

NEVADA DEPARTMENT OF EDUCATION
REGULATION MEETING
February 26, 2018

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 OF THE REGULATION MEETING
(*Video Conferenced*)

DEPARTMENT STAFF PRESENT:

In Carson City

Steve Canavero, Superintendent of Public Instruction

In Las Vegas

Dena Durish, Deputy Superintendent, Educator Effectiveness and Family Engagement

Patti Oya, Education Programs Director

LEGAL STAFF PRESENT

In Carson City

Greg Ott, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Sue Dehart, Clark County School District

Mike Vannozzi, TSC2

Call to Order

Superintendent Canavero called the meeting to order at 9:04 a.m.

Public Comment #1

There was no public comment.

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 was opened at 9:05 a.m. with three individuals present in Las Vegas and two individuals present in Carson City.

Steve Canavero, Superintendent of Public Instruction, provided information about the topics under the regulation including protections against retaliation and reprisal. Feedback was received from CCSD and the School Organizational Team work group. Potential revisions include general clarification for:

- Ensure the issues that may be raised relate to retaliation and reprisal arising from the performance
- The districts dispute resolution process, at a minimum, shall create a procedure for the resolution dispute with 30 business days related to:
 - An objection arising out of or relating to the plan of operation for the local school precinct by a School Organizational Team;
 - A dispute involving a majority of the members of a School organizational Team;
 - A dispute between the School organizational Team and the principal of a local school precinct.

Another area raised during the School Organizational Team meeting has to do with the timeline as it seems long. The 15 business day, then 30 business days and then 45 business days expands the dispute resolution process. Superintendent Canavero proposed that within 5 business days of a request for a dispute resolution that the school district must respond in writing after receiving the notice. Then instead of 30 business days to create a procedure for resolution, cut it down to 15 days and then within 30 business days of a request for resolution, the District must provide a report of dispute resolution with appropriate redactions to ensure privacy for all parties.

The next area for consideration is the establishment of the Service Level Agreement; minimum standards. Points of clarification include the areas of statute referenced to include additional sections such as section 16(2)(c); 16(2)(e) and 17(1)(b). The second is the deletion of the first two bullets, for clarification purposes the new language would read, if the board of trustees approves a transfer or responsibility for a service to a local school precinct pursuant to section 16.7, the district may develop service Level Agreements to satisfy the requirements of the statute under section 16.2(c)(e); section 16.6 and section 17(1)(b).

There is clean up language that included *define the fee for the service provided by Central services to be charged to the local school precinct budget* changing to the **local school precinct**. Another potential change under consideration is a timeline. There are timelines associated with the services regarding which responsibility is transferred to local school precincts. Currently the school associate superintendents shall provide a report on feedback to the superintendent before **November 1st of each year**. The proposal is to make them annually because the exact date is uncertain. Proposed is another date change for the superintendents to finalize, publish and make available to principals service level agreements before **May 15**. Instead the date would be changed to **January 15** for flexibility.

Final areas includes Define Small Rural School, and in addition Sandy Valley Middle and High School have been combined for budgeting purposes. There has been a suggestion to make this at the discretion of the district. He expressed concern regarding the suggestion and said small *rural school* needs to be defined for purposes of the provision in statute which requires that no less funding is sent.

Clarifying the term *allocate* is an important definition given the tests in statute which relate to monies that are allocated to the local school precinct budgets. Money shall be considered allocated to a school precinct if: it is placed in the strategic budget or now the local precinct budget through the per pupil allocation or board action. Looser language is being considered retaining that money is allocated if is placed in the strategic budget through the per pupil allocation. The per pupil allocation does necessarily mean the weights. There has been discussion about the weights and the NDE recognition there may need to be a waiver of those weights or a weight of zero.

The second bullet clarifies the precincts can carry forward the remaining balance. There is a request to strike that language because statute states each precinct must carry forward its end-of-year balance, and the district must account for any account carried forward as a restricted fund balance. He said he is agreeable to striking that language in deference to the law and ensuring it is not duplicated in the regulation.

There was no public comment. The workshop closed at 9:10 a.m.

Workshop to solicit comments on proposed changes to NAC 389.0355 Art Definition; NAC 389.272 Kindergarten through third grade; NAC 389.2949 Third grade through Fifth Grade, 389.030 Level of Musicality; NAC 389.452 Arts and Humanities; NAC 389.443 Elective Courses of Study Sixth through Eighth Grade; NAC 389.541 Elective Courses of Study High School; NAC 389.452 Arts and Humanities High School; NAC 516 Permissible Elective Course; NAC 389.541 Elective Course the Arts; Add new sections NAC 389.XXX Music Kindergarten through Grade 8; NAC 389.XXX Music Composition and Theory; NAC 389.XXX Music Harmonizing Instruments; NAC 389.XXX Music Technology; NAC 389.XXX Music Traditional Ensembles; Delete the following; NAC 389.272 Kindergarten through third grade; NAC 389.2949 Third grade through Fifth Grade, 389.030 Level of Musicality; NAC 389.452 Arts and Humanities; NAC 389.443 Elective Courses of Study Sixth through Eighth Grade; NAC 389.541 Elective Courses of Study High School; NAC 389.452 Arts and Humanities High School; NAC 389.516 Permissible Elective Course; NAC 389.541 Elective Course the Arts

The workshop opened at 9:19 a.m. There were three individuals present in Las Vegas and two individuals present in Carson city.

