

**NEVADA DEPARTMENT OF EDUCATION  
NEVADA STATE BOARD OF EDUCATION  
OCTOBER 04, 2023  
2:00 PM**

| <b>Office</b>           | <b>Address</b>     | <b>City</b> | <b>Meeting</b>             |
|-------------------------|--------------------|-------------|----------------------------|
| Department of Education | 2080 E. Flamingo   | Las Vegas   | Room 114                   |
| Department of Education | 700 E. Fifth St.   | Carson      | Board Room                 |
| Department of Education | Virtual/Livestream | Virtual     | <a href="#">Livestream</a> |

**DRAFT SUMMARY MINUTES OF THE BOARD MEETING**

**BOARD MEMBERS PRESENT**

Dr. Katherine Dockweiler, Vice President  
Joe Arrascada  
Rene Cantu  
Maggie Carlton  
Tate Else  
Tim Hughes  
Michael Keyes  
Mike Walker

**BOARD MEMBERS ABSENT EXCUSED**

Felicia Ortiz, President  
Tamara Hudson, Board Clerk

**DEPARTMENT STAFF PRESENT**

Jhone M. Ebert, Superintendent of Public Instruction  
Ann Marie Dickson, Deputy Superintendent of the Student Achievement Division  
Megan Peterson, Deputy Superintendent, Student Investment Division  
Joseph Baggs, Administrative Assistant  
Gunes Kaplan, Education Program Supervisor  
Peter Zutz, Director of Assessment, Data, and Accountability Management

**LEGAL STAFF PRESENT**

David Gardner, Senior Deputy Attorney General

**AUDIENCE IN ATTENDANCE**

Sgt. Michael Cambell, Clark County School District Police Department  
Mike Casey, Chief Operating Officer of Clark County School District  
Linda Cavazos, CCSD Board of Trustees  
Carol Cox, Friends of Regional School Districts  
Dr. Ken Cox, Friends of Regional School Districts  
Lindsay Dally, Moapa Valley High School SOT  
Renée Davis, Associate Vice Chancellor for Academic and Student Affairs, NSHE  
Andrew Fewling, Superintendent for Carson City  
Patricia Haddad, Director of Government Relations for Clark County School District  
Tim Jackson, CCSD Director of Athletics  
Nate Jensen, PhD., Vice President of District Research for Northwest Evaluation Association (NWEA)  
Kellie Kowal-Paul, Chief Strategy Officer, Clark County School District  
Taci May, parent

Wendy Moccock, Moapa Valley Community Education Advisory Board  
Francesca Petrucci, Clark County Education Association  
Luke Puschnig, General Counsel for the Clark County School District  
Sherri Roos, parent  
Nathaniel Waugh, CCSD Government Relations Coordinator  
Jenniver Vobis, Executive Director of Transportation for the Clark County School District  
Lt. Brian Zink, Clark County School District Police Department

**1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, AND LAND ACKNOWLEDGEMENT**

Meeting called to order at 2:01 P.M. by Vice President Katherine Dockweiler. Quorum was established. President Katherine Dockweiler led the Pledge of Allegiance and provided a land acknowledgement.

**2. PUBLIC COMMENT #1***(A complete copy of their statements is available in Appendix A)*

- a. Andrew Feuling, NASS, provided comment regarding agenda item 7.
- b. Lieutenant Brian Zink, Clark County School District Polica Department, provided comment regarding agenda item 7.
- c. Sergeant Michael Campbell, Clark County School District Police Department, provided comment regarding agenda item 7.
- d. Mike Casey, Chief Operating Officer of Clark County School District, provided comment regarding agenda item 7.
- e. Jennifer Vobis, Executive Director of Transportation for the Clark County School District, provided comment regarding agenda item 7.
- f. Tim Jackson, Director of Athletics for the Clark County School District, provided comment regarding agenda item 7.
- g. Sherri Roos, parent, provided comment regarding agenda item 7.
- h. Francesca Petrucci, Clark County Education Association, provided comment regarding agenda item 9.
- i. Patricia Haddad, Director of Government Relations for Clark County School District, provided comment regarding agenda item 7.
- j. Luke Puschnig, General Counsel for the Clark County School District, provided comment regarding agenda item 7.

The following are public comments submitted via email. *(A complete copy of their statement is available in Appendix A)*

- k. Rick Harris, Nevada Association of School Boards, provided comment regarding agenda item 7.
- l. Pam Teel, Nevada Association of School Superintendents, provided comment regarding agenda item 7.
- m. Education Support Employee Association, provided comment regarding agenda item 7.
- n. George Thomas, student, provided comment regarding agenda item 7.
- o. Afton Samson, student, provided comment regarding agenda item 7.
- p. Gideon Slothower, student, provided comment regarding agenda item 7.
- q. Lilian Horsley, student, provided comment regarding agenda item 7.
- r. Jessie Shannon, parent, provided comment regarding agenda item 7.
- s. Adley Baldwin, student, provided comment regarding agenda item 7.
- t. Emma Knight, student, provided comment regarding agenda item 7.
- u. Emily Clark, student, provided comment regarding agenda item 7.
- v. Johanna Cox, student, provided comment regarding agenda item 7.
- w. Jase Hildreth, student, provided comment regarding agenda item 7.
- x. Journey Reynolds, student, provided comment regarding agenda item 7.

- y. Enrique Moraes, student, provided comment regarding agenda item 7.
- z. Lana Morse, student, provided comment regarding agenda item 7.
- aa. Lorie Heckman, student, provided comment regarding agenda item 7.
- bb. Cindy Plummer, student, provided comment regarding agenda item 7.
- cc. Kat Davis, student, provided comment regarding agenda item 7.
- dd. Ed Gonzalez, community member, provided comment regarding agenda item 9.
- ee. Donna Seals, community member, provided comment regarding agenda item 10.
- ff. Amie Palmira, Clark County School District Coordinator Psychological Services, provided comment regarding agenda item 10.
- gg. Erandy Benavides, NCSP, provided comment regarding agenda item 10.
- hh. Wanyun Kelley, Clark County School District Psychologist, provided comment regarding agenda item 10.
- ii. Franco Carranza, Clark County School District Psychologist, provided comment regarding agenda item 10.
- jj. Melody Thompson, Nationally Certified School Psychologist, provided comment regarding agenda item 10.
- kk. Leticia Marrujo, Clark County School District Psychologist, provided comment regarding agenda item 10.
- ll. Douglas Landaverde, Clark County School District Psychologist, provided comment regarding agenda item 10.
- mm. Kathleen Sorrentino, Clark County School District Psychologist, provided comment regarding agenda item 10.
- nn. Andrea Davis, Clark County School District Psychologist, provided comment regarding agenda item 10.
- oo. Anne Sikra, Clark County School District Psychologist, provided comment regarding agenda item 10.
- pp. Andrea Walsh, Clark County School District Psychologist, provided comment regarding agenda item 10.
- qq. Alayna Sacca, Clark County School District Psychologist, provided comment regarding agenda item 10.
- rr. Elizabeth Santos, Clark County School District Psychologist, provided comment regarding agenda item 10.
- ss. Varotta Johnson, Clark County School District Psychologist, provided comment regarding agenda item 10.
- tt. Loren Campbell, Clark County School District Psychologist, provided comment regarding agenda item 10.
- uu. Nicole Rubio, Clark County School District Psychologist, provided comment regarding agenda item 10.
- vv. Jordan Wenger, Clark County School District Psychologist, provided comment regarding agenda item 10.
- ww. Tamara Filangieri, Clark County School District Psychologist, provided comment regarding agenda item 10.
- xx. Kat Mehocic, community member, provided comment regarding agenda item 10.

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

**Member Arrascada moved to approve a flexible agenda. Member Tim Hughes seconded. Motion passed.**

#### 4. VICE PRESIDENT'S REPORT

- **Board Member Updates**

Vice President Dockweiler stated that the Board meeting takes place amid two noteworthy recognition weeks and that the first is Nevada's "week of respect," which is observed in our schools, every year, schools, and districts throughout the state participate in events and educational opportunities that emphasize the value of safe and courteous learning environments every year during the first week of October. It's also mental illness awareness week, she added, and mentioned that millions of Americans deal with the reality of having a mental health disorder every year, but everyone is impacted by mental illness in one way or another through friends, family, and coworkers. She continued by saying that for this reason, the National Alliance on Mental Illness and its supporters nationwide hold awareness-raising events during the first week of October each year to combat discrimination and provide support. She urged the Board members to set an example of respect and promote wellness in all our settings, noting that creating a secure and respected learning environment is essential to all the fantastic results the Board wants our students to attain.

Member Keyes thanked NDE and the National Equity Project for the training that they provided and stated he was able to go to three of those training courses and they were wonderful.

- **Nevada System of Higher Education (NSHE) Updates**

Member Arrascada informed the Board that he would be devoting his time to agenda item number 12, mainly due to the significance and applicability of the data dashboard offered by the Nevada System of Higher Education. He announced that the Associate Vice Chancellor for Academic and Student Affairs, Renee Davis, and the Director of Institutional Research, Jose Martinez, were in attendance today and that he would be giving them his full attention to provide a detailed overview of the data dashboard.

