

**NEVADA DEPARTMENT OF EDUCATION  
COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION  
AUGUST 16, 2017**

**Meeting Locations:**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting Room</b>
Department of Education	9890 S. Maryland Pkwy	Las Vegas	Board Room (2 <sup>nd</sup> Floor)
Department of Education	700 E. Fifth St	Carson City	Board Room

**SUMMARY MINUTES OF THE REGULAR MEETING**

*(Video Conferenced)*

**COMMISSION MEMBERS PRESENT:**

**In Las Vegas:**

Kapua Maruyama  
Ramona Esparza  
Jill Pendleton  
Ana Zeh  
Jennifer Carvalho

**In Carson City:**

Melissa Burnham  
Frances McGregor  
Stacy Drum

**COMMISSION MEMBERS NOT PRESENT:**

Michelle Gallivan-Wallace

**DEPARTMENT STAFF PRESENT:**

**In Las Vegas:**

Michael Arakawa, Office of Educator Licensure  
Matthew Borek, Office of Educator Development and Support  
Paul Partida, Office of Educator Licensure

**In Carson City:**

Jason Dietrich, Office of Educator Licensure

**LEGAL STAFF PRESENT**

**In Carson City:**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Andre Yates, Clark County School District  
Allison Smith, University of Nevada Las Vegas  
Jessica Bouchte, Clark County School District  
Robert Askey, Touro University  
Monte Bay, National University  
Doris Watson, University of Nevada Las Vegas

Kim Loomis, Clark County School District  
Michael Robison University of Phoenix  
Zane Gray, Sierra Nevada College  
Manny Lamarre, OWINN  
Meredith Smith, Nevada Succeeds  
Lisa Ramirez, Nevada Teachers of Tomorrow  
Amanda Lester, Teach for America

**Carson City:**

Kate Schum, Washoe County School District

**Elko:**

Brian Zeiszler, Great Basin College  
Tom Reagan, Great Basin College

**Agenda Item #1 – Call to Order; Roll Call; Pledge of Allegiance**

President Burnham called the meeting to order at 9:03 am  
Roll call attendance was taken as reflected above. It was determined a quorum was met.  
Commissioner Zeh led the Commission in the Pledge of Allegiance.

**Agenda Item #2 – Public Comment #1**

No public comment in Carson City, Elko, or Las Vegas.

**Agenda Item #3 – Approval of Flexible Agenda**

**Motion:** Commissioner Zeh motioned to approve the flexible agenda. Commissioner Esparza seconded the motion. **Motion carried unanimously.**

**Agenda Item #4 – Approval of Minutes for July 19, 2017.**

**Motion:** Commissioner Drum motioned to approve the July 19, 2017 minutes. Commissioner McGregor seconded the motion. **Motion carried unanimously.**

**Agenda Item #5 – Nevada Department of Education updates presented by Jason Dietrich**

Jason Dietrich presented the Nevada Department of Education updates. Jason stated that he would be attending meetings in Carson City 4 to 6 times per year. There is a new Parental Involvement and Family Engagement (PIFE) Professional, Alberto Quintero who was a Lee fellow working with the Governor's office; he takes over for Cynthia Santos. ESSA State plan deadline, Nevada was one of the first three to send in its state plan to the US DOE, received feedback for changes and was the second state to receive approval for their ESSA plan. We have been receiving high praise, most notably Bellweather. Our State Superintendent and the Department wish to thank all the stakeholders for their hard work.

**Agenda Item #6 – Career and Technical Education Workforce Presentation, presented by Manny Lamarre, Executive Director, Governor's Office of Workforce Innovation (OWINN) available upon request from the Office of Educator Licensure.**

Manny Lamarre presented information on the OWINN Core Strategies and Policies business and industry programs, and made recommendations to the Commission on possible regulatory changes for licensure.

His recommendations were: Revisit the Business & Industry (B&I) license's number of work experience years required, consider changing from 5 years to 2 or 3 years, develop a Commission taskforce or workgroup to evaluate additional barriers such as coursework, testing, timing, et cetera, revisit requirements for B&I Licenses, and address concerns from CTE administrators and principals.

