

NEVADA DEPARTMENT OF EDUCATION
REGULATION WORKSHOP
NOVEMBER 28, 2017

Meeting Locations:

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

DRAFT SUMMARY MINUTES

(Video Conferenced)

DEPARTMENT STAFF PRESENT:

In Las Vegas

Kim Bennett, Administrative Assistant

In Carson City

Amber Reid, Education Programs Professional

Christy McNeil, Director, Safe and Respectful Learning

Pat Sanborn, Education Programs Professional

LEGAL STAFF PRESENT

In Carson City

Greg Ott, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Jennifer Robertson

Kristine Hernandez, Gender Justice Nevada

Denise Byard, Parent

Laura Hernandez, Gender Justice Nevada

Tricia Quarles, Parent

Patrick Spiller, Parent

Celia Villalobos, Parent

Juan Sclafani, Parent

Ricardo Perez, Parent

Leonardo Cedillo, Parent

Monica Cedillo, Parent

Joaquin Benitez, Parent

Berenice Gomez, Parent

A. Escoto, Parent

Gerardo Gonzalez, Parent

Mary Sclafani, Parent

Elia Marroquin, Parent

Obdelia Marroquin, Parent

Rubicela Mende, Parent

E. Salazar, Parent

Francisco Cedillo, Parent
Julio Arano, Parent
Alejandra Cenuceras, Parent
Sara Ramirez, Parent
Linda Buckandy, Grandmother
Claudia Ruiz, Parent
Darian Ruiz, Student
A. Tapia, Grandmother
Erich Ruiz, Parent
Moises Ramirez, Parent
Mary Belletti, Parent
Steven Rayner, Parent
Miriam Osorio, Parent
Juan Sclani, Parent
Sande Uelle, Parent
David Jimenez, Parent
David Jimenez, Student
Rosalua Jimenez, Parent
Daisy Solis, Student
Nathalie Castillo, Student
Ella Barra, Parent
Griselda Lomeli, Parent
Aurelia Lomeli, Student
Claudia Cenuceras, Parent
Ernesto Lande, Parent
Carlos Sanchez, Parent
Craig Stevens, Clark County School District
Branden Moeller, Clark County School District
Samuel Landa, Grandfather
Maureen Rayner, Parent
Mario Castillo, Parent
Douglas Ruiz, Parent
Monte Neil Stewart, Attorney
Nicole Rourke, Clark County School District
Betty Cedillo, Clark County School District
Reina Camarallio, Parent
Jenifer Mendez, Parent
Alida Mendez, Parent
Andrea Cole, Parent
Maylene Battjes, Parent
Jim Shapiro, Parent
Mario Lopez, Parent
Stephen Augspurger, CCASA
Deborah Earl, Power 2 Parent
Alma Hernandez, Parent
Jose Guevara, Parent
David Parks, Senator District #7
Jorge Sanchez
Kirt Brannen
Tania Manrique
Cornelio Salinas
Shelby Goudie, Parent
Owen Goudie, Parent
Audrey Taylor, Parent

David Rowberry, Parent
Charlie Melvin, Parent
Alondra Guevara, Student
Elizabeth Capson, Parent
Erin Phillips, Parent
Jesus Faz, Parent
Kimberly Faz, Parent
Julie Vigil, Hope for Nevada
Suellen Abney, Parent
Johanna Lawter
Shauna Earl, Parent
Kim Bennett, Parent
Karen Tumbleson, Parent
Josue Zamora
Donna Smith, Foster and Adoption Coalition
Lisa Morris
Lauren Kaufman, ACLU of Nevada
Marissa Wright
Michelle Blanchard
Annalise Custer, Break Free CCSD
Karlee Phelps
Michael Vannozzi, TSC2
Caryne Shea, HOPE
Amy Frost
Michelle Luna,
Verika Dildy, Foster Grandparent
Carlos Del Valle
Ruben Santiago
Martina Orozco, Parent
Adriana Carela, Parent
Alejundra Cedaro, Parent
Mosio Cedano, Parent
Lara Fajardo
Leslie Sanchez
Jairo Santillano
Jonathan Martin
Jane Heenan, Gender Justice Nevada
Harry Watson, S. Nevada Baptist Association
Jose Luis Guevara
Lisa Wolfley
Rebecca Rasmussen
Suzette Miranda
Laurie Dodds
Leslie Thomas
George Acuna
Francy Osorio, Parent
Cecilia Torres, Parent
Elder Chacon, Parent
Roberto Martinez
Yolanda Garduno, Parent
Julio Garduno, Grandparent
Noe Ramirez
Elisabeth Sclafani
Estrella Ortega

Doris Escoto
Kent Cooper
Abigail Barraza
Jessica Cox
Lisa O'Keefe
Rudy Hernandez
Veronica Hernandez
Maria Hernandez
Angelina Hill
Rosa Renteria
Jugo Torres, Parent
Diego Dawbs, Parent
Mercedes Ramirez, Parent
Jen Richards, Parent
Natalie Copley, Parent
Amu Arriola
Marissa Wright, Parent
Jody Jeppsen., Parent
Lisa Morris, Parent
Alfredo Jovel, Parent
David Gomez, Nevada Peace Alliance
Dawn Waid, Parent

Carson City:

Lisa- Marie Lightfoot, Washoe County School District
Matt Johnson, CNCS
Kirsten Gleissner, NWRPDP
Rebecca Jackson, Citizen
Ann Cyr, Carson City School District
Carly Syndergaard, Citizen
Debra Williams
Emily Ellison
Brooke Maylath, TAG
Nancy Jones, Citizen
Sherrie Scaffidi, TAG
Mindy Lilyonist, Parent
Kelly Euse, Doctor and Parent
Cheryl Schricker, Nevada Family Alliance
Brooks Holcomb, Citizen
Esmeralda Dukes, Parent
Janine Comolett, PFLAG
Lindsay Anderson, Washoe County School District
Mary Pierczynski, Nevada Association of School Superintendents

Superintendent Canavero called the meeting to order at 9:06 A.M. with attendance as reflected above. He explained there will be multiple opportunities to make public comment during the meeting today.