#### 5. SUPERINTENDENT'S REPORT

- **Transportation Update**

Superintendent Ebert provided written comments to the State Board of Education and will post them to the web as well. She mentioned that several members were asking specifically about transportation and the State Board of Education's role. She stated that the Board does approve the materials, the Board has approved them before for statewide transportation. She stated she would highlight outside of the other comments that in Assembly Bill 400, there was seven million dollars that was set aside for transportation for charter schools and that the State Public Charter School Authority has been awarded 1.1 million dollars to date. A total of 10 schools have applied and there are also several more applications that have been posted. She went on to say that they have a Board meeting in this room, also in Carson City, next Friday, October 13th, and so they will be approving more at that moment. She also said that currently to date two schools have requested reimbursement for the travel transportation that they have provided for a total of \$36,700.

- **Acing Accountability: Senate Bill 98 (82<sup>nd</sup> Session)**

Superintendent Ebert provided the Board with an update on accountability and mentioned that she wanted to highlight that there are two things that people ask the Superintendent the most. She mentioned that the first question is: Is there any additional testing for acing accountability? She mentioned that the answer is no that there is no additional testing. She went on to state that there were 2.6 billion dollars that were authorized by the legislature, signed by the Governor and she mentioned that she visited a school this morning and how resources are being put into use. She went on to address the second question: Does this take the place for the requirement for the Nevada School Performance mark? Superintendent Ebert mentioned that it does not since this is required by the Federal government. She mentioned that she is currently working with U.S. Department of Education and Superintendents, about shifting the current accountability system, which includes teachers, administrators, and educational partners.

- **Nevada Department of Education Updates**

Superintendent Ebert mentioned that the Office of Inclusive Education was awarded 9.9 million dollars for the Disability Innovation Fund. She stated that it is an innovative demonstration model and that it is a comprehensive approach to a seamless transition for our children and youth with disability ages 10 to 24. She also mentioned that an additional 3.5 million dollars was brought in by the ADAM Team. She went on to say that The Office of Assessment, Data Systems, and Accountability, was awarded an IES grant for improvement of the statewide data longitudinal system. Member Hughes asked if it was a repackaging of things that already exist. He stated it seems like most of the data was already published in some form. Superintendent Ebert stated that it is data that the Board will be looking at and that regarding Member Hughes' question, Superintendent Ebert mentioned that she has received questions from the legislators, the governors, and others. She mentioned that as of now the 2.6 billion dollars have been added and the school districts are aligning those dollars to the needs. She believes those metrics will help analyze and help the Board to move forward. Member Hughes stated that it sounded like they are aggregating data at the district level and that the individual school level data can be seen already since it is published. He also asked what happens next when it gets published and if some data is not good, will there be more steps that will be added as part of this process or if there are still no additional real accountability mechanisms. Superintendent Ebert stated that the Governor did speak directly to what is next.

Member Hughes asked if there was anything new in terms of a repercussion at that point. Superintendent Ebert stated at this moment in time, there is not a NAC or statute that is like other states.

Member Carlton stated that within SB 98, there is a follow-up subcommittee that the Board will be working on and mentioned what the Department of Education will do to integrate with that subcommittee, because ultimately it will be the legislature that will have to deal with the accountability of the dollars, and asked how this will all work together. Superintendent Ebert mentioned that the CSF just met on Thursday. She also mentioned that Member Hughes will be a member of the committee for Senate Bill 425 and that it is the group that will be looking at innovation and what is the future of education.

**6. CONSENT AGENDA (For Possible Action)**

**Member Cantu moved to approve the consent agenda. Member Carlton seconded. Motion passed.**

**7. INFORMATION AND DISCUSSION REGARDING THE HIGH SCHOOL START TIME REGULATIONS**

- **Dr. Katherine Dockweiler, Vice President, Nevada State Board of Education**

The Board will review updated draft regulation language for high school start times, hold discussion, and take possible action to approve the draft regulation language to send it through the regulation process. Dr. Katherine Dockweiler, provided a report to the Board regarding [Regulation Language - School Start Times](#). She stated that the agenda item was brought back to clarify points and that the Board appreciated all the comments from the public and that the draft regulation language report is online.

**Member Keyes read the draft language into the record.**

Deputy Attorney General David Gardner stated that this document would be submitted to LCB Legal for review and to be rewritten with the NAC compatible language. He mentioned that after that, LCB would resubmit it to the Board and then another public hearing at which time the Board will have the official language. He went on to say that the Board will be able to discuss and hear the language and decide again and if the Board votes to approve the language received from LCB, then it would be sent to the legislative commission, and afterwards the legislative commission will have to approve it. He went on to say if the LCB approves it, then it will become an official regulation. Vice President Dockweiler stated that the information was helpful, and she thought it is important for the community and the Board to understand that it will take time and there are plenty more steps in this process. She went over a few highlights from the

draft versus the initial draft. She mentioned that the first one was the word high was added before the word school, the second clarifying point was that each individual school community must be surveyed recognizing the different schools within a school district may have different needs, the third point of clarification was that the rollout of this regulation would change from 25% to 35% as a recommendation made by Member Keyes, the fourth one was the addition of the language later than to the 8 a.m. start time, and the last clarifying piece was the inclusion of the school community survey results to the annual reporting to tie into that component of the proposed regulation.

Member Keyes stated there is a waiver system that the Board outlined in the regulation section. He also mentioned that in Nye County they start school at 8:15 a.m. and Nye County still has the three-tier system. and clarified that instead of high school, middle school, elementary school, Nye County does middle school, high school, elementary school. He stated that while he does not support middle school students going to school at 7:00 a.m., that it was a viable solution. He also mentioned that he would like to highlight this in the survey option and that the regulation is more compelling for school districts to listen to their school community on school start times because the Board has the survey option that might be part of the waiver. Vice President Dockweiler stated that it is very critical to keep in mind that the State Board of Education will establish a waiver system and that it has not been established yet and that would be another process that would allow the public to provide comments on and that the survey data that is collected would then go to support why the waiver is needed.

Member Hughes stated that Section 1 wasn't clear on what alternative option means and he thought the Board would want to spend more time if the Board wanted to keep that language. He stated he did not think the way it currently is written that the gradual implementation timeline would have to be adjusted, because the Board is saying by November 15<sup>th</sup> for the next school year and that the Board would not be able to get through any kind of workshop process, waiver process, etc. He stated he was also thinking about the reporting section where the Board wanted to be intentional about not over-surveying people. He thought they would just survey those communities that were earlier than 8:00 a.m. but mentioned that he thought the Board would be missing a big data piece because they would not know if people who have a later start time are satisfied with that. He stated that he wondered if the Board would spend some time and create a statewide survey; step one is to ask every district to collect robust data from families. Vice President Dockweiler asked Member Hughes if, when talking about the comprehensive survey, would it satisfy or address some of what he is saying by saying that needs to be conducted annually to get that feedback. Member Hughes stated that he would like the Board to do a workshop to make sure that all data is collected from the stakeholders before taking anything to the LCB. Member Else stated that he is a member of NASS, and they have a lot of concerns about this and that he believes the Board needs more data because stakeholders are under the impression that the Board and school districts are not operating with the best intent for students.

Member Carlton stated she is not convinced that the Board is doing the right thing. She went on to say that stakeholders have started to engage but that she wished the stakeholders would have had more information at all workshops and how there are a lot of education issues in the state that the Board needed to be working on and the longer the Board drag this out the less of the other work that the Board is going to get done. She went on to say that she would like to see the Board draft a regulation and have the public hearing for it, instead of postponing it and doing surveys, so that the Board could move forward with other areas.

Vice President Dockweiler stated there is nothing that prevents them from doing two things simultaneously. She mentioned that the draft regulation can move forward to LCB, and districts can also survey their communities and provide us with information, and the districts can bring that forward to one of the workshops. She asked Member Hughes if that would align with his thinking on gathering additional feedback. Member Hughes stated yes and that depending on the timeline, whether those workshops could

have that data to review as actually part of the discussion. He thought they would still have to address the timeline issue in whatever the Board put forward regardless.

Member Cantu commended the Board student member for his very articulate remarks and feedback. He stated if the Board moves forward, there are still two or three steps ahead before anything goes into final regulation and implementation and that the Board can simultaneously gather more information. He thought that with the workshop coming up they will have robust participation that would inform the regulation before it goes into effect, and it may also influence whether this Board approves moving forward or not.

Member Walker stated NASB believes this is a matter of local control and he mentioned that in Carson City, there was a robust process where they looked at school start times and the community decided it was not worth it, because of what was going to happen to our system and that was all the stakeholders making that decision as they have explored this. He also stated that several of our school districts feel like they have not been included in this discussion. He recommended that the Board listen to the stakeholders who are doing the work in the communities.

Vice President Dockweiler stated most of the public comment that the Board has received from parents and students have been favorable.

Superintendent Ebert stated when they started in February and March, November seemed reasonable and went on to say that this information has not been submitted to the Legislative Council Bureau at this moment in time. She also mentioned that it takes the LCB time to do their due diligence as well to make it appropriate to the language within NAC and then the Board would have those other required workshops and hearings. She mentioned that she would like the Board to consider changing the start date in the proposed regulation to the 2025 school year instead of 2024.