Commissioner Esparza asked what the conversation was from those who have exited the teaching field and a follow-up about compensation. Manny replied that they have anecdotal information, not specific numbers.

Commissioner Carvalho stated that she was a parent representative and attorney, she clarified that if she wanted to use her attorney background to become an educator through B&I she could do so, along with other individuals who have degrees in fields such as engineering. Manny replied that Commissioner Carvalho was correct. Commissioner Carvalho asked about the specific Career and Technical Education (CTE) high schools and if they were an issue. Manny replied he is specifically looking at the B&I licensure, not a specific school or school type. Commissioner Carvalho stated that she would recommend a Workgroup or Task Force from the Commission.

Commissioner Pendleton stated information on her job as a high school principal and agreed with Manny's recommendation with moving the 5 years' experience to a lower number. She is also in agreement with recommending a Work Group or Task Force from the Commission.

Manny stated that the outcome is not based solely on years of experience, but the more nuanced pieces can be fleshed out by a Task Force or Work Group. An "ah-ha moment" came when delving into the data and realizing that states with lower experience thresholds were doing better.

Commissioner Drum concurred with the Commissioners in Las Vegas with the recommendation to develop a Task Force or Work Group.

**Motion:** Commissioner Drum moved to follow Manny Lamarre's recommendations to instruct Nevada Department of Education Staff to develop a Commission Task Force or Work Group. Commissioner Carvalho seconded the motion. **Motion carried unanimously.**

#### **Agenda Item #7 – ARL Annual Report, presented by Matthew Borek**

Matthew Borek presented the ARL Annual Report. Stated the classroom effectiveness measures a few of the programs with the largest numbers reported difficulties getting the evaluation information. He attributes most of this to the rollout of the NEPF which caused missing data, in the future the data will be available in-house and the NDE will be able to pull the information much easier. Next year, we will be able to present this to the program rather than the other way around.

President Burnham stated that it was disappointing to have excuses rather than data and the largest providers were not submitting the required data in a timely manner. She stated it violated regulation. Matt replied that the regulation was missing key elements to gather the information and there are conflicting regulations. He would also point out that NAC 391.560 also says that traditional education preparation programs shall send yearly reports to the NDE; no such reports have been received. He would like to fix for all programs within the next year. President Burnham stated that traditional programs were on hold while regulation was being revised, that the ARL regulation is complete and not subject to regulation changes at this time.

President Burnham asked for clarification on the "not evaluated" portion of the presentation. For example, if someone started in March if they were evaluated by the end of the school year. Matt replied he did not know, they do not ask for that data. He could specifically only ask about statewide evaluation data annually according to regulation.

President Burnham asked the Commission members who were principals and administrators if they hired later on in the school year if they were expected to be evaluated by the end of the school year. Commissioner Esparza stated it depended on the start date of those individuals; they do evaluate those individuals according to NEPF standards. President Burnham asked what the latest date would be outside

that cycle. Commissioner Esparza stated that Andre Yates, CCSD HR would come to answer that question.

Andre Yates stated that the timeline was the end of February, as that would be the latest that an employee would be hired and every employee would be entitled to that evaluation. This is due to an antiquated system and the contracts that the educators have with CCSD.

Jason Dietrich provided clarification on comments that Matthew Borek made, that with the new licensure system coming online by the end of the year, the NDE would have much more information available through a Business Partner Portal. Next year the limited amount of data will not be a problem.

President Burnham gave warning to the ARL providers that it is within the purview of the Commission to take away ARL program approvals as well as grant approvals. The regulation states that the data must be provided on time on a yearly basis. Next year, the data must be clean, more detailed, and complete.

Matt stated that he hopes that next year the whole process is tightened up on both sides.

President Burnham asked if anyone knows any reasons for someone receiving a license but not being employed. Matt replied that his best guess on the numbers would be people not having started yet, such as starting in the fall of 2017. Great Basin has a transition happening in their program where they have many other rural counties withdrawing their ARL programs and joining GBC's program. It's a matter of the timing and the process. The last time the Commission saw this report was about 18 months ago; there was not a process in place that the providers understood and could follow. President Burnham stated another piece of clean-up would be having more clarity to make sure the numbers are accurate and reflect the numbers that the Commission needs to know. Matt replied that he was in agreement and asked for regulation clean-up to give him more specific questions to be able to ask the providers.