Public Comment #1

Laura Hernandez, Family and Youth Services Coordinator, Gender Justice Nevada and parent of a transgender child stated she has supported over 60 transiting students in Clark County School District (CCSD) over the last three years. Regardless of state of local policy students must be given access to restrooms and locker rooms that are consistent with their gender identify. This law has been in place since 2011. Internal documents have been created in CCSD outlining the procedures for supporting gender diverse students to transition. Only some students are being supported. There are many principals,

administrators, counselors, social workers and teachers who do not know these options are available to students. It is in violation of Nevada law to deny students access to facilities. Essential guidance in this regulation is provided to schools and districts who are struggling about how to address the needs of all students. She requested the language in this regulation is approved so they can move forward creating safer schools for all students.

Kristina Hernandez, former student, CCSD said many people here today may think they have the right to invalidate the existence of transgender individuals. She asked those people to understand she is a 15 year old child just like any other. She stated without policy, kids like her will continue to suffer in silence. She requested the regulations are approved so they can move ahead. She is not a predator and does not want to hurt anyone but was forced to leave school because of the violence she has endured.

Erich Ruiz, ninth grader Odyssey Charter School, CCSD, said the proposed regulation is wrong because it is determined on children's preferred identity, not the biological gender given by God. Moral values are not promoted, rather the regulation is corrupting.

Kirt Brannen, teacher, CCSD, said he is a fourth year kindergarten teacher at a Title I school where 100 percent of the students receive free breakfast and lunch. He said it is clear to anyone who has read the recently proposed amendments to S.B. 225 that they are not about establishing a safe and respectful environment. Rather they are a thinly veiled attempt to indoctrinate students into an ideology that states biological sex and gender are unrelated. He is opposed to the regulation.

Ricardo Perez, parent of three children, said he is looking out for what is best for his children in CCSD. (inaudible) Calling a transgender student by their preferred pronoun will force schools to accept what many parents object to. The bible's instructions should be followed and he urged the regulations be rejected.

Mary Sclafani, student, CCSD said she is opposed to the policies. She has seen the destruction and confusion this has caused to children. Gender is not fluid, it is ordained by God. The policies are going against the first amendment, freedom of religion. Kids are suffering by these policies.

Jorge Sanchez, parent, CCSD, asked to remove the word curriculum in the regulation because it will indoctrinate his children with gender theory. He asked to remove language making it mandatory to call children anything other than by the name on their birth certificate. He is opposed to the regulation.

Gerardo Gonzalez, father of five, CCSD, asked if the bullying in the regulation is for everyone or just the transgender group. He said it is a small percent of LGBT at his children's school and it is not right for the other kids. He is opposed to the regulation.

Tricia Quarles, parent, CCSD, stated she has had experience with transgender people and has never had problems or issues. There are transgender kids at her daughter's school and she is not afraid of her daughter interacting and being friends with them. They are people just like anyone else. Schools should be a safe place for everyone and not be determined by race or religion.

Joaquin Benitez, father of five children, CCSD, said he has told his children there is only a man and a woman, not in between. These laws about gender diversity in the schools are absurd. As a father he has a right to decide what and how to teach his children about sex education. He is opposed to the regulation.

Sara Ramirez, mother of five kids, CCSD, expressed opposition and concern about implementing the policy on gender diversity. She said the regulations dictate the moral values and beliefs her kids should hold and they will be punished if they do not have those values. If her boys are not comfortable in the restroom with a transgender person they will be punished and if her daughter does not use the right pronoun for a classmate she will be punished. She is opposed to the regulation.

Alida Mendez, mother, CCSD, said she is disturbed by this regulation. By implementing this policy a safe and respectful environment is not being provided for everyone. She has taught her children that gender is not a choice and is not based on emotions. Kids change their minds all the time.

Juan Sclafani, Lawyer, CCSD, said he is a short Latino and knows what it is like to be bullied, but this is not what this regulation is about. Everyone has fear. He has been told this is for his good and that of our society, but has been blindsided and sabotaged by committees that have been scheduled at the last moment. He believes most of the policies are in violation of first amendment rights of free speech and religion. He asked that these policies are not passed.

Linda Buckardt, grandmother, CCSD, said she cannot believe that women and girls will be put in danger in changing room facilities, showers and bathrooms. This policy is a war on girls and is a rape waiting to happen. The suicide rate among LGBT is about forty percent. Get back to teaching students reading, writing and math.

Francisco Cedillo, father of two children, CCSD, said he is against the transgender regulation. It will bring segregation and confusion. He asked for the option to teach his kids morals and protect the individual, rather than groups such as transgender's.