Member Keyes stated that in the survey, he would like to have the idea that the Board do some sort of informative campaign to avoid some misrepresentation of the regulation language on the county level. Vice President Dockweiler stated that it sounded like the Board wants more information, the Department of Education will assist with gathering data and the thought is that this proposed draft with the proposed change of implementation start date of 2025 to 2026 school year could move forward to LCB, so that the Board can keep things moving forward while also gathering information at the same time with the understanding that this is not a fast process and that there will be multiple opportunities for contributions along the way. Member Keyes stated that he wanted to clarify that right now before they move forward the language to LCB. Vice President Dockweiler stated she is curious to see what LCB would have to say about that, that may not even make the final cut. She stated she would entertain a motion for what the Board would like to move forward on. Vice President Dockweiler asked if the language that he is proposing would be a draft that he read into the record with the addition of the implementation year changing from 24-25 school year to the 25-26 school year. Member Keyes stated yes. Member Cantu offered an amendment before any seconding, to move the implementation year to 2025 for one, and that the Board gather more survey data as they move forward. Vice President Dockweiler stated the motion did include delayed start time to the 2025-2026 school year.

**Member Keyes made a motion to move forward the language to LCB. Member Cantu seconded. Motion passed with one abstention from Member Hughes.**

## **8. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE CREATION OF THE STATE BOARD OF EDUCATION STUDENT ADVISORY COMMITTEE**

The Superintendent of Public Instruction, Jhone Ebert and Student Member of the State Board of Education, Michael Keyes, provided information regarding the creation of the State Board's Student Advisory

Committee to promote student voice within the Department’s decision-making process. They provided a PowerPoint presentation regarding the [Nevada Student Advisory Board](#).

Superintendent Ebert stated the Nevada Department of Education and this Board value and expect to have student voice in all the decisions that they make each day. She mentioned that the student representative has spent quite a bit of time on this proposal today and that the Board will have a discussion and it is an item that you can make a motion to move forward with our suggestions as the Board choose to do so.

Member Keyes stated he had this idea when he attended a National Student Council Conference. He gave a presentation on why a student advisory Board is necessary, what the benefits would be, who would be on the Board, and what the Board would do. He stated he would like to possibly include the Nevada Youth Legislator to come up with legislation that the Board can put towards the next legislative session. He mentioned that this would be a good step in highlighting student voices in Nevada and helping the Board and NDE do a better job. Member Else thanked him and wanted to highlight having the diverse populations do it.

Member Carlton asked if the Board of Education has the authority to create this or would the Board need statutory authority to develop it and would it be able to incorporate it into a budget. She also asked what the staff time would look like and what would the actual processes be like. Superintendent Ebert stated that there wouldn’t be staff assigned. She also stated that Member Keyes would be conducting the meetings virtually two weeks before the Board meeting with the agenda, so they can assess those items. She mentioned that once this gets started, the Board can see how it runs and ask the legislature for funding and would go through the process. Member Keyes stated he sees this as not really needing funding unless the Board wants to provide a stipend for the members in it. Member Hughes stated his appreciation and he also stated that he often sees good intentions of getting student voices and then the adults walk away, and that input is not actually utilized or does not actually lead to any change. He asked if Member Keyes would narrow the focus specifically to things that this Board can do something about or would it be more like he would look at the agenda items and get input on those specific items, because then the Board could factor that in. He asked what the focus would be, what kind of input and then who would be receiving and doing something with that. Member Keyes stated that once the student Board gets established, he would like to create a list of issues that students are facing and condense it down to issues that the Board has control over. He stated he would also like to invite the Board members to the meetings to provide insight or that he can provide updates to summarize the discussions. He mentioned creating a priority list, where it can be posted to understand what the students are wanting. Member Cantu stated he loved the concept because he is talking about including students from all backgrounds and asked General Counsel if this was within the scope of the Boards ability to take any action upon it. He stated that Member Keyes could launch this as kind of a pilot and then the students could draft a BDR to form the student Board.

Deputy Attorney General David Gardner stated he sees two paths that are easy for a Board like this. He went on to say that the Board could create a subcommittee and name it or the Superintendent could use her power to create an Advisory Board. He clarified that both options are allowed and that a BDR would only be required if an independent Board was created.

Vice President Dockweiler asked Member Keyes how he envisioned this student Board, as a part of the State Board of Education or working directly with Superintendent Ebert. Member Keyes answered that he prefers Superintendent Ebert since this would allow them to have a wider range. He feels like they can have more student input in all NDE and not just the Board while also bringing things back to the Board.

Superintendent Ebert stated that the Nevada Department of Education can launch it and see how it moves forward. She mentioned that what is more important than the structure, is the information and conversations



to inform the decisions monthly and to have a voice. She went on to say that if it does need to go to a BDR in the future, that is fine, but she would like to get the information out to the Superintendents asking them for nominations and launch it within the State Superintendent's Authority.

Member Walker stated he would encourage that a limited number of middle school age children be involved in this, because then the Board even are developing future leaders instead of just the students who are at the secondary level right now. Member Keyes stated that would create a line directly from middle school to high school to have extra perspectives.

Vice President Dockweiler asked DAG Gardner if this committee should fall under the Superintendent's Authority, does the State Board of Education still need to vote on this item. Deputy Attorney General David Gardner stated no, as it would be done under the Superintendent's power.

**Vice President Dockweiler stated they will not vote on this item and will close out this agenda item.**

**9. INFORMATION AND DISCUSSION REGARDING THE REORGANIZATION OF THE CLARK COUNTY SCHOOL DISTRICT TRAINING** (*Information and Discussion*)

The Board heard a presentation by Kellie Kowal-Paul, Chief Strategy Office of CCSD, regarding the reorganization of the Clark County School District Training and Resources, and the process by which this training will be rolled out across the district.

Kellie Kowal-Paul gave a presentation on the reorganization of the Clark County School District training, required by regulation LCB File Number R063-22. She stated that this included an overview, balancing authority and responsibility, roles, information about the SOT, how to form SOTs, SOTs function, and processes and procedures. She also stated the regulation requires three things related for training; first is to provide annually to certain participants in the existing laws and regulations regarding the reorganization, second that the training materials used for that training are approved by the State Superintendent of Public Instruction and third that the approved materials are posted on the district's website. She mentioned that the training materials have been approved by Superintendent Ebert for the 23-24 school year and have been made available on the district website and the rollout for training of mandatory participants is well underway. She went on to say that the approval was specific to the 23-24 school year recognizing that changes will need to be made for the 24-25 school year and beyond after the implementation of SB 282, which takes effect on July 1, 2024. She mentioned that the Superintendent and Members of Cabinet have been provided with materials already for independent review and training will be provided in person, tentatively by the end of October and that supervisors of principals have also been provided with materials and they will be trained in November. She also went on to say that principals have been provided with materials and are expected to both reviews independently and provide training to School Organizational Teams.

Member Hughes asked how they created the training materials and who was involved in that process. Kellie Kowal-Paul stated the training materials are required to be based on the law and the regulations that align. She mentioned that she built a spreadsheet with every line of the law and regulations both at the State and the District level and checked them off as she went. She also mentioned that she had a team originally at the beginning of the re-org building some of those resources, a lot of interviews with SOT members at the beginning, and then once that all got put together, it was reviewed on her end by the Superintendent and the Department of Education.

Member Hughes stated he was thinking how many stakeholder groups or different perspectives are trying to access that training and some of them may know a lot and some may know nothing. He also asked if the Board would be able to receive an update on what percentage of the funds had to go directly to schools and

wondered if there was somewhere in there to explain to SOT members how the distribution is. Kellie Kowal-Paul stated she put the information of balancing authority between the district and schools in page nine.

Vice President Dockweiler mentioned that liked the fact that the document is a living document and she also wanted to know if SOTs needed to provide feedback how would they share the information. Kellie Kowal-Paul mentioned the process for how SOTs will provide feedback. Vice President Dockweiler mentioned that the principals have a lot on their plates, and she believed that it would be easier for SOT to communicate directly to the Board.

Superintendent Ebert thanked Kellie Cowal-Paul for her work on this and mentioned that the school districts submitted the report, once the Board provided some feedback, they accepted the feedback, there was conversation, not only feedback from the community but also what the Board hear at the state level and then when it was resubmitted, it was then approved.

## **10. INFORMATION AND DISCUSSION REGARDING THE READ BY GRADE 3 AND MAP ASSESSMENT DATA** (*Information/Discussion*)

The Board heard a presentation regarding current trends and practices related to Read by Grade 3 and spring-to-spring results on the Measure of Academic Progress (MAP) Assessment data by Deputy Superintendent of the Student Achievement Division Ann Marie Dickson and Vice President of District Research for Northwest Evaluation Association Nate Jensen. A PowerPoint presentation regarding the [Nevada MAP Growth Results](#) was presented.

Nate Jensen gave a presentation regarding trends and practices related the achievement trends seen across the State as of Spring of '22 and Spring of '23 on the MAP growth assessments, framed in the context of the Read By Grade 3 Program's purpose, partnership and focus; MAP growth overview, interpretation of student achievement, students tested, reading achievement data, main takeaways; NWEA state professional learning and consulting services and NWEA adaptations to improve impact.