Jason Dietrich stated that the new data collection tool in the licensure system will be able to pull far more accurate and much more easily attainable data.

#### **Agenda Item #8 – ARL Program Withdrawals, presented by Jason Dietrich**

Jason Dietrich stated as a point of clarification on this agenda item that he is presenting the two County School Districts that asked to be removed as ARL providers. They have transitioned over to Great Basin as the ARL provider since their program approval. Nye County School District was on the agenda last month and heard, yet due to technical difficulties to audio and video recording, which is our historical record, we could not ascertain that. It was on the official minutes due to notes taken during the meeting. We wanted to bring this back onto the record. The new request is from White Pine County School District to be removed.

Jason asked Deputy Attorney General Greg Ott about the need for the Commission to approve withdrawals as ARL program providers or if the NDE could provide that as technical assistance to the ARL Providers.

Deputy Attorney General Greg Ott stated that NAC 391.461 and NAC 391.463 state that all ARL providers are approved for a period of 2 years. The Commission does have the ability to revoke those provider applications. Absent an action from this body, they would stay approved for the full two years. They should be brought back, at this point, on a consent agenda or regular agenda for the acceptance of the withdrawal. Alternatively, going forward, the Commission could approve the items for 2 years or until voluntarily surrendered. This would negate the necessity of having to bring them back to the Commission.

President Burnham stated that she would like to be notified on withdrawals as informational items.

**Motion:** Commissioner McGregor moved to approve the ARL program withdrawals for White Pine and Nye County School Districts. Commissioner Zeh Seconded the motion. **Motion carried unanimously.**

**Agenda Item #9 – Discussion on Senate Bill 20 of the 2017 Legislative Session, presented by Jason Dietrich**

Jason Dietrich presented information on Senate Bill 20 of the 2017 Legislative Session, the overview of the bill states that is no longer a requirement for licensing to show successful completion of passing examinations for courses on Nevada School Law, Nevada Constitution, and US Constitution. The Commission is charged to establish by regulation the required contents of training to be required by the employer of record, i.e. the school district or charter school.

The Commission is charged with setting the proficiency of standard for a teacher to receive credit for completing the training required by this section. This may include without limitation an examination to test the proficiency of a teacher in the laws of this state related to schools and the provisions of the Nevada Constitution relating to schools. The Commission is also charged, once setting and approving the coursework, reviewing the coursework and examinations instituted each biennium to make sure they are meeting standards or for possible revision.

The training, as stated in the bill, may be conducted in person or interactively through the use of communications technology by a school district that employs a teacher or by a vendor approved by such a school district. There is flexibility for the Commission to establish coursework, decide whether that coursework must be in-person or virtually through an online environment and also whether you chose to establish content examination as previously done through UNR. We have had a conversation with the testing center at UNR, they would be more than happy to work with the NDE and any workgroup to develop coursework to bring to the Commission for review. If the Commission would like to do that, the NDE would be happy to help, but guidance from the Commission would be necessary.

President Burnham asked if there were any other vendors, institutions, or others to provide the examinations. Jason stated that Clark County School District had approached the NDE about helping to develop and assist in the process. The other school districts may want to help as well. President Burnham stated that perhaps another Task Force would be necessary, this would include the districts and institutions that wish to participate.

Commissioner Carvalho asked Jason if a task force was necessary or if the NDE could give recommendations. Jason replied that UNR has agreed to provide the NDE all of their testing materials from the previous content requirements. The NDE could work with the various vendors, institutions, and school districts and come back to the Commission with a recommendation if that was what the Commission wished.

Commissioner Carvalho asked Jason how the NDE envisioned the most efficient development. Jason replied that the NDE had previous discussions with UNR and they agreed to provide all testing content information for the examinations. The Commission may decide to defer to the NDE or to establish a workgroup to come back to the Commission with recommendations.

President Burnham stated that either would be fine with her, but the Commission does need to act upon this as it is now in law. Commissioner Carvalho stated that she was happy to delegate this to the NDE.

