck  
Ann Gordon, Voyager Expanded Learning  
Diane Neese, Voyager Expanded Learning  
Barbara Laber, Donner Springs Elementary School  
Elizabeth Christiansen, Center for Program Evaluation, UNR  
Rob Luna, Washoe County School District  
Carole Worthen, Washoe County School District, Pleasant Valley  
Tami Reimers-Mothershead, Washoe County School District, Pleasant Valley  
Vicki Caviglia, Spanish Springs Elementary School  
Debbie O’Gorman, Washoe County School District, Spanish Springs Elementary School  
Susan Keema, Carson City  
Diane Efthamiou, Clark County School District, Grants Department  
Ray Medina, Clark County School District, Grants Department  
Denna Atkinson, Clark County School District, Grants Department  
Jenny Rica, Brown Elementary  
Craig Stevens, NSFA  
Carol Stanford, Donner Springs Elementary School  
Tracy Rufaldo, Donner Springs Elementary School  
Mike Bates, Scholastic  
Kristin Marshall, Nye County School District  
Rick Marshall

## **RECALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE**

Chairperson McIntosh recalled the meeting to order at 8:30 a.m. with attendance as reflected above. The Pledge of Allegiance was heard led by Commissioner Paul. By request, Commission members and Department staff re-introduced themselves.

### **13. APPROVAL OF MINUTES:**

- **DECEMBER 5, 2006**
- **JANUARY 23, 2007**
- **MARCH 13, 2007**
- **JUNE 25-28, 2007**

The following correction was noted by Commissioner Paul: (a) the June meeting was held in Carson City and not in Las Vegas.

**Dr. Rheault moved to approve the December 5, 2006, January 23, 2007, March 13, 2007, and June 25-28, 2007 meeting minutes as amended. Commissioner Chesto seconded the motion. The motion carried unanimously.**

### **14. POSSIBLE AFFECT OF K-12 BUDGET REDUCTIONS ON REMEDIATION FUNDS:**

- **UPDATE OF RETURNED FUNDS FROM 2005-07 REMEDIATION GRANTS**
- **REPORT OF THE ANALYSIS OF SENATE BILL 404**

Dr. Rheault distributed budget reduction information and new program funding not yet awarded information. He reported the Governor notified school districts on December 14, 2007 that budget reductions would include K-12 education. Funding that was affected was distributive school account funding; “one-shot” monies such as the innovation or remediation trust fund; and other education programs including such things as technology. Revenues that were to be issued to school districts and charter schools were multiplied by 4.5% which totaled an approximately \$92 million budget shortfall for education or approximately \$216 per student in Nevada. Dr. Rheault reviewed New Program Funding Not Yet Awarded information which totaled approximately \$63 million therefore \$29 million had to be returned by school districts or \$69 per student in Nevada.

In response to Commissioner Chesto’s concerns regarding funding in remediation grants, Dr. Rheault stated funding in the trust fund should not be expended.

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services, stated she would provide a brief overview of how the evaluation of SB404 and the summary provided to the Commission originated. The evaluation report was the third product received this year from the Reeves Group. The first two reports were an initial report of the evaluation strategy and site visits which occurred in the spring of 2006. Another report was provided to the Legislature that reviewed implementation of the project as well as implementation at the district level. The Executive Summary report analyzed SB404’s impact on students and student achievement during the 2005/2006 school year and the 2006/2007 school year. A correlation study was conducted with implementation and achievement. The overall conclusion from the report was that SB404 projects increased student achievement. She stressed the importance of reviewing the overall success of the project rather than focusing on one aspect that may not have been successful at first.

Commissioner Chesto requested to know if there would be another follow-up on SB404. Ms. Dopf stated there would be if the strategy was agreed to. Commissioner Chesto commended the information provided and the work that was completed.

Continuing with her presentation, Ms. Dopf suggested further review of policy recommendations listed on page 12 of the Executive Summary at a future date. She cautioned that the conclusions listed on page 16 were general conclusions, but that the major target was reading and literacy. Regarding technology listed on page 17, Ms. Dopf explained funding had been used to support technology-based programs for student achievement. On page 19 through 21, achievement comparisons were summarized. She suggested holding a special meeting in the future to allow the Reeves Group to share the complete report.

Commissioner Chesto suggested creating a document called “Lessons Learned” based on the information provided in the report that would assist with application information in the future.