Member Walker requested clarification on where Nevada was on the percentile. Nate Jensen stated that 43% of kids are at or below the 40th percentile. Vice President Dockweiler asked if anything below 40<sup>th</sup> is below average, what the standard bell curve was, and what is the average range in this test. Nate Jensen went on to say that 50<sup>th</sup> percentile is average and mentioned to the Board what the average achievement by grade is, by subject, by term. He mentioned that most students are going to live within plus or minus one standard deviation, which is the 16th percentile to the 84th percentile, that is where 68% of students are going to fall. 95% of students are going to fall within plus or minus two standard deviations, second and a half percentile to the 97th and a half percentile. Nate Jensen also stated that when talking about what is average, it is how far above or below the 50th percentile does a student need to be for it to be meaningfully different than average and that is the 43rd to the 57th percentile, which corresponds to negative 0.2 to positive 0.2 standard deviations. He went on to say that this is kind of standard in education research and that anything outside of that range, the 43rd percentile to the 57th percentile is what he would consider to be meaningfully different from average including the 40th percentile. Vice President Dockweiler asked if anything down to the 16th percentile is average. Nate Jensen answered absolutely not. Vice President Dockweiler stated she thought he just said it was the 16th to 84th percentile is a compared average. Nate Jensen mentioned that's where most students are, but that would not be what he considers average and that he would not consider a student achieving at 16th percentile to be average, that is a student in need of significant intervention. He also mentioned that in the same way, that a student at the 84th percentile would not be achieving at an average level, that is a student who is likely ready to be presented with accelerated content and average is not as the same as the 16th to 84th percentile, that is just describing the

distribution. Vice President Dockweiler stated that Nate Jensen is correct, the descriptive category for that would be average. Nate Jensen stated 16th and 84th percentile is just describing where 68% of students are in the normal distribution. It is not making qualifications about what is average or not. Vice President Dockweiler stated she was reflecting to some of the public comment they had on this and wanted to make sure their voices are represented. She stated she appreciated the comments about the difference between percentage and percentiles, because those are two certainly different things. She asked if it was possible for 100% of students to score above 40% on a test. Nate Jensen stated of course. Vice President Dockweiler stated only 60% of students would ever score above the 40th percentile. Nate Jensen stated that is what they see again in a normal distribution. He mentioned that the 40th percentile in a National Distribution 40% of kids are going to be below, 60% of kids are going to be above and that is what a normal distribution tells us. He went on to say that what that does not tell us though is that necessarily 40% has to be below or 60% would have to be above and that it is not zero-sum, a 100% of students could in theory be above the 40th percentile. He continued to say that it is not likely but it's consistent with what is seen nationally.

Member Else stated the 50th percentile does not mean you are going to necessarily mean standard. He asked if it was safe to say it is above the 65th percentile, which is going to ensure a three or higher on the SBAC. Nate Jensen stated yes, he can pull that back up just to get at what you are talking about. Member Else stated unlike in my district, anybody below the 60th in need of intervention to meet standard. Nate Jensen stated if we are talking about framing in the context of where the proficiency standard has been set within the state, but where students must be achieving kind of interpret in the context of our norms is anywhere from the 66th percentile of achievement in second grade here in reading up to the grade, down to on the achievement, 53rd percentile in eighth grade. Member Hughes stated he thinks the thing that is always confusing to a lot of people is the national reference, that could also just mean students in other states are doing worse, but it may not mean on an absolute scale, our kids are equipped with better skills and mentioned that it is more because it is a relative comparison. He asked if that was the right way to think about it.

Nate Jensen clarified by stating our norms are based on historical data that have been established. And mentioned that changes of Nevada is not currently impacted by changes in other states. Member Hughes stated the two things he is curious about is how this data is useful to practitioners and how the Board heard earlier from the Superintendent around one accountability metric with districts is thinking about the extent to which they are using high quality curricular materials. He asked if there was an easy way they can compare and look at this data regarding what materials and is that something the Board could do, and which materials are potentially leading to better outcomes for students or do you all do that nationally and have a perspective on that. Nate Jensen stated that he does not have a perspective on that nationally and could certainly look at the relationship between and what kind of outcomes are seen on the MAP growth assessment. He mentioned that it is more correlational than causal, but it could at least give the Board something to look for.

Member Tim Hughes mentioned that MAP is only administered in English, and he stated that it's his understanding that oftentimes when the language learner's data is seen, it masks what their proficiency may be in their actual native language and when instructing those students, you want to make sure that you are utilizing their proficiency in their native language as a bridge to learning English. He stated he was curious if there were somebody who would point to a state or district - that sort of triangulates and uses the Spanish version of MAP with the English version and is able to help instructors think about how to support students, because they know their native proficiency.

Nate Jensen stated he could give Member Hughes some examples offline of some districts that he works with that administer both the English and the Spanish version of the reading test and he

mentioned that the tests fundamentally answer two different questions, one is are you proficient in English and one is are you proficient in your native language and think they use that information to understand how their students are performing holistically. We have worked with districts in the past who do use both sets of data and think they found it to be helpful to recognize what the level of intervention or urgency should be given the differences that they see in those data.

Member Cantu asked if he could describe what the national bell curve looks like in comparison to the data on a bell curve for Nevada only and asked where our bell curve would fall in comparison to the national, if our top performing students here are getting maybe to the red line to the 50th. Nate Jensen mentioned that the distribution is slightly to the left meaning the overall achievement in Nevada is slightly lower than what is seen nationally. Member Cantu asked if he would say only slightly lower or significantly lower. Nate Jensen stated he would say slightly.

Member Walker stated he went to the Fusion Conference and there was a lot of information available and one of the things our district recently adopted HMH into our reading curriculum and one of the attractive features was that they were merging with NWEA. Hopefully the tool will align. He asked if they will be able to click on those children who are below that 40th percentile and get targeted interventions like in i-Ready. Nate Jensen stated yes, and he thinks that is the direction they are going. To answer the question of what next and think oftentimes say that is great and we admire the data and then we say what do we do about that and think our attention is as we move into this new kind of HMH world to identify one of those things that teachers can do once they are given those data to kind of have something tailor-made to intervene for that particular student, so long-winded way of saying, yes that is the direction we are going.

Vice President Dockweiler stated it is very disheartening to see the different student groups and the gaps that still exist and mentioned regarding Member Hughes' comment about some of the strategies that could be employed or looking at the different groups to help support them. She stated they do have a Read by Grade 3 Team and Read by Grade 3 Advisory Council and it might be beneficial to hear from them at some point, because they really handle a lot of that professional development piece that think kind of feeds into this that might provide another lens for this Board to consider.

## **11. INFORMATION AND DISCUSSION REGARDING THE SMARTER BALANCED ASSESSMENT RESULTS, NEVADA SCHOOL PERFORMANCE FRAMEWORK, AND STAR RATINGS**

*(Information/Discussion)*

The Board heard a presentation regarding the Smarter Balanced Assessment data results for the 2022 - 2023 school year in the subjects of English language arts and mathematics by Director of Assessments, Data, and Accountability Management Peter Zutz. The Board was provided a PowerPoint presentation regarding the [2022-2023 Smarter Balanced Assessment Results and the Nevada School Performance Framework Star Ratings](#). Following the discussion on the data, the Board heard the presentation on the Nevada School Performance Framework which determines the star ratings for the districts. Information will include a three-year data trend as it relates to the assignment of district star ratings presented by Gunes Kaplan, Education Programs Supervisor.

Director Peter Zutz gave a presentation regarding an overview of the 2022-2023 Smarter Balanced Assessment results, and the 2022-2023 Nevada School Performance Framework star ratings for Nevada School Districts, including an overview of each school's levels framework and information on how star ratings are calculated.

Member Walker asked that looking at that data with the increase in '23 for ELA and then the drop or '22, do they know what might account for that. There are ongoing discussions on what or why might have caused

that, but Director Peter Zutz said he had nothing to share at this moment.

Member Walker stated one of the things they are working through in Lyon County is there is a cadre of us doing some professional development on the science of reading and was just reading last night about Mississippi actually did like a statewide initiative with intensive professional development around the science of reading and think that was for one state that showed a positive trend with that research, so maybe for Superintendent Ebert, just a thought.

Superintendent Ebert stated yes, she has spoken with her former colleague in Mississippi and that their structure is robust at the state level, and all professional development and literacy strategists are all selected by the state. And she went on to say that when the school districts and individual schools are asked to identify literacy strategists at each school, that is done at the school level at the discretion of the principal. She went on to elaborate that in Mississippi the positions were hired and reported to the Mississippi Department of Education and there is consistent training, expectations across the entire state, as well as the in-depth piece with the science of reading. She went on to say that Deputy Superintendent Dickson is leading the work with the team and had been working with the University of Minnesota on the science of reading and professional development. And that the state will receive an additional six million dollars this year for the science of reading. Member Else stated that he saw a huge decrease in middle school SBAC scores, and over the year, elementary scores increased, but a significant decrease in middle school and he mentioned that he has visited other superintendents, and they also mentioned a consistent decline in middle school. He asked if Director Peter Zutz had seen that trend. Director Peter Zutz stated they do not have anything prepared, but he would get the information for the Board.

Gunes Kaplan presented her portion of the presentation, an overview of the star ratings.

Member Cantu stated the most significant thing for him was the increase and that he noticed that 22% of high schools were not rated. He asked if there was a reason.

Director Peter Zutz stated that the rating has to do with the school not meeting the minimum N size. He mentioned that N size is the size of students taken into consideration or used in the calculation of any one of the measures and that the Department employs that to protect the privacy of students, schools, and districts.