**Motion:** Commissioner Carvalho moved to delegate the recommendations for the Nevada Law and Nevada Constitution exam requirements to the Nevada Department of Education. Commissioner Drum seconded the motion. **Motion carried unanimously.**

**Agenda Item #10 – Discussion on Assembly Bill 196 of the 2017 Legislative Session, presented by Jason Dietrich**

Jason Dietrich presented information on Assembly Bill 196 of the 2017 Legislative Session; within the bill, there is a small section that charges the Commission with establishing the requirements for obtaining the endorsement in Cultural Competency on a teacher, administrator, or other licensed personnel license. There is no specific action required by the Commission at this point. The NDE will be working with a core group within the academic realm along with Assemblyman McCurdy to come back to the Commission to make actual recommendations within the next several months. Should regulations pass, this is for an optional endorsement, not a mandatory endorsement.

Jason stated that from the 2015 Legislative Session there was a charge to create coursework regarding AB234, there were workgroups brought together and quite a bit of information. The NDE will be bringing that back to life and reconvening those workgroups for final recommendations to the Commission. This will go hand-in-hand with AB196. President Burnham asked if this was about the Multicultural Education requirement. Jason replied in the affirmative.

President Burnham called for recess at 10:30 am

President Burnham called the meeting back to order at 10:40 am

Deputy Attorney General Greg Ott clarified the approvals and withdrawals in regulation for Agenda Item #8.

**Agenda Item #11 – Workshop on R042-16 NAC 391.170, Endorsement as professional administrator of school or program, presented by Jason Dietrich**

Jason Dietrich presented the Workshop on R042-16 NAC 391.170. He stated that this was heard in workshop immediately prior to the dark period and determination was made for the need for more revisions. The NDE is bringing it back for additional language and changes.

Part of the additional revisions requested would be to allow for reciprocal licensure for stand-alone administrative licenses. Many other states allow for the issuance of a stand-alone administrative credential with certain criteria having been met. Texas, for example, allows for educators to obtain the administrative endorsement after they have held a traditional educator license for a set number of years. After the administrative endorsement on their license is granted, they no longer require the standard traditional educator license to be valid or maintained, thus the administrative license becomes a stand-alone license.

Many jurisdictions allow for reciprocal licensure based on these stand-alone administrative licenses with proof of work experience having been a licensed educator at some point in the educator's career. This regulation previously allowed for reciprocity; however, it had to be an additional endorsement on a base teaching license.

In section 1(a)(1) we have restructured to hold a master's degree or higher from a regionally accredited college or university and submit to the NDE evidence of 5 years of teaching experience in a program of early childhood education, kindergarten, or grades 1 through 12. This also allows for the holding of a master's degree or higher from a regionally accredited college or university in any discipline along with evidence of 5 years of licensed teaching experience in a program of early childhood education, kindergarten, or grades 1 through 12 to be submitted to the NDE. Furthermore, we have listed out the coursework requirements. The regulation previously called for 24 credits and an additional 12 credits for a total of 36 credits. Rather than having it confused within the regulation in two areas we are combining it into 36 credits for transparency and ease of understanding the coursework requirements. The NDE receives many questions based on the additional 12 required credits. Some of the other language within regulation was clean-up and clarification.

President Burnham asked if this allowed for someone to obtain 36 credits in administration of a school and licensed teaching experience to obtain the endorsement. Jason replied that currently Nevada requires, in regulation, a valid renewable educator license to add an endorsement as an administrator onto the license; this is not a stand-alone license. The NDE was prohibited from doing such. The area within this regulation for reciprocity only came into effect if the educator held a valid and current base teaching license from another state. It does not allow those individuals coming from other jurisdictions with stand-alone administrative credentials to apply in Nevada.

Commissioner Carvalho asked what precipitated the needs for the revisions. Jason stated that the NDE was seeing a trend in the other states allowing these individuals to move from state to state without a base teaching license, but only their administrator's license. It has been quite a barrier in Nevada and it would be progressive of Nevada to follow along, remove barriers, and allow for better reciprocity for these administrators to come into this state.