Karla Fajardo, mother of two and registered nurse, CCSD, stated a manual used to diagnose mental disorders changed the diagnosis of gender identity disorder, which was defined as a state of confusion, to gender dysphoria, which is a state of unease. It is a huge change of definition. She asked how the NDE will provide a safe and respectful learning environment to those who believe gender identity does not pertain to children, it is biology and basic structure of DNA. She stated opposition to the regulation.

Noe Ramirez, senior at a Charter School, CCSD, said he has six siblings and they should not be taught that gender identity is a feeling. It should not be mandatory that kids are required to use pronouns that the transgender kids prefer.

Johanna Lawter, former student and parent of CCSD student, asked to stick to teaching and educating, and focus on what the school district is supposed to be about. Get back to teaching math, English, art, and music and stop wasting time on things like this. Her son has a right to be called a boy. Why are the rights of her son being taken away; he has the right to believe what he wants. The policy is biased.

Josue Zamora, father of three children, CCSD, said he is opposed to making it mandatory to use the gender pronoun a student wants. He asked to remove this item from the policy and requested the regulation is not approved.

Annalise Caster, Break Free CCSD, thanked the NDE for following through with these regulations. Breakfree requested that the decision is postponed for a short period of time. There are scheduled meetings in CCSD regarding the district reorganization and she is concerned that the spirit or letter of the law of AB 469 is not being followed. She asked for time so they can reach out to the School Organizational Teams that could help this issue be implemented more effectively. They would like to have a voice.

Maylene Battjes, mother, CCSD, expressed concern that parents are intentionally being left out by a habitual pattern where policy is being rushed through during busy times of the year. She requested refrain from finalizing this policy until parents and community members are given a voice at meetings.

Jonathan Martin, father of three and graduate of UNLV, CCSD, said it is not proper to make decisions based on emotion. He stated he has nothing against transgender individuals and treats them like everyone else. However, it is not possible to legislate the bully out of the child. Rather than legislating the entire population of children and educating them about transgenders, he suggested treating them on a case by case basis.

Monte Neil Stewart, lawyer, CCSD, endorsed Annalise Caster's request to not approve the regulation until after the public hearings organized by CCSD. He expressed concern using the names and pronouns chosen by persons with diverse gender identities or expressions in all verbal and written communications with such person. It is a mandate for governmentally compelled speech. In the first amendment jurisprudence the worst possible violation is government compelled speech. The NDE is forcing people to say what they do not believe. He is opposed to the regulation.

Jane Heenan, family therapist and founder of Gender Justice Nevada, CCSD, offered support to the proposed regulations. She proudly self identifies as transgender. The regulations are not radical and they reflect best practices implemented over many years in districts throughout the United States. They are not partisan or ideological and honor a commitment Nevada made in 201. Bipartisan legislators passed the bill with republican governor, Brian Sandoval, who signed into law a bill which added gender identity or expression to NRS 651 the public accommodations law. They are not about special rights or only some students. The concise regulations support healthy schools for all students.

Juan Sclafani, CCSD, shared that he was bullied in school, and it is wrong to bully children. It made him stronger and a person that can face reality instead of hiding. He said others will be bullied by the transgender people, and asked who will protect them. Those that have Christian values are persecuted. This is wrong, the word curriculum needs to be removed and each child needs protection, not a specific group.

Tania Manrique, teacher, CCSD, said based on articles published by Pew Research Center in 2017, research shows that the American population in 2006 was more accepting of the LBGT lifestyle then every before. Because of this acceptance, the number of people who identify with the LBGT community is rising. As a teacher it is her moral obligation to protect students. She is opposed to the regulation.

Jairo Santillano, former student CCSD, said he believes in moral principles and values which is why he is opposed to the implementation of gender theory. He is opposed to making it mandatory for kids to call a transgender student by their preferred pronouns. He requested these items are removed from the regulation.

Andrea Cole, mother of a CCSD student, said she has a friend who is transgender. She is standing up for him and others like him. She said she is also a Christian and believes treating each other with respect, and that is what this bill is doing. She supports these policies. Inclusive anti-bullying policies are proven to reduce suicide attempts, drug abuse and poor school attendance. Every student is entitled to a public education. People have the right to teach their children what they want at home. Public schools are not a place for religion or bigotry.

Rudy Hernandez, father of three, CCSD, expressed opposition to the proposed transgender regulation. Gender is given at birth and it is not defined based on how a person feels. There is no scientific evidence that feelings determine gender. He said he is against bullying, but under the guise of bullying, the new mandate will order a male student who identifies as female be allowed to use the girls' locker room and restroom. It also mandates that students use pronouns that the transgender person prefers. Do not force transgender ideology on K-12 students.

Deborah Earl, Vice President Power 2 Power, CCSD, said she has had the privilege of sitting on a gender diverse board with CCSD to build consensus for a policy that would work in CCSD. She expressed concern about speech, pronouns and curriculum. Her group wants core classes without gender ideology because it goes against deeply held beliefs. She requested that decisions are delayed until consensus can be built in the community.

Blue Montana, Manager, Transgender Program at Gay & Lesbian Community Nevada of Southern Nevada, said he would be scared to have his daughter or son in a classroom with teachers who are advocating that children do not need to be respected. It is concerning. His child has the right to come to

school and be respected as an individual and a human being regardless of how they identify. Religion is taught at home, not at school. The anti-bullying policy in CCSD states there should respect for all students.