Member Cantu stated there was also a dramatic increase in the number of one-star schools and asked if he could elaborate a little bit about the dynamics that we are seeing and the causes of that. Director Peter Zutz stated the Nevada School Performance Framework or the NSPF is a school level and a district level performance framework. And continued to elaborate if Member Cantu was referring to the 95 schools from 2018-19 moving to one-star schools in 2023 and mentioned that the data was looked at and saw that chronic absenteeism had gone up.

Member Cantu stated that he would like to know if goals are being adjusted based on the star rating of the school and mentioned that he is aware that some student performance decline was due to COVID. He referenced that on slide 12 he noticed that 7<sup>th</sup> graders had a drop in ELA of 7 points while kindergarten students didn't seem to be as affected. He stated that the Board would like to understand the data better, so that the districts and our teachers can use the data to help raise performance.

Superintendent Ebert stated the Department was intentional in developing the presentation today starting with Read by Grade 3, the SBAC data and the star ratings and that today's grouping of presentations is about data. She went on to say that next month, the Board will be looking at all those resources.

Member Hughes asked if Director Zutz has the percent of students who have access to different star leveled

schools. Director Peter Zutz stated they are looking into that and that he will be getting back to the Board with an answer.

Member Hughes stated he thinks that families that have access and privilege do often make decisions based on what those star ratings are. He went on to say that the Department and schools discussed moving student growth targets and once the performance ratings were about to happen the schools were told that there was a new set of growth targets and wanted clarification on whether the goals were moved with people not knowing. Director Peter Zutz stated that the Department did spend time prior to the September 15th release working with all LEAs and any stakeholder that contacted the Department for information on this to resolve and mentioned that two weeks before the release date of September 15<sup>th</sup> all LEAs signed off on the growth. He went on to clarify that the Superintendent Ebert reached out to the national expert on growth and had several phone calls with him to clarify both for the Department to make sure that the calculations were correct and accurate as well as in the communications with all stakeholders to be as completely as transparent about growth for 22-23 Nevada School Performance Framework. Member Hughes mentioned that he is aware of some requests that have been made for further conversations on this on behalf of the department and would welcome those sooner than later and mentioned that he feels it is important to have this discussion since he feels that the accountability mechanism is different for charter schools and those star ratings can impact a charter school in closing a school. He went on to mention that it sounds like a communication lesson to be learned in making sure everyone knows that the targets are going to change.

Superintendent Ebert stated no goal posts changed for the growth model and has been running the same since it began. She mentioned that what changed was the specific point in time when the data is collected. And she also stated that she had conversations with Rebecca Feiden from SPCSA, because there are a bunch of different things we would have had to possibly ask for, but we do not have the authority to change, because it has been, what we run has been approved by US Department of Education. She mentioned that with acing accountability and coming out of the pandemic, the Department went ahead and moved forward with the data, actual data as is and addressed Member Hughes last point, that the Department expects that gains will be made moving forward.

Member Cantu asked if there is any need or consideration to somehow hold the Charter Schools harmless, being that perhaps what happened with COVID is having an unintended consequence that could have huge ramifications for their ongoing viability as an operation.

Director Peter Zutz stated with the release of the 22-23 Nevada School Performance Framework star ratings, those ratings are in the books and prior to the release there was a lot of conversations with the SPCSA, as well as some academic professionals associated with the SPCSA, and that he stands behind the data. He mentioned that no changes can be made to rating schools. And reiterated what Superintendent Ebert mentioned on the Nevada School Performance Framework Business Rules and how it was approved by the USED. He mentioned that he looks forward to having conversations with the Board to best serve the interests of student achievement and supporting teachers and districts in that work.

Member Keyes asked for the data on the number of students that have availability to the five-star schools. Vice President Dockweiler stated she believed the department will gather that information for the Board.

## **12. INFORMATION AND DISCUSSION REGARDING THE NEVADA SYSTEM OF HIGHER EDUCATION'S (NSHE) DATA DASHBOARD PRESENTATION** *(Information/Discussion)*

The Board received a presentation on the Nevada System of Higher Education's (NSHE) College Readiness Data Dashboard by Renée Davis, Associate Vice Chancellor for Academic and Student Affairs. The Board was provided a PowerPoint presentation on [NSHE College Readiness Data Dashboard](#).

Renee Davis gave a presentation on NSHE’s College Readiness Dashboard, to include high school graduates, average ACT scores by type and ACT college readiness score distribution.

Member Hughes asked if Renee Davis could speak on one of the dashboards and the real value in tracking it long term, and whether success in K-12 and then success in an NSHE Institution lead people on a pathway of economic and social mobility. He also asked if there is some way to track a degree and does it equip somebody to get a high paying job or sort of have a career track if that is the next phase of this or is that already there. Renee Davis stated in terms of the completion of students who are by diploma type, that is high on Jose's priority list, and then yes, eventually taking advantage of the workforce data as well. That is a plan.

Member Cantu stated he would love to see the return on investment between two years and four institution degrees in comparison to the trades and mentioned that factoring in student loan indebtedness into the return on the investment in post-secondary education. He stated that would begin to show what the value is, certain two-year degrees, four-year degrees and the trade and technical schools. Renee Davis agreed and stated they are looking in their workforce area for the workforce credentials that are offered at the NSHE Institutions and mentioned that they are moving in that direction.

Member Walker mentioned that he was struck by a few things both during and after the presentation, including the fact that there have been shifts in attitudes toward education that have an impact on students' everyday attendance at school. He went on to state an example for the Board; when students have gotten COVID and then they are out 10 or 5 days, it has changed that perception of when to send kids to school, and how important is it with computer style families keep kids home, but then also there is this dialogue that and there is not a return on investment with education and education is very important. Second, post-secondary school, college, Bachelor’s degrees, masters degrees, there is value for our students and that maybe it is not for every student, but what he would hate is this narrative be taken as only certain people go to college, because that is going to have an impact on our state, our nation and also their livelihood, because there are costs that come with college and he thinks that there are policies that we put in place at the state level and national level to help with that but he would really love to see more of our kids going on to our colleges and universities, because it will make a difference in their life and we are going to count on them to run our state for us in the very short future.

### **13. FUTURE AGENDA ITEMS** *(Information/Discussion)*

- Statewide Plan for the Improvement of Pupils (STIP)
- Information and Discussion on Restorative Justice Practices
- Information and Discussion on School Improvement Designations and Status
- Read by Grade 3 Cut Score

### **14. PUBLIC COMMENT #2**

Dr. Ken Cox, Friends of Regional School Districts, provided public comment regarding the rural part of Clark County School District, both the Moapa and Virgin Valleys and the feasibility of establishing an independent school district.

Wendy Moccock, Tessie May, and Lindsay Dally provided public comment regarding the CCSD’s claims that their Moapa Valley High School Principal, AP and two counselors knowingly violated State Attendance Law by allowing open periods for sophomores and juniors and asked for help to correct rural inequities and advocate for their high school to return to its previous schedule as soon as possible.

Written public comments regarding school start times were read from Kayana Nana, Kirsten Lallana, Krystal Goddard, Patricia Haddad and Jolie Hoene.

*(A complete copy of the statements is available in Appendix A)*

**15. ADJOURNMENT**

Meeting was adjourned at 6:46 p.m.



**APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT**

1. A.J. Fewling, NASS, provided comment regarding agenda item 7.
2. Lieutenant Brian Zink, Clark County School District Polica Department, provided comment regarding agenda item 7.
3. Sergeant Michael Campbell, Clark County School District Police Department, provided comment regarding agenda item 7.
4. Mike Casey, Chief Operating Officer of Clark County School District, provided comment regarding agenda item 7.
5. Jennifer Vobis, Executive Director of Transportation for the Clark County School District, provided comment regarding agenda item 7.
6. Tim Jackson, Director of Athletics for the Clark County School District, provided comment regarding agenda item 7.
7. Sherri Roos, parent, provided comment regarding agenda item 7.
8. Francesca Petrucci, Clark County Education Association, provided comment regarding agenda item 9.
9. Patricia Haddad, Director of Government Relations for Clark County School District, provided comment regarding agenda item 7.
10. Luke Puschnig, General Counsel for the Clark County School District, provided comment regarding agenda item 7.
11. Rick Harris, Nevada Association of School Boards, provided comment regarding agenda item 7.
12. Pam Teel, Nevada Association of School Superintendents, provided comment regarding agenda item 7.
13. Education Support Association, provided comment regarding agenda item 7.
14. George Thomas, student, provided comment regarding agenda item 7.
15. Afton Samson, student, provided comment regarding agenda item 7.
16. Gideon Slothower, student, provided comment regarding agenda item 7.
17. Lilian Horsley, student, provided comment regarding agenda item 7.
18. Jessie Shannon, parent, provided comment regarding agenda item 7.
19. Adley Baldwin, student, provided comment regarding agenda item 7.
20. Emma Knight, student, provided comment regarding agenda item 7.
21. Emily Clark, student, provided comment regarding agenda item 7.
22. Johanna Cox, student, provided comment regarding agenda item 7.
23. Jase Hildreth, student, provided comment regarding agenda item 7.
24. Journey Reynolds, student, provided comment regarding agenda item 7.
25. Enrique Moraes, student, provided comment regarding agenda item 7.
26. Lana Morse, student, provided comment regarding agenda item 7.
27. Lorie Heckman, student, provided comment regarding agenda item 7.
28. Cindy Plummer, student, provided comment regarding agenda item 7.
29. Kat Davis, student, provided comment regarding agenda item 7.
30. Ed Gonzalez, community member, provided comment regarding agenda item 9.
31. Donna Seals, community member, provided comment regarding agenda item 10.
32. Amie Palmira, Clark County School District Coordinator Psychological Services, provided comment regarding agenda item 10.
33. Erandy Benavides, NCSP, provided comment regarding agenda item 10.
34. Wanyun Kelley, Clark County School District Psychologist, provided comment regarding agenda item 10.
35. Franco Carranza, Clark County School District Psychologist, provided comment regarding agenda item 10.
36. Melody Thompson, Nationally Certified School Psychologist, provided comment regarding agenda item 10.
37. Leticia Marrujo, Clark County School District Psychologist, provided comment regarding agenda item 10.