Commissioner Carvalho asked if Jason knew of any districts or schools that would oppose the revisions. Jason stated that he has been in contact with many of the districts about their hiring practices. Furthermore, he stated that it would be a big benefit to the schools and districts for hiring good administrators, even at the superintendent level, who would normally be denied a standard teaching with the administrator endorsement due to allowing their previous standard teaching licenses to expire and the NDE's inability to grant a reciprocal administrator's license.

President Burnham asked about the nomenclature of the endorsement and if there could be a stand-alone endorsement. Jason replied that throughout NAC 391 that the terms 'endorsement' and 'license' are used synonymously. We are well within the purview to issue this as a license. It would be classified as a special license rather than an add-on endorsement, but the license itself could be issued.

President Burnham stated that she was curious if teachers would object to having an administrator without a current educator license. Commissioner McGregor stated, as a licensed educator, she would like to see 5 years of experience being the threshold for this license.

President Burnham asked about background checks being included in the license. Jason replied that they would be required to complete the background checks.

Commissioner Esparza stated that she appreciated the clear and concise language as well as the 5 year requirement. Jason stated that, after doing research, the 5-year mark was the norm and happened to fall in line with the ARL administrator endorsement regulation.

Commissioner Carvalho would like to change the language to state it was a 'license' rather than an 'endorsement' as endorsement is confusing as to what it really is. She also wanted to add the background checks language into the regulation to call it out more clearly. Jason stated that the NDE could call it a 'special license' for professional administrator. That is an easy change prior to submittal to LCB for drafting.

**Motion:** Commissioner Carvalho motioned to approve workshop language from R042-16 NAC 391.170 with the change in language from endorsement to special license and specifically call out the backgrounds requirement and move to public hearing. Commissioner Esparza seconded the motion. **Motion carried unanimously.**

**Agenda Item #12 – Workshop on NAC 391.098, Endorsements, presented by Jason Dietrich**

Jason Dietrich presented the proposed repeal of NAC 391.098 by the NDE. The justification for the repeal is that the regulation conflicts with itself for elementary endorsements. The Elementary license is inclusive whereas elementary educators are able to teach in any area. Educators come into the NDE and

apply for and pay for endorsements that are not required, thus overpaying and requesting refunds which we are statutorily prohibited from doing.

Commissioner Esparza asked for clarification on if there was a specific endorsement on bilingual education. Jason replied that there is a specific separate endorsement for bilingual education.

President Burnham asked if any of the school districts have indicated or stated that these endorsements are useful or helpful to them in their hiring practices, if not, it seems like a good idea to get rid of this.

**Motion:** Commissioner Zeh motioned to approve the workshop repeal language from NAC 391.098 and move it to public hearing. Commissioner Esparza seconded the motion. **Motion carried unanimously.**

**Agenda Item #13 – Workshop on NAC 391.096, Qualifications for physical education elementary license, presented by Jason Dietrich**

Jason Dietrich presented language changes for NAC 391.096, qualification for physical education for elementary license. The NDE's proposed amendments are allowing for the addition of middle school physical education to be encompassed within this license. This will allow the districts to have the standard middle school license with the proper physical education stand-alone license. There have been no changes to the academics of this license. In speaking to the districts and institutions, these changes are good for clean-up and they approve of it.

President Burnham stated that previously it stated K-8, which included middle school. Jason replied that the grade level specifics were removed. It no longer requires grade levels, but rather states Elementary School, Middle School, Junior High School, or Secondary Education. This cleans up the language required by Assembly Bill 77 of the 2017 Legislative Session.

**Motion:** Commissioner Esparza motioned to approve workshop language as written for NAC 391.096 and move it to public hearing. Commissioner Maruyama seconded the motion. **Motion carried unanimously.**

**Agenda Item #14 – Workshop on NAC 391.XXX, Major or Minor in physical education and health, presented by Jason Dietrich and Michael Arakawa**

Jason Dietrich presented language for NAC 391.XXX, Major or Minor in physical education and health as a requested new regulation. Physical Education and Health are currently called out in NAC 391.1301 as a comprehensive major or minor. All comprehensive majors or minors also have a specific regulation attached to them listing the specific qualifications for that license or endorsement. For some reason, Physical Education and Health was never brought forward and/or adopted to have those specific qualifications. In looking at those regulations, the NDE, not having specific guidelines, felt it was time to bring this forward to the Commission. We did realize that it would be most appropriate to remove Physical Education and Health from the comprehensive majors and minors to make them stand-alone license. Mike Arakawa undertook the drafting of the language and rationale for the requested regulation of NAC 391.XXX on behalf of the NDE.