Erin Phillips, president, Power 2 Parent, stated there is no debate about the policy, because it is the law. However, their organization does not appreciate parents being left out of the process. She requested the process is delayed until parents and community members can get together and provide input.

Elizabeth Capson, mother of three children, CCSD, expressed concern about parent's voices being heard. She requested the decision is delayed until parent's voices can be heard. She is in opposition to the policy.

Kimberly Faz, mother of four, CCSD, stated she is against bullying. She was bullied in the fourth grade and was sexually assaulted in the classroom as a junior in high school. When she sends her children to school it is not to learn about others opinions and views on life; rather it is to get an education. Using gender neutral pronouns is not correct, it is based on opinion.

Jesus Faz, father of four, CCSD, said he is here for the future of his children. He is against the policies and regulations in place. They will create problems. He sees a dark future for his children and will be persecuted with jail time for not agreeing with the policies.

Leslie Sanchez, parent and special education teacher, CCSD, requested that the word curriculum along with language that makes it mandatory for children to address individuals by their preferred pronoun be removed. She stated her rights to raise her children as she sees fit are being infringed on.

David Rowberry, CCSD, said he has a long history of working with youths and their concerns. The policy as currently written is flawed and is counterproductive if the desire is to bring people together. He suggested waiting until CCSD has hearings so the community can come together to consider options and be respectful to everyone. The more people become involved in transgenderism, the higher their suicide rate.

David Gomez, representative of Nevada Peace Alliance, CCSD, said he is picking the side that is in the best interest of his children. He does not believe the policy should go through at this time. As a parent he has rights about what is taught in his house and school. He recommended listening to both parties before the policy is approved.

Verika Dildy, Program Supervisor, Foster Grandparent Program, said it is important to ensure all volunteers in school have a background check to keep all students safe; but there should be an exception for volunteers who have already gone through a background check. This poses a hardship on the program and CCSD schools.

Jennifer Richards, mother of four, CCSD, said her 4th grade son was in class with a transgender child last year. It caused anxiety because he was afraid of miss gendering this child. When children used the wrong pronoun they were corrected and one student was taken out of the classroom. His free speech was taken from him and others in the class by not being allowed to use the biological pronoun. The children were punished because of their innocence. She asked that parents are allowed to voice their opinions by holding meetings in CCSD.

Lisa Morris, mother of five, CCSD, said the direction this is going is silencing those who have traditional Christian feelings. She is allowed to have her opinions, and she feels as though her opinions are being hushed. It would be good if more parents could meet to share their thoughts and come to a conclusion.

Jody Jeppsen, CCSD, stated respect and understanding can be shown to people who are transgender. It is not fair to have students in fear of saying the wrong word. It is too radical. She encouraged postponing the decision and to re-think the policy.

Amy Arriola, CCSD, noted there have been views expressed today that are offensive to people. We live in a free country and people can speak their mind, but some are afraid to speak their mind because they fear of offending others. Ideology and values are being muzzled. She requested that policy changes are not made right away to allow parents the ability to voice their opinions.

William Sobalvarro, CCSD, said most of the people have not considered what made our country great. Children are being taught that transgender people are ok and the children are at stake. He is opposed to the regulation.

Rebecca Rasmussen, CCSD, stated that transgender students need and deserve protection and respect. They need to feel safe on school grounds; every student should feel safe at school. All students' rights need to be considered. She encouraged postponing voting on the regulation so there is an opportunity for people to come together and express their opinion.

Jennifer Mendez, representing her nieces and nephews, reminded those that do not think God and religion do not belong in this meeting, that we are one nation under God. This policy is being proposed to shove the agenda down the throats of young innocent children. It is hypocritical as it grants privileges to eight percent of the student body population. She asked to stop trying to pass a policy that rides on the backs of special interest groups.

Darian Ruiz, 7th grade student at Odyssey Charter School, said he opposed S.B. 225 because it lacks common sense. He is afraid for his little sister because she will not understand the pronouns and will be confused. Bullying rights are being given to transgender students.

Miriam Osorio (inaudible) stated she is against a curriculum that pushes any type of sexual content or relates to misleading students to perverting ideas.

Nancy Jones, mother of four daughters, said she is concerned about the price and time spent on the training and enforcement regarding matters of gender expression. These will be at the expense of educational goals such as reading, math, history, geography, arts and music. Parents are responsible for instructing their children on matters of sex and gender ideology, not the schools. She suggested schools and families can promote kindness and respect without changing curriculum and changing ideological concepts.

Janine Comoletti, President, PFLAG Carson City and professional educator, suggested all can agree that we want schools to be a safe learning and working environment for students and school employees. She requested that all children be respected. She disagrees with the person who said bullying cannot be regulated. Successful teachers teach kindness, empathy and compassion. She asked that educators are supported and empowered to provide all the children in Nevada with positive educational experiences.

Mindy Lilyquist, mother of four children, said she is shocked by the moral distraction that takes place in the learning environment of WCSD compared to other schools. She echoed comments in opposition to this policy. The hard-lined and divisional policy of radical and unsupported doctrine to force students and staff to identify a transgender student will put up fences and will further ostracize and isolate a population of already confused and vulnerable youth. It will teach students to avoid this population out of fear of missteps. It is an iron fist policy and she stated she is opposed to the ideology.