38. Douglas Landaverde, Clark County School District Psychologist, provided comment regarding agenda item 10.
39. Kathleen Sorrentino, Clark County School District Psychologist, provided comment regarding agenda item 10.
40. Andrea Davis, Clark County School District Psychologist, provided comment regarding agenda item 10.
41. Anne Sikra, Clark County School District Psychologist, provided comment regarding agenda item 10.
42. Andrea Walsh, Clark County School District Psychologist, provided comment regarding agenda item 10.
43. Alayna Sacca, Clark County School District Psychologist, provided comment regarding agenda item 10.
44. Elizabeth Santos, Clark County School District Psychologist, provided comment regarding agenda item 10.
45. Varotta Johnson, Clark County School District Psychologist, provided comment regarding agenda item 10.
46. Loren Campbell, Clark County School District Psychologist, provided comment regarding agenda item 10.
47. Nicole Rubio, Clark County School District Psychologist, provided comment regarding agenda item 10.
48. Jordan Wenger, Clark County School District Psychologist, provided comment regarding agenda item 10.
49. Tamara Filangieri, Clark County School District Psychologist, provided comment regarding agenda item 10.
50. Kat Mehocic, community member, provided comment regarding agenda item 10.
51. Dr. Ken Cox, Friends of Regional School Districts, provided comment during public comment #2
52. Wendy Moccock, Moapa Valley Community Education Advisory Board, provided comment during public comment #2
53. Taci May, parent, provided comment during public comment #2
54. Lindsay Dally, Moapa Valley High School SOT, provided comment during public comment #2
55. Kayana Nana, student, provided comment during public comment #2
56. Kirsten Lallana, student, provided comment during public comment #2
57. Krystal Goddard, student, provided comment during public comment #2
58. Patricia Haddad, Director Government Relations, CCSD, provided comment during public comment #2
59. Jolie Hoene, student, provided comment during public comment #2

## **APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT**

### **APPENDIX A, ITEM 1: A.J. FEWLING - PUBLIC COMMENT #1**

Thank you, President Ortiz. My name is A.J. Fewling. I am the Superintendent for Carson City School District here today representing NASS. The Nevada Association of School Superintendents wishes to express our deep concern with the development of a statewide regulation concerning school start times. While we acknowledge the importance of student sleep and wellness research, we firmly believe that decisions regarding school start times should lie within the purview of local districts, considering their unique needs and the communities they serve.

Sorry, I ran to get here. Numerous operational constraints affect the time at which schools start in the morning, including the length of the instructional day, availability of transportation, collective bargaining agreements, walk-zone sizes, and extracurricular and athletics scheduling. Without additional funds to address these operational challenges, mandated changes to school start times will lead to inefficiencies that negatively impact students. Moreover, altering school start times has a significant ripple effect on the entire community, disrupting morning routines for students and parents, equitable access to before and after school programming, student safety during travel, and students' ability to participate in after-school employment.

Stakeholders, especially families and community members must be actively involved in these discussions, which must occur prior to any action by the Board, to ensure comprehensive input and a better understanding of the implications associated with such a drastic decision. To achieve this, we urge intentional efforts to engage diverse voices throughout the state on this issue. Furthermore, there is a legitimate question as to whether the State Board of Education has the authority to regulate school start times. The broad interpretation of NRS 385.075 and 385.080 appears to overlook the legislative intent of granting local school districts control over public education, as explicitly stated in NRS 385.005.

The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by local school districts. The provisions in this title are intended to reserve to the boards of trustees of local school districts within the state such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of the law. Given Nevada's diverse cultural and geographical landscape, decisions regarding school start times should be grounded in the law, local realities, and available resources. We are grateful for the opportunity to engage with the Board on this matter and sincerely hope that school start times remain under the discretion of local school districts, guided by the informed judgment of the Board of School Trustees of the affected districts. Thank you for your attention to this matter.

### **APPENDIX A, ITEM 2: LIEUTENANT BRIAN ZINK - PUBLIC COMMENT #1**

Now for the record, my name is Lieutenant Brian Zink and I am here on behalf of the Clark County School District Police Department. From 2017 to 2021, there have been 22 reported deaths on Clark County Roadways according to the Road Equity Alliance Project. All those tragic incidents, 77% happened between dusks and dawn, 20 of those who lost their lives were pedestrians killed under the age of 21 and of those 13 of those juveniles were under the age of 16. Two of those were bicyclists under the age 16. Prevention is a key and potentially adjustment - I'm sorry. Prevention is a key. A potential adjustment to the start time potentially have more students walking closer to dusk and could potentially increase incidents on the roadways with pedestrians. While students may walk at dusk, currently there are a variety fewer vehicles on the roadways at the time at dusk when the commuters are headed home during the evening time. This is all from the Nevada Department of Transportation website. Then, I would like to introduce Sergeant Mike Campbell who will speak to his experiences of traffic sergeant for the past six years.

**APPENDIX A, ITEM 3: SERGEANT MICHAEL CAMPBELL - PUBLIC COMMENT #1**

Thank you. Again, Sergeant Michael Campbell, Clark County School District Police Department. I have been the Traffic Sergeant for six plus years and now an acting Lieutenant. I oversee all of our traffic related activities on the department including some of our kiss and goes and pickups of kids, any of our collisions that involve kids to or from school, just to compare some numbers, this year were at about 30 different kids that have already been struck by vehicles on their way to and from school. This is during daylight hours. Most of these kids are either walking, running, biking on the way to and from schools that we also consider vulnerable road users. A time change for an elementary kid as proposed as I am understanding it from 10 o'clock to like 4 p.m., which significantly increase these numbers in my opinion, as these are kids that are the most inexperienced and cannot advocate for themselves, as well as an older age student on the way home. You are having these kids leave now in some schools at 2 or 3 o'clock from being dismissed and as they are doing their after-school activities, we are seeing them filtering on the way home two, three hours later. This would cause students to be on their way home at 7 00 p.m., where it will be pitch black at night for half the year. Another token or another interesting topic is high school drivers who are our new and most inexperienced drivers, they currently drive to school during the very low peak traffic time. If we were to change it from eight to two, you would then have the most inexperienced drivers and the only drivers that are [time]

**APPENDIX A, ITEM 4: MIKE CASEY - PUBLIC COMMENT #1**

Good afternoon,  
Members of the Board. Mike Casey, I am a Chief Operating Officer of Clark County School District speaking on school start times. Now the proposed regulation to set guidelines and guardrails for high school start times will leave the Clark County School District with limited options in its ability to comply with regulation as these changes do not occur in a vacuum. Required change would have an impact beyond high school start time, but also disrupt elementary schedules and potentially middle school schedules as well. The proposed implementation by the 2024-2025 school year would require CCSD to bring forward significant district wide changes in less than three months.

As well schedules for the upcoming school year are provided to schools in January as part of the budget process. Additionally, this implementation requirement is inconsistent with similar initiatives asked by other states that allowed for three years to implement the change of this magnitude. While the proposed regulation provides for a gradual implementation, this option would only be applicable, if CCSD were to pursue converting the current three-tier schedule to a two-tier schedule, which is financially and logistically an impossibility and would ultimately lead to significant reduction in transportation services.

The remaining two options available to CCSD to comply would result in significant schedule changes to most, if not all school schedules, with a potential need for additional resources to maintain current service levels. We understand the intent as to improve academic performance for a specific student group; however, the reality is a change could be a detriment to the broader student population, our food insecure families and the community at large. Thank you.

**APPENDIX A, ITEM 5: JENNIFER VOBIS - PUBLIC COMMENT #1**

Good afternoon,  
Members of the Board. Jennifer Vobis, Executive Director of Transportation for the Clark County School District. Prior to the pandemic, it was national standard for school transportation to provide service to students living outside of a two-mile walk radius. Upon returning from the pandemic, school districts nationwide experienced severe driver shortage that had never been seen. As a result, districts were forced to respond by cutting transportation services for students. At that time, CCSD had a vacancy of 250 drivers; however, we

were committed to retaining a level of service we had always provided and looked at different solutions to address our labor shortage including school start times.

CCSD was able to resolve the driver shortage while not eliminating service and is one of the few districts nationwide that are not currently experiencing a driver shortage or operating with limited services to mitigate a vacancy issue. As a former teacher, I understand it is incumbent under my purview that transportation remains operationally efficient as possible. Unnecessary growth and inefficiency will only divert funding away from the classroom. Inefficiency equates to irresponsibility with vital money for Nevada students. Unfortunately, transportation is limited in the options that we can provide should there be a mandated change to high school start times.