Mike Arakawa stated the more the NDE delved into the possibility of creating a comprehensive major/minor for Physical Education and Health, it seemed less and less appropriate given the restrictions on the number of credits that were allowed, being set at 36 credits for the major and 24 credits for the minor. There are a number of various specific areas contained within the preparation for a physical education license and it did not seem appropriate to us to remove any of those at random simply to include a health class in order to create a different endorsement.

The NDE determined to make this a K-12 Physical Education and Health license or endorsement on an existing license. In order to do that, we kept the existing K-12 Physical Education curriculum requirements and added some additional specific credit requirements for health. This was done after

consulting many of the school districts and finding out what they believed would be beneficial in their schools and what is currently taught under health curriculum in those districts. This gives us a total of 51 hours of credit in the specialty area in order to get the endorsement. For an individual without an existing license, they would need the additional 22 semester hours of credit in pedagogy in order to complete this as a license which would then stand on its own.

In dealing with other states, it has been our experience that a K-12 Physical Education or Physical Education & Health stand-alone license seems to be the standard rather than it being specific to middle school or secondary. It brings us in line with national practice and would allow for portability of the license to change grade levels.

Commissioner Carvalho asked if this applied to only high school teachers as middle school and elementary teachers do not need it. Mike replied that it was originally conceived as a secondary endorsement. In the NDE's justification, to go this route, it was decided not to water it down to end up with an ineffective teacher. Commissioner Carvalho asked if a 7<sup>th</sup> grade teacher would have to have this endorsement. Mike replied that they would have to have this or the secondary health education endorsement.

Jason Dietrich gave additional clarification about the comprehensive major or minor having a credit maximum for either the major or minor. With the absence of the stand-alone regulation calling out specific health requirements, the NDE licensure was put into a position where it had to issue the comprehensive major or minor without the inclusion of Health coursework, because it was not specifically called out in regulation. If we went with the specific secondary requirements, we would have had to remove content. The K-12 allowed for more credit hour accessibility and the health courses.

President Burnham asked if this was making it easier or harder to obtain the endorsement. Mike replied that it was very close to being the same as currently written in regulation to get a major endorsement in Physical Education and then a minor endorsement in Health. President Burnham pointed out that with Physical education being a stand-alone it can be a comprehensive major or minor, that is not being removed, it is being inclusive. Mike replied that President Burnham was correct in her assessment.

**Motion:** Commissioner Carvalho motioned to approve workshop language as written to form a new regulation NAC 391.XXX, Major or Minor in physical education and health and move it to public hearing. Commissioner Drum seconded the motion. **Motion carried unanimously.**

**Agenda Item #15 – Workshop on NAC 391.XXX, School Mental Health Worker, presented by Jason Dietrich and Amber Reid**

Jason Dietrich stated that the NDE is proposing a new regulation, NAC 391.XXX for the creation of a license and/or endorsement to serve as a School Mental Health Worker. We have Amber Reid from NDE's Office of Safe and Respectful Learning Environment to present the language and answer any of the Commission's questions.

Amber Reid Presented language on NAC 391.XXX, School Mental Health Worker stated that during the 2015 Legislative Session, SB504 and SB505 passed which concurrently created the positions of social workers in schools program, which originally required school districts to contract with those professionals. In the 2017 Legislative Session, AB127 was passed in response to district feedback; these bills gave the school districts the ability and flexibility to contract or employ these professionals in their schools. Our Legislative language allows for about 10 different types of social worker degreed professions to be employed at the school districts.

Jason Dietrich stated that, as with the last regulation language, he would defer to Mike Arakawa on specifics.