Karen England, Executive Director, Nevada Family Alliance and spokesperson, Privacy for All, stated she works nationwide on gender issues. She tries to ensure that as gender diverse students are accommodated that parental rights are also respected and everyone is included in the policies. She said the regulations do not cover a key provision; training concerns regarding the needs of pupils with disabilities and pupils on the autism spectrum. She listed other concerns about parental involvement and that the rights and privacy of all are respected.

Public Hearing and Possible Adoption of Proposed Amendments to R099-17, NAC Chapter 388 which prescribes a policy for use by all school districts and public schools and charter schools to provide a safe and respectful learning environment (NRS 388.135).

The public hearing was opened at 11:38p. There were 149 individuals present in Las Vegas and 19 individuals present in Carson City.

Superintendent Canavero explained that S.B. 225 was passed by the Legislature to ensure all children have a safe and respectful environment in which to learn. One of the changes the law put in place, in section 2b, mandates the NDE to revise its model policy. That model policy, in regulation, is to include without limitation requirements and methods for addressing the rights and needs of persons with diverse gender identities or expressions. Other areas require training of individuals within the school sites, similar to the policy developed as a result of the 2015 Legislative Session. He stated these regulations will not be moved forward today because they need more time and consideration of the process underway in CCSD. This is a statewide policy for all children in all of the schools in Nevada.

Amber Reid, Education Programs Professional, Safe and Respectful Learning Environment, provided an update and background information on the policy work at the NDE. She noted that there appears to be some confusion in Southern Nevada about two separate but parallel processes that have been going on over the past few months. A group in CCSD has been meeting regularly to work on their own internal policy, and at the same the NDE has been moving forward as required by the passage of S.B. 225 by outlining and identifying the needs and rights of persons of gender diversity as required. *See Attachment A for Amber Reid's complete testimony.*

Christy McGill, Director, Safe and Respectful Learning underscored that notes were taken during parental participation and they are open to working with districts and parents to make this the best regulation it can be.

Ms. Reid clarified the parental meetings in Las Vegas that were referenced have been organized by the group that is working on CCSDs policy. The NDE does not have a role in cancelling or postponing those meetings, rather that would be a district level decision.

Superintendent Canavero reiterated there are protections in the regulation for privacy for the individual and family. There are no requirements regarding locker rooms or bathrooms, disciplining students for use of a pronoun other than a students preferred pronoun. He noted there have been requests to strike the term curriculum. The intent is not for specific curricula, it is about the individuals' access to school based activities including those inside and outside the classroom for non-discriminatory practice. It is not to influence curriculum decisions or choices.

Public Comment

Brooke Maylath, President, Transgender Allies Group (TAG) Reno, stated there is a positive reaction of over 2,000 members of TAG regarding this policy. Protecting the identity of the individual that promotes equality is a tremendous move forward. They have seen very positive results from WCSD and TAG has a good relationship with WCSD to help with the individual needs of students when requested. This is about supporting individual rights to ensure every student has the greatest opportunity to succeed through graduation. Many push back responses have misinterpreted the intent of the policy and he suggested continuing to move forward with the clarity Ms. Reid presented.

Karen England stated again that the mandate to cover training for students with disabilities and the autism spectrum has been omitted. She clarified that the WCSD school board did not vote on the policy and parents are just finding out about it now. The WCSD and CCSD are specific to not disclose to the parents if the child does not want them to, which does not allow parental involvement. The way the regulation is written could infringe on the first amendment right of religious clubs at school if they are required to

ensure access to appropriate and supported school clubs. There are first amendments issues that need to be addressed. Parents are the only stakeholders that matter.

Kelly Euse, parent and local doctor, said she has attended several meetings in WCSD and disagrees that it has been positive for WCSD. The local meetings have been private and changed at the last minute. She has a medical background, applied for the parent position and was denied. In the ten people that interviewed her, there was not a Board of Trustee member present. Parents want schools to stick to the curriculum, and the basics and what is important.

Lauren Kaufman, ACLU, stated that as required by S.B. 225, which was passed during the 2017 Legislative Session, this body is required to adopt regulations that create requirements and methods for addressing the needs of persons with diverse gender identity or expression. That is what this regulation is supposed to do. It is required by law and to follow what is legally required; recognizing the needs and struggles of transgender and gender diverse students. It is unfortunate that it appears to be a misunderstanding to both the policy and the statutory requirements of the NDE. It is not a question of whether it should happen because the law has been passed.

Ruben Murillo, President, Nevada State Education Association, gave support for R099-17. He stated that Latinos have been a marginalized community. At some point there needs to be protection for the minority, whether racial or religious. Without the laws already in place to protect groups identified as marginalized, they would not have any protections. Take out the word gender transitioning or identity and add Hispanic, Latino, Black, or Catholic. The reason for these discussions is because there are deficits and no protections for all the people who are marginalized.

Mr. Gonzales said a lot of parents do not know about these meetings until the last minute. Many parents are against this policy. He works at a high school in CCSD.

Elizabeth Sclafani stated it was said there would be no repercussions for those who chose to not use the non-gender pronouns. As a parent she teaches her child to use gender specific pronouns and that would be considered bullying. Her child would consistently end up in the principal's office with repercussions.