Chairperson McIntosh requested to know the next steps regarding this report. Ms. Dopf stated they were working with the Reeves Group on cleaning up the report in order to present a complete report to the Legislature and the CEE in the next couple of weeks. The CEE would also need to determine if a presentation should be given by the Reeves Group. Discussion followed regarding holding a working meeting with the Reeves Group rather than having a presentation and signing a new contract with the Reeves Group.

In response to Commissioner Parker’s comments, Ms. Dopf explained the difficulty the Reeves Group may have in providing a more complex report with limited funding.

Commissioner Paul asked how district data from previous years would be compared to consortium data for this year and next year. Ms. Dopf stated there could still be discussion regarding district implementation without it leading to district application. She stated for the record that she did not know how the Reeves Group completed the report with limited funding.

At 9:40 a.m., Chairperson McIntosh called for a ten-minute break. At 10:55 a.m., the meeting resumed.

## **15. APPROVAL OF 2007-09 SUBGRANT AMENDMENT REQUESTS RECEIVED FROM SCHOOL DISTRICTS**

Frankie McCabe, Director of Special Education, ESEA and School Improvement, explained the Commission had information from all the schools requesting amendments and that representatives from schools were in attendance to answer questions regarding the amendment request. She reported Clark County was the only school district with consortium amendments. Staff recommended an approval of consent agenda for consortium amendments. Clark County was reducing the amount of their grant award this year by fifty percent due to the budget shortfall for the first year. She suggested beginning review of amendment requests at the school level.

Commissioner Chesto requested the Clark County School District be reviewed first and to remove fifty percent of what needed to be reviewed on the consent agenda.

Commissioner Paul requested that the following schools be pulled for further questions: Treem Elementary School; Steele Elementary School; Squires Elementary School; Brinley Middle School; Bridger Middle School; and Findlay Middle School.

Commissioner Chesto requested an explanation of the SAP program and why the Clark County School District had 100+ amendment requests. Diane Efthamiou, Clark County School District, Grants Department, explained the implementation of the system postdated the application process therefore many of the amendment requests were to match the new accounting system.

**Commissioner Paul moved to approve the amendments to the budget except for the items that were pulled for further discussion for Clark County School District. Dr. Rheault seconded the Motion. The motion carried unanimously.**

Denna Atkinson, Clark County School District, Grants Department, reviewed the amendment requests for the schools pulled for further explanation as listed in Commission packets.

Commissioner Deery stated she was opposed to facility rentals for Squires Elementary School because it had been originally denied during the approval process therefore would not be fair to other schools that had applied for and been denied facility rentals during the approval process. Commissioner Paul agreed with Commissioner Deery's comments.

It was noted that staff would review the original application for Bridger Elementary School regarding the amendment request. Discussion followed regarding concerns about items being requested that were not in the original application for Findlay Middle School.

**Dr. Rheault moved to approve budget revisions for Treem Elementary, Steele Elementary, Squires Elementary without facility rentals, and Brinley Middle School. Commissioner Chesto seconded the Motion. Motion carried unanimously.**

It was noted that Clark County School District requested the amendment to May Elementary School be pulled from approval.

**Dr. Rheault moved that May Elementary School's budget revision be pulled from prior approval. Commissioner Paul seconded the Motion. Motion carried unanimously.**

Commissioner Deery stated she would like to propose acceptance of the amendments for Findlay and Bridger Middle Schools with a caution that funding should not be spent without approval.

**Commissioner Deery moved to approve Findlay Middle School and Bridger Middle School amendments with a caution attached. Commissioner Chesto seconded the Motion. Motion carried unanimously.**

Ms. Efthamiou thanked the Commission for their patience with implementation of the new SAP system. She noted funding has helped over 250 schools in the Clark County School District with AYP standard improvements. Commissioner Paul noted it was also implementation that made a difference.

**Commissioner Paul moved to approve budget revisions A through K of the consortium amendments. Commissioner Brown seconded the Motion. Motion carried unanimously.**

Ray Medina, Clark County School District, Grants Department, explained Odyssey Charter School's request was to allow the Clark County School District to act as a sub-grantor. Dr. Rheault clarified the request was tied to Clark County's accounting system and was not really a request from Odyssey Charter School.

Mr. Medina explained the Mentoring and Leadership amendment request was to assist with training over 500 teachers for the thirty schools in the school district. Superintendent Rheault expressed his support for this amendment request.

Mr. Medina explained the Teachers Teaching Teachers amendment request was similar to the Mentoring and Leadership amendment request which was to assist with training.