President Burnham asked Mike Arakawa to walk to the Commission through the regulation language. Mike Arakawa replied that the NDE was mirroring the requirements for licensure for a school social worker, but applying those requirements to a mental health worker who would be working in a school setting. We are looking at current professional licensure as a mental health professional as issued through one of the numerous agencies in this state that issue such licenses; someone from another state who is similarly licensed in their home state would have a year to convert that license over to a Nevada professional license for mental health care. To renew their educator license, they would need to show continued validity of the health care license that they hold.

Jason Dietrich stated that much like last month's meeting regarding the regulation for a Music Therapist, the licensee would obtain a license from a board or body and the NDE would accept it and then issue an educator license to that individual to be in the school setting. This is very similar in language to that which passed approximately 18 months ago allowing school social workers into the districts.

Commissioner Zeh asked a question about clarification for the license and having a license as a marriage and family therapist who worked with students and children being able to apply for this endorsement. Amber Reid replied that was correct, that quite a few marriage and family therapists (MFT) are filling these roles. We value their expertise and their experience in the behavioral field. The MFT is one of the degrees for licensed professionals that we are allowed to hire from for this. In the rural communities, it is especially vital and essential to be able to do this; the presence of social workers in the rural districts is very slim, and expanded list is very helpful as there are other professionals who could fill these roles. A decent chunk of CCSD would also be affected by this; they have indicated that this would be helpful for them as well.

Commissioner Esparza asked about what other degrees this would apply to. Amber replied that some of the degrees they are allowed to hire from are: marriage and family therapy, clinical professional counseling, the board of psychology, clinical psychologists, licensed behavior analysts, licensed alcohol and drug counselors, and a number of various behavior health boards which would qualify.

Jason Dietrich stated this license would allow the NDE to issue licenses to the psychology community; currently the clinical psychologists are denied for a school psychologist license due to the specific content currently required in regulation. This would open up more pathways to allow districts to hire those highly qualified individuals.

Commissioner Zeh asked if a list of professions would be provided so that prospective licensees are better informed as to if they qualify or not. Jason stated that in the drafting process that could be clarified after discussion with the LCB drafter. It may be as simple as a reference to the NDE to maintain the list as licenses come and go from those other entities. That will be a clarifying term somewhere in the language during the drafting process.

Commissioner Carvalho stated that the term 'endorsement' is confusing again, asked if the NDE could change the language to state it was a 'license' as well. Jason replied that he would reach out to the LCB to possibly change the language from endorsement to license for these areas that may be standard licenses, but he asked the Commission to defer to LCB Legal on the exact language of 'endorsement' versus 'license.' Commissioner Carvalho stated that this was an important license, but she would defer to LCB Legal on the drafted language. President Burnham would agree.

Amber Reid gave additional clarification about how mental health workers are licensed in Nevada through their behavior health board. They maintain their license through the board of examiners.

**Motion:** Commissioner Carvalho moved to approve workshop language with the possible change in language by LCB Legal from endorsement to license to form a new regulation NAC 391.XXX, School

Mental Health Worker, and move it to public hearing. Commissioner Esparza seconded the motion.  
**Motion carried unanimously.**

President Burnham called a recess at 11:35 am

President Burnham called the meeting back to order at 11:40 am

**Agenda Item #16 – Commission Make-up presented by Jason Dietrich**

Jason stated that the Commission make-up was changed in Assembly 77 of the 2017 Legislative Session, changing the number of members on the Commission from 9 to 11 and revising the roles of couple of the positions. The first addition is for a member from Early Childhood Education background who maintains a current educator license and is currently practicing in a district or charter school in that discipline, that will hopefully be appointed by the Governor very soon as we have reached out to the recommending body about it. The second position added is to be a person from the business community. To bring insight into the Commission, we are working with Mr. Lamarre from the office of OWINN to obtain a list of qualified individuals with a background in B&I to be sent to the Governor to fill this position. Commissioner Carvalho's position changed from a member of the public to a parent and she will be able to maintain this position. Deputy Attorney General Ott agreed.

Under AB77 the school district or charter school of employment of a Commissioner is required to pay for the substitute to be in the classroom so that the Commissioners may attend their Commission meetings. Reimbursements are to be paid through the recommending body. It is ultimately the responsibility of the school district or employing charter school to pay for that substitute to allow for Councilors and Commissioners to attend their meetings. This went in across the board for all councils and commissions.