The reality is that changing high school start times will require growth in transportation operations beyond the current funding and put our youngest students out on the corners waiting for buses as early as 6 o'clock in the morning. Shifting to a two-tier bell schedule comes with an astronomical cost. The cost neutral option of moving all start times to a later schedule will inhibit elementary students from accessing breakfast until 10 o'clock in the morning. Districts will have no other choice but to begin eliminating services to mitigate growth. It is something all districts in Nevada have worked hard to avoid in the last few years. These scenarios are not specific to CCSD. I have spoken to my peers in other districts within Nevada and they agree this will not only cause growth and operations but impact the level of service that Nevada students are currently receiving.

The reality is transportation services are the underpinning of students to access the education they are entitled to and deserve. Mandating the change in high school start times leaves districts no choice but to cut transport services thus limiting that the access. Thank you.

#### **APPENDIX A, ITEM 6: TIM JACKSON - PUBLIC COMMENT #1**

Good afternoon. For the record, I'm Tim Jackson, Director of Athletics for the Clark County School District speaking today on the proposed time change high schools in Nevada. Currently, there are ample opportunities for CCSD high school students to participate in the 23 Varsity Level extracurricular athletic teams including practice and competition utilizing current dismissal times. Changing the start times will negatively affect all secondary athletics in high schools and middle schools. A careful balance is maintained between dismissal, team transportation, officials and facility use.

This balance permits maximum participation opportunities and including for all student athletes and achieves the primary purpose of education-based athletics as an extension of the classroom. Many student athletes participate in outdoor sports such as tennis, golf, soccer, baseball, softball and track and field events like shot put and discus. In the middle schools, like football and soccer are conducted outdoors. These teams rely on natural light for practice and competition and the designated areas for activities that are not illuminated at night. If school start times are changed, schools in CCSD and across the state may have to reduce the number of offerings and place limits on student athletes.

Any change could impact opportunities for students to participate in light-dependent sports. Athletic team competition would have to adjust to environmental constraints such as daylight savings time, Saturday only competitions, NIAA regulations and minimum practice requirements, contest limitations, and other factors that can prevent student athletes from fully experiencing the positive benefits of their athletic endeavors. To offer light-dependent sports, CCSD may need to impact student athletes instructional day. Students need early release from class to maximize the daylight available, utilize limited transportation opportunities and meet NIAA limitations.

Student athlete participation and extracurricular events is important and requires careful consideration. Boys

and girls tennis is a prime example of the potential impact this decision has during the first six weeks of school. Tennis would need to schedule early release up to 18 times at the start of the school year. For 2023, the schedule began on August 17th and will conclude on October 6th. Due to the change in arrival and dismissal times, reduced daylight available, the required early release from academic courses, student athletes would lose a significant amount of instructional time at the start of the school year.

This practice by CCSD would be counterproductive and defeat the purpose of extracurricular activities. Similar issues would arise with other sports such as golf, baseball, softball, soccer, and flag football and soccer in the middle school. Changes of schedule will impact all student athletes, not just only light-dependent sports. Practice times and game schedules will be shifted later into the early evening resulting in later finish times. Basket and football games on weekdays, which routinely and after 8 p.m., will now continue well past 10. Track and swim teams may also have to complete larger meets late into the evening. I thank you for your time.

#### **APPENDIX A, ITEM 7: SHERRI ROOS - PUBLIC COMMENT #1**

Okay. Sorry. This is not a matter of local control. This is a matter of public health and well-being and it needs to be above and beyond the control of the schools. Schools are not allowed to cut restrooms. They are not allowed to cut bathroom facilities. They are not allowed to cut school lunch, why because there is federal protections put in place to protect our children's health. You cannot say we cannot afford to provide basic essential needs for our children in order to educate them, and sleep needs to be protected just as much as food and air and water and other safety and physical health needs are protected. So, thank you for going above this and putting those guardrails in place to protect our children's sleep.

It is vital, it is foundational to everything else. You cannot cut sleep or physical needs and build the house on top of that when you have cut money and you have saved money on the foundation. When a child's basic physical needs are not being met, education does not matter to them. They are in survival mode. They are barely getting by. So all the bells and whistles and all the things we want to offer in education, that is great, but you have to start with the foundation first, put that in place, do not harm our children's health and then think that anything above that is going to matter to them. We are wasting our time and money. Let us get down to the basics of what really matters.

It just needs to be taken off the table, just not an option for them to have early start times or anything that is going to harm a child's health should not be optional to our schools. We should not accept that it is okay to harm children in order to educate them. It is not really what we are about in Nevada that the price of a public education is that our children will be harmed, I think we are better than that and I appreciate that you are trying to put those guardrails in place. And in regards to the other issues that were brought up, early school start times have been proven to increase drowsy driving car accidents among teens. Early start times have been proven to increase athletic injuries. Early start times [Time]

#### **APPENDIX A, ITEM 8: FRANCESCA PETRUCCI - PUBLIC COMMENT #1**

So the bill involved really giving more teeth to the SOT which of course is comprised of parents and teachers and support staff, community members sometimes and excluded in the presentation that is going to be before you today are changes from SB 282. It is CCEA's position that some of the changes in that bill should be in effect this school year. The bill sponsor of SB 82 is seeking clarification from LCB on this issue and we would be happy to report back on their conclusions.

#### **APPENDIX A, ITEM 9: PATRICIA HADDAD - PUBLIC COMMENT #1**

Hello, good afternoon, Vice Chair Dockweiler and Members of the Board, Patricia Haddad, Director of

Government Relations for Clark County School District. I am here again on item 7 regarding high school start time regulations, which seems to have been narrowed from the last discussion from all schools. There is no shortage of reasons the proposed policy should not move forward as you are hearing from various subject matter experts from across the Clark County School District as well as Superintendents throughout Nevada. I am just going to hit on a couple of main points here.

First and foremost, it is inappropriate overreach of the State Board of Education to contemplate a regulation they have no statutory authority to create. The time any particular school starts is a decision the legislature leaves up to local districts and school communities based on the needs of that community and available resources. Should the Board move forward with this regulation, you will be forcing an unfunded mandate on school districts. The State Board of Education has not to date seriously considered the financial burden on district operations or on families' pocketbooks when they are forced to seek additional childcare. CCSD schools already have the option to submit a waiver to the district to adjust their start time based on the unique needs of that school community and the costs associated with that waiver must be covered by the school's strategic budget.

One of our high schools changed their start time and experienced no meaningful difference in attendance between the earlier or later start times. Neither this Board nor the department has engaged school districts in the development of the proposed regulation and community members to date have not been meaningfully engaged, as there were only three meetings statewide, with staff ultimately outnumbering the number of attendees. And finally within the regulation, it is forcing school districts to survey their communities after the regulation is passed. By then, it will be too late to change anything as the damage will essentially already have occurred. This regulation will impact hundreds of thousands of children, families, and households in Southern Nevada.

Pushing it through in spite of some of these real concerns elevated today and shared throughout this process is an affront to the constituents who will be impacted. So we urge the State Board to pause the development of this regulation and engage meaningfully with stakeholders throughout the community, as this policy, like I said, will impact hundreds of thousands of households throughout the state. And if I would, just as a separate side note, I was looking at the materials and the consent agenda item, I believe, it is 6C and that is in relation to some meeting minutes from a school start times workshop that was held in April, I just wanted to bring to your attention that there is a note in there a couple of times.

I am referring to an individual providing their comments in both English and in Mexican. I believe, that you are looking for Spanish in there, so I just wanted to call that to your attention prior to the board approving those minutes. Thank you.

#### **APPENDIX A, ITEM 10: LUKE PUSCHING - PUBLIC COMMENT #1**

Good afternoon. My name is Luke Puschnig. I am General Counsel for the Clark County School District. I am here again requesting a formal answer to the question I have. By what authority are you going to disrupt the fifth largest school district in the country? I am just asking the question. I would like to be able to have an answer. I still do not have one. Nevertheless, I have to be able to say this, you are not the Nevada State Legislature. In my previous testimony, I just stated this is you are going beyond your statutory authority, but nevertheless, and as I stated in my prior testimony and my letter, if the Board continues to act without the authority and disrupts the education of nearly 300,000 students and their parents, the CCSD will have no choice but to take whatever legal actions necessary to prevent that disruption, it is just that simple. We are committed on that issue. Thank you.

**APPENDIX A, ITEM 11: RICK HARRIS - PUBLIC COMMENT #1**

I am writing on behalf of the Nevada Association of School Boards to reiterate our steadfast belief that decisions regarding school start times should remain under the purview of local school districts. It is important to emphasize our position that we do not support the implementation of statewide regulations governing school start times.

Local school districts, with their intimate knowledge of their communities and students, are best suited to make informed decisions about when school should begin. They can consider various factors such as transportation logistics, family needs, and community preferences to tailor start times that align with the unique circumstances of their respective districts.

Sincerely,

Rick Harris  
Executive Director  
Nevada Association of School Boards

**APPENDIX A, ITEM 12: PAM TEEL - PUBLIC COMMENT #1**

From Pam Teel. Dear President Ortiz and Members of the State Board: The Nevada Association of School Superintendents wishes to express our deep concern with the development of state-wide regulations concerning school start times. While we acknowledge the importance of student sleep and wellness research, we firmly believe that decisions regarding school start times should lie within the purview of local districts, considering their unique needs and the communities they serve. Numerous operational constraints affect the time at which schools start in the morning, including the length of the instructional day, availability of transportation, collective bargaining agreements, walk-zone sizes, and extracurricular and athletics scheduling.