Ms. Sanchez asked about subsection 2e, of the language that was presented, stating that nothing would be added to the curriculum and asked what inclusive means. Ms. Reid responded that the intent of the regulation is not to impose curricula that are broad based for the entire school, rather it relates to academic programing. Academic programing relates to content and the way in which it is delivered. There is already existing federal law that prohibits segregation or discrimination in the delivery of academic content. Inclusive content and delivery means that all the kids in the classroom are being taught in ways that are meaningful to them.

William said that these things are very cleverly being worked into our society. They are creeping in by a few well-spoken people against the hard working people that cannot be here today. This is wasting people's money and time and is destroying families and society. It is devilish and people need to wake up.

Carlos spoke in opposition to the regulations and said let a child be a child.

Sandra, mother of three, CCSD said please do not pass this bill.

Mrs. Ramirez said the clarifications are not clear to her. If they are not clear, then she does not feel her kids are safe or will be respected. She asked for further explanation.

The public hearing for R099-17 was closed at 12:27 p.m.

Public Hearing and Possible Adoption of Proposed Amendments, R136-15, NAC Chapter 391, to provide a definition of “moral turpitude” for the purpose of implementing NRS 391.033(Issuance of licenses; fingerprinting of applicants; provisional licensure authorized), NRS391.100 (Employment of personnel by trustees; certain teachers and paraprofessionals required to possess qualifications prescribed by federal law; school district prohibited from requiring licensed employees on approved leave to submit fingerprints as condition of return to employment; exception; school police officers; contract for police services), NRS391.31297 (Grounds for suspension, demotion, dismissal and refusal to reemploy teachers and administrators; consideration of evaluations and standards of performance), NRS 391.330 (Grounds for suspension or revocation of license), NRS 392A.080 (Composition of governing body; appointment; terms; powers; quarterly meetings), and NRS 392A107 (Fingerprinting of non-licensed applicants for employment; review of criminal history by superintendent of Public Instruction under certain circumstances; prohibition on employment of certain applicants).

The workshop was opened at 12:51 p.m. There were 149 individuals present in Las Vegas and 19 individuals present in Carson City.

Superintendent Canavero explained that R136-15 has had three public hearings and went to the Legislative Commission for final adoption. The commission asked for clarification about a couple of areas within the regulation, which were addressed. This regulation is regarding the definition of moral turpitude and a crime involving moral turpitude related to teacher licensing. Significant feedback indicated it would be beneficial to have clear guidelines so potential candidates entering into colleges of education have clarity about what is included in moral turpitude. There were numerous discussions regarding equity and ensuring that provisions in law do not reflect the application of the law with communities of color.

Mike Arakawa, Licensure Program Officer III, informed that the regulation language has been restructured to provide clarity concerning whether a given offense will result in a lifetime denial or a 10 year period of denial of a license. The language is also specific that only a conviction for one of the listed offenses will result in a denial, not an arrest in itself. Removed from a list of crimes is a first conviction for various misdemeanor crimes including battery, theft, DUI and immigration violations. Recent state law changes referencing personal use of marijuana have also been removed.

There was no public comment.

Superintendent Canavero adopted R136-15. The public hearing closed at 12:56 p.m.

Workshop to solicit comments on proposed amendments to NAC Chapter 388G relating to the establishment of a respectful and safe environment to ensure staff and stakeholders may freely engage in discourse and decision-making without fear of relation or reprisal; establishing service level agreements between district and local school precincts and their use; clarifying timelines for school budgets; making a distinction between rural and small rural schools; and clarifying the term allocate as used in Assembly Bill 469.

The workshop opened at 12:56 p.m. There were 149 individuals present in Las Vegas and 19 individuals present in Carson City.

Superintendent Canavero explained this is the second workshop to consider amendments to a regulation regarding the CCSD organization. (inaudible) There were Discussions and acknowledgement for School Organizational Teams (SOT) to function so individuals are safe from fear of retaliation or reprisal when sharing their opinions. A complaint procedure to respond to allegations of adverse action resulting from the performance of work as a member of SOTs was outlined. Changes were made to establish the Service Level Agreement (SLA) to include minimum standards, terms and conditions when an SLA is required

and to clarify the transfer of authority to each local school precinct to carry out responsibilities. Clarification was included regarding the timing of local precinct budget amendments, and the term *money shall be considered allocated to local school precincts*. It is also being clarified that a local school precinct can carry forward any year-end balance on money to the next school year for use by the local school precinct.

Superintendent Canavero asked CCSD to begin with suggestions related to the regulation. Nicole Rourke, CCSD, stated this is comprehensive and detailed work, and she appreciates working with the NDE to implement the law as intended. The changes she has considered include:

- The working group (School Organizational Teams and other items related to the reorganization of large school districts), on the SOTs began meeting November 15, 2017. Ms. Rourke suggested putting this section on hold until those recommendations are brought forward.
- There are a number of suggestions in regards to the Service Level Agreements (SLAs). As a new process, CCSD is working through what might be a sample agreement to further understand needed details. There are three categories of services:
 - Those in section 16a-t that can be transferred but require board approval to do so
 - Services provided to students at the school level such as transportation and certain specialists.
 - Central services such as legal, accounting, and HR.
- Recommend including additional language that SLAs may be developed for services not listed in 16a-t, but provided at the school level or to students.

Ms. Rourke discussed sub bullets and defining the fee for service provided through central services (inaudible) and ensures a level of understanding that fees would be reflected in the budget. Superintendent Canavero asked clarifying questions concerning Ms. Rourke's listed suggestions.