President Burnham asked when this was to take effect. Jason stated that the Governor's office provided clarification that the Commission could continue to function at its current quorum. Deputy Attorney General Ott provided clarification on Quorum for the Commission and that a majority is needed. If one is filled, that would cause the required quorum number to go up to 6 for this Commission.

**Agenda Item #17 – Elections for President and Vice President of the Commission presented by Jason Dietrich**

Jason stated that Assembly Bill 77 requires annual elections for President and Vice President of the Commission. The NDE recommends waiting until the full 11 members of the Commission are present to hold elections. Commissioner McGregor agrees that the full Commission be present. Commissioner Carvalho stated she did not want to wait and asked if the Commission was required by statute to wait for the full Commission to be present. Jason stated that there was nothing keeping the election from happening. It is only the recommendation of the NDE, but the Commission is not held to that.

Commissioner McGregor stated that she wished for the elections to happen when the other Commissioners were present. Commissioner Carvalho stated that she wished to hold the elections and get it done. Jason stated that it was completely up to the Commission on whether or not they held elections, the NDE's recommendation is to hold off until the rest of the members are present for the election, but the Commission is not held to the NDE's recommendation. President Burnham stated she could go either way, but that she would prefer the current Commissioners be amongst those who were in attendance. She would prefer whoever leads the Commission to be someone from amongst the current make-up. Commissioner Carvalho stated that she would like to hold elections at this time.

Deputy Attorney General Ott gave clarification on how the elections should happen.

**Motion:** Commissioner Carvalho moved to hold elections during this Commission meeting. Motion seconded by Commissioner Pendleton. **Motion carried with Commissioners McGregor and Drum voting no and a vote of 5 to 2.**

President Burnham gave information on work requirements for the President of the Commission. Jason added more information as to how the President works with the NDE.

Deputy Attorney General Ott opened nominations in accordance with Robert's Rules of Order for President of the Commission.

**Nomination:** Commissioner Carvalho nominated Commissioner Esparza for President.

**Nomination:** Commissioner McGregor nominated Commissioner Burnham for President.

Deputy Attorney General Ott closed nomination process and called for a vote as there were no other nominations for President.

**The Commission elected Commissioner Esparza as President with a vote of 5 to 3.**

Commissioner Esparza thanked the Commission and thanked former President Burnham for all of her hard work.

Deputy Attorney General Ott stated that the newly formed role of Vice President was to fulfill the role of the President if the President was unable to attend the meeting.

Deputy Attorney General Ott opened nominations in accordance with Robert's Rules of Order for Vice President of the Commission.

**Nomination:** Commissioner Esparza nominated Commissioner Pendleton for Vice President.

**Nomination:** Commissioner Drum nominated Commissioner Burnham for Vice President.

Deputy Attorney General Ott closed nomination process and called for a vote as there were no other nominations for Vice President.

**The Commission elected Commissioner Pendleton as Vice President with a vote of 5 to 3.**

Commissioner Pendleton thanked the Commission for their confidence in her to be elected as Vice President.

Deputy Attorney General Ott stated that the former President was responsible for the whole of the current meeting and that the new President would then take over and run future meetings.

#### **Agenda Item #18 – Future Agenda Items presented by Jason Dietrich**

Jason Dietrich stated that most of the future agenda items deal with multiple regulation changes due to statutory changes from the 2017 Legislative Session and miscellaneous cleanups via workshops.

President Burnham asked if there were any other items that anyone would like to see on the next agenda.

#### **Agenda Item #19 – Commissioners' Comments**

President Burnham stated she was happy to serve as President and thanked the Commission for the opportunity.

Commissioner Carvalho thanked President Burnham for her great service.

Commissioner McGregor thanked President Burnham as well for her service.

**Agenda Item #20 – Deputy Attorney General Comments**

Greg Ott, Deputy Attorney General, had no comments.

**Agenda Item #21 – Public Comment #2**

Carson City:

Kate Schum from Washoe County School District asked to be included in the workgroup for CTE and B&I.

No public comment in Elko.

No public comment in Las Vegas.

**Agenda Item #22 – Adjournment**

The meeting adjourned at 12:05 pm