Lisa Ford, Education Programs Professional, informed that these standards need to be reflected in a grade by grade progression and they are not currently represented that way. The proposed changes are specific to music K-8 and all the music disciplines in high school.

There was no public comment. The workshop closed at 9:24 a.m.

Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 386, relating to NAC 386.020. The proposed changes would revise the definition of a “Charter School” to include pre-kindergarten as a grade-level that may be offered by a charter school.

The workshop opened at 9:24 a.m. There were three individuals present in Las Vegas and two individuals present in Carson City.

Rebecca Feiden, Director, Achievement School District, informed the current regulation does not clearly articulate that a charter school may offer Pre-k as a grade which has resulted in a varying interpretation in the field and a range of programs being offered. This has resulted in several Pre-k programs (inaudible) have the opportunity to use special education funding to effectively serve students with disabilities. (inaudible).

Superintendent Canavero reiterated this is to clarify that charter schools may offer Pre-k as one of the grade levels within their school. It is not a requirement rather it is an option.

Public Comment

Patrick Gavin, Executive Director, State Public Charter School Authority, stated he is supportive of the concept behind the regulations. It is a necessary change. Many charter schools currently offer Pre-k as a private program funded with tuition dollars or government subsidies. He noted this would be a material amendment to the written charter or charter contract. If the oversight of these programs were to move from local licensure agencies to the sponsor it could be something local district sponsored charters may have concerns about. He noted there is existing regulation in both i NAC 386 and NAC 388a which precludes a charter school, which is rated at the one or two star level, from expanding from adding this grade. Any program that is currently offered under a grant by a one or two star school would not be impacted by this regulation. They would continue to be funded as a grant. He does not want to be in a position where additional licensure is offered to a school that is underperforming and slated for closure. This does not simply give a license for a school to add Pre-k or get full state funding for Pre-k if they are running a side program with occasional grant benefit.

Superintendent Canavero reiterated that the oversight of the Pre-k program shifts to the sponsor not the agency that funds the Pre-k and local licensure elements would be subservient. A minimum criteria for local licensure must be met and the overarching standards of the sponsor would apply at that point.

There was no further public comment.

Superintendent Canavero inquired if it is accurate that there are charter schools who are recipients of the Pre-k development grant? Patty Oya, Education Programs Director, said there are five charter schools currently receiving the pre-school development grant. Of those five, two are under Washoe County School District, two are under State Public Charter School and one is a private Pre-k. Superintendent Canavero expressed appreciation for charter schools stepping up and supporting students across the state.

No charter school that is receiving the state Pre-k or federal Pre-k grant is at risk next year for not having this regulation in place.

Director Gavin clarified for each of the schools that are currently offering Pre-k, we treat it as a private program which is fully subsidized. The difficulty is that there are limitations on how much of the funds can be used to service students who currently have an IEP because they are private school students. They are not authorized because there is no such thing as a Pre-k grade in Nevada for charter schools to extend IDEA funding down into schools. There is a challenge regarding who should be paying for this.

The workshop closed at 9:40 a.m.

Workshop to solicit comments on proposed amendments to NAC Chapter 385.410 concerning high school equivalency assessment retesting

The workshop opened at 9:41 a.m. There were three individuals present in Las Vegas and two individuals present in Carson City.

Nancy Olsen, Education Programs Professional, said the proposed change involves re-testing of a particular subject prior to completing the testing of the entire test battery. Originally, when the vendors for the high school equivalency test changed, they were all pricing their testing on the complete battery. It made sense to complete the battery prior to re-testing. Now the price of all the test vendors is based on individual sub-tests and it is a barrier for students to wait to re-test until they have completed the entire battery.

There was no public comment. The workshop closed at 9: 43 a.m.

Workshop to solicit comments on proposed changes to NAC 389.2424 Kindergarten through second grade: Technology and computers; NAC 389.2948 (Third through) fifth grades: Technology and computers; NAC 389.3905 (Sixth through) eighth grades: Technology and computers; NAC 389.450 Prescribed courses of study for graduation; NAC 389.505 Technology and computers; NAC 389.664 Units of credit required to receive standard diploma; Add new section NAC 389.XXX "Computer Science" defined; Delete the following: NAC 389.391 Eighth grade

The workshop opened at 9:43 a.m. There were three individuals present in Las Vegas and two individuals present in Carson City.

Cindi Chang, Education Programs Professional, said with the recent adoption of the K-12 computer science standards with the Academic Standards Council it is necessary to update NAC with the standards. It affects K-2, 3-5th and 6-8th grade, technology and computers for high school and adding a new NAC to define computer science. In addition remove antiquated NACs for 8th grade introduction to technology and introduction to keyboarding. NAC 389.450 and 664 is listed involving courses of study for graduation and standard diploma. Ms. Chang requested setting those aside at this time. The computer science sub-committee that advises the NDE and Board have requested more time and will bring them back in another workshop.

There was no public comment the workshop.

The workshop was closed at 9:49 a.m.

Public Comment #2

There was no public comment.

The meeting was adjourned at 9:50 a.m.