Ms. Rourke explained that it will take CCSD about 18 months to be prepared to implement the SLAs. Once this process is started, it will then be a couple of years down the road. It is not for the next school year; rather the school year thereafter for a new agreement where a service will be significantly altered. It is not just the writing of the agreement; there are many pieces to the puzzle.

Public Comment

Sylvia Lazos, Educate Nevada Now, pointed out there is a qualitative difference in some of the services listed in section 16, a-t. Those services are related to civil rights compliance issues, Individuals with Disabilities Education Act (IDEA) and legal compliance, the civil rights office, and the ELL master plan. She suggested carving this out be subject to SLAs, including legal compliance that would affect federal funding. These laws are not only subject to civil rights compliance, but they attach to conditions of federal funding the NDE administers. She does not believe local precincts have the level of knowledge to understand IDEA compliance, which is why it should remain a central service; same regarding the ELL masterplan. She said CCSD has the best masterplan in the country (inaudible). Other than being managed from a central office perspective, the staff and expertise is there. Ms. Lazos explained that she is suggesting *h, i, and n* are removed from *a-t*, and should be treated differently always remaining with central services. If they are to be delegated, they should be subject to NDE oversight and approval because they affect federal funding.

John Vellardita, Clark County Education Association, commented about the section regarding protections against retaliation reprisal and suggested moving this discussion in lieu of what Senator Harris is doing. Regarding the second bullet point and sub-bullet points where it specifies *the NDE may request a plan of corrective action*; it is being suggested that there are protections against any retaliation and reprisal, and a process is set up. In the end, it is simply, *the NDE may request*. In contrast, he referenced S.B. 369, Senator Ford's bill that specified that the school district must provide a climate in the building focused on student outcomes that is collaborative and safe. There are trigger points if that is not met then intervention can be required.

Intervention offers professional development or training to address the issue. If the district does not want to comply with the request, then it is over with.

Mr. Vellardita commented about the SLAs on the second page clarifying the second bullet point regarding *a transfer of services of any of those items to one or more school precincts.*

The greatest concern is about the third bullet point, a minimum of SLA and spells out a number of items. The second bullet point says, *describe in the laws policy regulations for administrative directives pertaining to the delivery of service.* Then the fourth main bullet point spells out, for services which responsibilities transfer to local school precincts pursuant to section 16, 7, Under the third sub-bullet point, where it specifies. Unless we are very clear, when saying, describe any lost policy regulations or administrative directives, that...(inaudible) clearly make it very prohibited from a SOT or a principal to try to get a SLA outside of central with another vendor.

None of those regulations or administrative directives can be designed in such a way that they circumvent flexibility once that transfer of authority has been made. Regarding the area that describes what would be in the SLAs, a bullet point states *define the fee for service provided by central services to be charged* is wide open and delegates authority to the school district. It is clear, based on the current school districts budget what custodial services are in the overall general budget. In order to be in compliance with the 80 percent, you can clearly say that service in the aggregate district wide is worth 3.5 percent. That is going to change over time. You may be able to address it in the first and possibly second year, but it changes over time. The nature of some of the services may also change, they may become less expensive it could be game changer downline in terms of how the value is determined.

Regarding additional bullet points about services not transferred to school precincts, Mr. Vellardita suggested tightening language because the nature of the SLA agreement could tie the hands of the principal as outlined. An additional suggestion heard at the school district about defining the small rural school and that once it is named rural,

Once you me moralize by name that it a rural, it does not leave room for change. The meaning and intent, particularly when it comes to allocation or transfer of money, under the hold harmless principal, was that those schools would receive an equal amount that would otherwise be paid by the school district to carry out those responsibilities.

The workshop closed at 1:56 p.m.

Workshop to solicit comments on proposed new language consistent with Senate Bill 287 relating to the revisions on certain provisions concerning background checks conducted on certain educational personnel and volunteers as required; defining the term “regular volunteer”

The workshop opened at 1:56 p.m. There were 149 individuals present in Las Vegas and 19 individuals present in Carson City.

Superintendent Canavero said the liability of having various interpretations of a statutory term, *regular volunteer*, outweighed local autonomy. He asked the Nevada Association of School Superintendents (NASS) to propose a definition that all the superintendents can agree with. There is a proposed definition of key terms provided; a regular volunteer is someone who interacts with students at least four times per month and/or once per week. This definition added, *parents, guardians who visit their own student at school to provide food, supplies and/or medical care.*

Nicole Rourke, CCSD, stated she has been working with NASS, and has learned lessons along the way. She heard many concerns from parents and community members about the cost of the fingerprinting, the implementation and who qualifies. Appreciation was expressed for not including parents who visit their own students to provide medical care or food. Also, other state agencies or military people who have gone through extensive background checks should not have to go through the time and expense and process in order to be fingerprinted one more time.

Dr. Tammy Malich, CCSD, expressed concern about keeping kids safe, while being sensitive to parents and volunteer groups to not shut people out who want to come and assist at schools. The regular definition in consultation with other districts was reasonable. Their understanding of the language in this law was the opportunity for an adult to engage with kids. Unfortunately, at some time, perhaps engage in an inappropriate relationship. Given that thinking, language was not added but could come up. It was not their intent (inaudible) any school four times a year because you are not interfacing with different kids. It is highly unlikely that you would establish a relationship with a kid at school visiting once a week. So it was the same school. With those other agencies, the intent was to ensure through working with those government agencies, they go through the same requirements as CCSD employees or volunteers or more stringent. She added they have questions on active duty military they are working through, but their process would ensure those folks go through minimally the same clearance with the same frequency every five years or greater. Their clearance would be used to issue their own district badge.