**Commissioner Deery moved to approve the three budget revisions for Clark County School District. Commissioner Chesto seconded the Motion. Motion carried unanimously.**

Ms. McCabe reported amendment requests for the Washoe County School District began on page 3 of Commission packets.

**Commissioner Paul moved to approve Washoe County School District budget revisions A through L. Commissioner Chesto seconded the Motion. Motion carried unanimously.**

Rob Luna, Washoe County School District, thanked the Commission for their approval.

Chairperson McIntosh complemented Washoe County School District for their clarification of amendment requests.

Chairperson McIntosh reported Elko County School District's amendment request on page 11 and 12 was to discontinue funding for the Instructional Coach position because alternative funding had been secured for that initiative.

**Commissioner Deery moved to approve the budget revision for Elko County School District with the stipulation that better explanations be provided in the future. Commissioner Paul seconded the Motion. Motion carried unanimously.**

Kristin Marshall, Nye County School District, reported amendment requests for Nye County School District began on page 12 of Commission packets.

Commissioner Paul stated she had questions regarding amendment requests C, D, and E because there were no accompanying letters explaining the requests. Ms. Marshall distributed cover letters regarding those amendment requests.

At this time, Chairperson McIntosh called for a five-minute break to allow the Commission to read the cover letters provided by Ms. Marshall.

Dr. Rheault stated the letters suggested the school district would save funding on computer equipment and would be applied to supplies.

**Dr. Rheault moved to approve the budget revisions for Nye County School District. Commissioner Brown seconded the Motion. Motion carried unanimously.**

Dr. Rheault distributed an amendment request from Lyon County School District that needed to be reviewed.

**Commissioner Paul moved to approve the budget revisions for White Pine County School District. Commissioner Deery seconded the Motion. Motion carried with one abstention from Chairperson McIntosh.**

Dr. Rheault explained the one amendment request for Smith Valley Elementary School in the Lyon County School District was to move constructional coaching funds to consulting work and general supplies and books.

**Dr. Rheault moved to approve the budget revision for Lyon County School District. Commissioner Deery seconded the Motion. Motion carried with one abstention from Commissioner Paul.**

## **16. APPROVAL OF THE 2008 COMMISSION CALENDAR AND REVISION SCHEDULE**

Chairperson McIntosh stated it had been proposed that future Commission meetings be held on May 13, 2008 and August 12, 2008. She suggested the meeting with the Reeves Group be held before May. She read a letter from Clark County School District requesting that all schools had to submit amendment requests to the Grants Development Administration (GDA) by February 13, 2008. The GDA would then submit amendment requests to the State on or before February 25, 2008 for the March Commission meeting.

Ms. McCabe explained that an amendment request was only if funding was going to be used differently than it had been approved for and not a reduction in spending. The staff needed more than a two-week turnaround time to agendize amendment requests. There may be more consortium amendment requests at the next meeting which would take longer to prepare for review.

It was discussed and decided to remain with the current revision schedule and to have a meeting with the Reeves Group before the May meeting and to have future meetings video-conferenced.

Ms. Dopf requested working with Chairperson McIntosh on scheduling a meeting with the Reeves Group.

**Commissioner Deery moved that Ms. Dopf work with Chairperson McIntosh about scheduling a meeting with the Reeves Group either in person or through video-conferencing and to schedule the next Commission meeting on May 13, 2008 in Carson City and the following meeting on August 12, 2008 in Las Vegas and by video-conference. Commissioner Chesto seconded the Motion. Motion carried unanimously.**

## **17. FUTURE AGENDA ITEMS**

Commissioner Chesto requested to know how to define a new school and how a new school would receive funding. Dr. Rheault explained new schools would be listed as priority for when funding becomes available. Commissioner Chesto recommended a technology expert sign off on amendment requests for technology and for that to be a part of the grant process. Ms. Dopf stated that could be a requirement for new applications when applicable. Commissioner Chesto suggested finding out what did or did not work with technical programs. Discussion followed.

## **18. COMMENTS FROM PUBLIC**

There were no public comment requests.

## **19. COMMENTS FROM STAFF**

Ms. Dopf reflected on the commitment of the districts and staff to provide information for decision making and communication.

## **20. COMMENTS FROM COMMISSION MEMBERS**

Commissioner Paul thanked staff for the level of organization with meeting information.

## **21. ADJOURNMENT**

The Commission on Educational Excellence meeting was adjourned at 11:40 a.m.

**Commissioner Deery moved to adjourn the meeting. Commissioner Paul seconded the Motion. Motion carried unanimously.**