Mary Pierczynski, NASS, said Nicole Rourke has outlined the issues. The superintendents were surveyed and several of them have responded that they are in agreement with what was presented to them.

Superintendent Canavero reiterated what was presented. A regular volunteer is somebody who interacts with students at the same school on average at least four times per month or once per week. This may include but is not limited to parents, guardians, student teachers, unpaid coaches, advisors, tutors or mentors. A note from a NASS meeting does not include *advisors*, but the posting notice includes *advisors*. The consensus was to include *advisors*. This does not include parent guardian who visit their own students at school to provide food supplies and/or medical care.

Superintendent Canavero said they are considering a second concept; equally or more rigorous validations for background checks? One aspect is that the other governmental agency, the district would need to validate to assure that their process is equal to or more rigorous than the background checks provided to their employees pursuant to their policies. Discussion ensued about how that information is passed to the district.

Greg Ott, Deputy Attorney General, noted the bill speaks to regular or unsupervised contact and the proposed regulatory language speaks to a regular volunteer. He questioned whether the definition is meant to include only regular contact or unsupervised and regular contact as well.

Ms. Rourke responded that bill covers regular or unsupervised contact. In her experience, unsupervised seems to be clear to most and so it was not included in the request for definition. Dr. Malich commented that guidance to schools has been if they are going to be unsupervised, including taking a child out of a classroom into another room or any other secluded area where they are not in constant supervision of an employee.

Mr. Ott suggested that regular contact is defined, and unsupervised remains defined in the law as it currently is.

Public Comment

Kent Cooper commented about his personal experience volunteering as his kids went through school. He noted in the military or JROTC there is not a criteria for recruiters as it is done by each of the services and has never heard a discussion about background checks and screening for appropriateness with children. Recruiters can develop relationships off campus with their perspective recruits that may or may not be appropriate off campus. Then that person comes on campus maybe under the guise of only once a month, or whatever keeps him out of the screening level, yet has a relationship that something in appropriate could develop on campus. Parents would hold the school or school district accountable. He suggested looking at the military aspect with a different view. The law states that the regular volunteer on regular basis or unsupervised, but it also includes parent volunteers. But when a parent volunteers they should never be unsupervised with a child. He suggested that parent volunteers should never be unsupervised and because of that there is no need for a background check. (inaudible)

Jenn Blackhurst, HOPE, said she has received feedback from parents who do not live close to CCCSD police, and since the fingerprints must go through them, it is a burden on them to get into the one police station. Is it possible to expand who must collect the fingerprints? She commented that she is offended that it is defined in regulation that she can come in and be a parent to her own kid. She suggested a better choice would be to define volunteer because she is not a volunteer when she comes in to have lunch with her child.

Anna Slighting, HOPE, echoed Ms. Blackhurst's comments. She reemphasized approval of the verbiage mentors, advisors, coach are all people who come in from outside organizations. When talking about parents, to reinforce the burden of fees and transportation to come in, they are representing themselves, there needs to be funding to help families whether scholarship or FRL families, some kind of funding to provide multiple locations throughout the city for fingerprinting. This needs more clarity. HOPE is ok with parents who are unsupervised with children, especially if they go through fingerprinting processes. Parents are valuable resources for overburdened teachers.

Andre Long, CCSD, said there is some confusion about the volunteer and the regular contact. Coming to school to eat lunch with your kid is an example and is causing confusion. A parent will come to the lunch room and sit with their student. They are not supervised, and they are around other students. The wording needs to be cleared up, parents want to have lunch with their kids, and principals are concerned no one is watching them. Other kids are sitting with the adults and could develop relationships.

Lindsay Anderson, WCSO, commented that WCSO is a participant in NASS and is in agreement with the direction of the discussion. She added that WCSO is less competent than CCSD when sharing background information and the badge process discussed. She suggested making it enabling that they *may* do that, but may as a district choose not to do that and accept other background checks.

The workshop closed at 2:30p.

Workshop to Solicit Comments on Proposed New Language to NAC Chapter 391.xxx Regarding the proposed standards for educator professional development pursuant to the SB474 Task Force recommendations.

The workshop opened at 2:30 p.m.

Dena Durish, Deputy Superintendent, Educator Effectiveness and Family Engagement, stated the 2015 legislative session passed S.B. 474 that included an Advisory Task Force comprised by statutorily appointed members. They were tasked with studying professional development and making recommendations to legislators and/or the NDE for policies and regulations. Called out specifically said they were required to make recommendations regarding the adoption statewide standards for professional development. The Task Force met many times then brought the 2017 session a presentation (inaudible) regarding their recommendations. One brought forward was the State Board shall adopt regulations prescribing standards for professional development for teachers and administrators on any professional development provided by a district or a charter school. The recommendations presented today are a result of several different studies of other states, national standards and national groups.

Public Comment

There was no public comment for the workshop.

The workshop closed at 2:34 p.m.

Public Comment #2

There was no public comment.

The meeting was adjourned at 2:30 p.m.