Without additional funds to address these operational challenges, mandated changes to school start times will lead to inefficiencies that negatively impact students. Moreover, altering school start times has a significant ripple effect on the entire community, disrupting morning routines for students and parents, equitable access to before and after school programming, student safety during travel, and students' ability to participate in after-school employment. Stakeholders, especially families and community members must be actively involved in these discussions, which must occur prior to any action by the board, to ensure comprehensive input and a better understanding of the implications associated with such a drastic decision. To achieve this, we urge intentional efforts to engage diverse voices throughout the state on this issue. Furthermore, there is a legitimate question as to whether the State Board of Education has the authority to regulate school start times. The broad interpretation of NRS 385.075 and 385.080 appears to overlook the legislative intent of granting local school districts control over public education, as explicitly stated in NRS 385.005. "The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by local school districts. The provisions in this title are intended to reserve to the Board of Trustees of local school districts within the state such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of the law." Given Nevada's diverse cultural and geographical landscape, decisions regarding school start times should be grounded in the law, local realities, and available resources. We are grateful for the opportunity to engage with the Board on this matter and sincerely hope that school start times remain under the discretion of local school districts, guided by the informed judgment of the Board of School Trustees of the affected districts. Thank you for your time to this and attention to this critical issue, and we are eager to collaborate further on finding the best solutions for our students and communities.



**APPENDIX A, ITEM 13: EDUCATION SUPPORT EMPLOYEES ASSOCIATION - PUBLIC COMMENT #1**

The Education Support Employees Association represents 13,000 support professionals at the Clark County School District. We have concerns regarding this new school start time regulation. ESEA believes that the board should take additional time to address areas of concern for students, parents, the community and CCSD employees. We believe that the regulation's intention is to support student learning but that the current requirements being considered will have adverse effects for all. This board has a responsibility to properly do its due diligence prior to approving any new regulation. It seems irresponsible to impose this unfunded mandate especially without knowing the impact it will have. Here are some we would like to ask you to consider: Many young elementary students will be required to be at bus stops during times of morning darkness, this seems like an added safety issue. High School start times could end up walking 5 miles to school and will need to leave earlier, which negates the later start time. Some students will choose to just not attend it if comes down to walking 5 miles, which will cause a drop in graduation rates, again negating the later start time. School start times are also family issues, many families regularly rely on older children to care for younger children after school, and this regulation turns this option upside down. This will force added after school expenses to already tight family budgets. This will interfere and cause a hardship for parents that drop off students before work. The lack of before and after school programs for the students and parents is not being addressed. Currently, CCSD has a safety program at elementary schools, it is not free and it fills up quickly. What coordination is being done with onsite before and after care programs to assure they can handle the added stress of this regulation? The later end time will interfere with students that work after school or are involved in sports. This regulation also puts added expenses to the school district, at a time when school districts must be focused on staffing. All school districts throughout Nevada are short staffed, additional resources need to be moved to training, hiring and retaining staff. All school districts throughout Nevada - excuse me. School starting times are not a priority that should be taken on at this time. These are too many possible issues. ESEA proposes that the board move this to additional committee work to answer the wide range of concerns that exist before any regulation is approved for start times.

**APPENDIX A, ITEM 14: GEORGE THOMAS - PUBLIC COMMENT #1**

From George Thomas. I am an athlete who runs cross-country for the Spring Creek High School. My school has been doing 4 day 7:15-3:00 with cross-country practice after that, so I usually get home around 5:30. Starting School at 8:00 will give me and many of my friends less time for anything we want to do outside of school. We already stay up until around 11:00 every night and adding 45 minutes will not help. Please do not pass this school start at 8:00 a.m.

**APPENDIX A, ITEM 15: AFTON SAMSON - PUBLIC COMMENT #1**

Dear Members of the State Board of Education, Please do not mandate an 8 a.m. start time for High School. I am a Spring Creek High School Junior, and within the past 30 minutes, I have been informed of a decision that you are in consideration for that will be voted on tonight. Why have I not been informed of this more thoroughly? Why have my fellow students not been informed of this? Why do we have to find out as you are making the decision? Why, as the students you will be affecting, are we being informed of this last? As students you will be making a decision for, why are we not included or given a chance to give our opinions in that matter? Who is being included in the making of this decision at hand? You are people of this state of whom I highly respect, as you are members of the board that determines the education I have access to. However, you are about to vote on a decision that will directly affect not just my education, but also my home life, social life, extracurricular life, and work life. This is not just a vote to settle a school in complaint, but also students across the entire state. I currently have a four-day school week. I begin school at 7:15 a.m., and end school at 3:00 p.m. I then have extracurricular activities that extend my day to end at anywhere from 5:30 to 6:30. In addition to this, I have appointments that extend to about 8:30. By the time, I return home, I still have

anywhere from 3-6 hours of homework, in addition to dinner, physical needs, and time with my family. This is not a condition of bad time management, but the reality of my very filled day. It is not sad - excuse me. Is it not sad that I am one of the students who needs to sacrifice sleep for school, family for school, and much more? To continue upon this explanation, I am one of the students who does not currently have a job or participate in sports. If you were to implement this decision, I would be returning home at an even later time. I would not have enough time to do the things necessary for me to be a human being. As it is, I need to fit hours of homework into my days, even if there is physically no way to do so. In school, I have to spend every minute of every second studying in class, during passing periods, and during lunch. Please, just think about your decision. Yes, one school will be happy, but this does not fit every school, or every student. An 8 a.m. starting time will not be beneficial to all, especially at this school. Consider this, and the emails of my classmates. Try to listen to the students of whom you will affect, because the decisions that you are now working to put into effect may not be as beneficial as you think.

#### **APPENDIX A, ITEM 16: GIDEON SLOTHOWER - PUBLIC COMMENT #1**

From Gideon Slothower. I am a student at Spring Creek High School. Recently, our school district changed its schedule to a 4-day week, rather than our previous 5-day week. The change has been hard on nearly each student. As a senior, I am afforded the privilege of having many electives. I have chosen to take two AP classes this year and two other academic classes. With this new schedule, I am being shuffled from class to class each day. The days are long, and the classes cannot afford to give any slack. Having to go straight to work after school, I find myself having barely enough time to do my homework. I have precious little time to spend with my family. By the time the weekend rolls around, I am exhausted. My story is just one of many. Many students are struggling just as me, if not more. When I was informed that we may be increasing the time we have at school and pushing it back to 8:00, rather than our schools 7:15, I, along with my class, was mortified. I am strongly against this proposal, and my fellow students are as well. Our school, and by extension, our school district, is already under a great deal of strain. Please, do not exacerbate our struggle. We cannot afford to go home at 4:30. We cannot afford to start our day 45 minutes later. We cannot afford to increase the load we already have. We beg you to reexamine your disposition towards this legislature. The students of Spring Creek High School are exhausted. We are working our hardest just to stay afloat. We implore you to think of the needs of the -- excuse me -- the needs of not just Clark County, but of the state as a whole. I have responsibilities at home to attend to. I have a job that I cannot afford to lose. I have too little time for homework as it is. My peers have the same responsibility. Please, hear us. We simply cannot handle a heavier burden. We will suffer under this new legislation. Our grades will suffer. Our homes will suffer. Please, before you vote, consider the consequences this will have for others. We humbly plead with you to contemplate voting in the negative.

#### **APPENDIX A, ITEM 17: LILIAN HORSLEY - PUBLIC COMMENT #1**

Dear Sir or Madame: I was reading an article in my town's newspaper, The Elko Daily Freepress, about changing our start time to 8am. My school, Adobe Middle School, starts at 7:40am. Consequently, some of my friends who ride the bus are up early to make it to the bus stop at 6:30. My bus gets to my stop at 7:20 but the official schedule says 7:16. Therefore, I am up at 6:20 because if I miss my bus I don't have anyone who can take me to school. Theoretically, if my bus were to pick me up fifteen minutes before school started at about 7:45 I would be at my bus stop for around forty minutes because my mom has to be at work at 7:10. My school ends at 3:25pm. Clubs have meetings until 4:15 and sports have practice until about 5:15. Right now I am getting home at about 4:30 on nights I ride the bus and 4:45 on nights I have clubs. One of my friends rides the bus home and arrives at 4:30 but when she stays for track she doesn't get home until 6:30. If you change it so that we start at eight that pushes our start time back twenty minutes which would mean that hypothetically we would get done at 3:45. If teachers still end clubs at 4:15 and do what they have been doing and keep start times at five minutes after the bell rings our clubs will go from 3:50 to 4:15 which is only twenty-five minutes. You

can't paint a picture in art club or run a scene in drama club in only twenty-five minutes. Those things take time. However, if our teachers keep our clubs at the regular forty-five minute length our clubs won't end until 4:35 which gets most of us home around 5 or 5:30. One of my friends, in Ryndon, goes to the Elko High School which starts at 7:30. It takes her an hour from the time she gets on her bus to get to school and that doesn't count the fifteen minutes it takes her to get to the bus stop. If you push their start time back to 8 they won't get done until 4:10. She won't get off her bus until 5:10 and she won't be home until 5:25. In the winter it gets dark at five. Kids that walk home will most likely be walking at least partly in the dark. Also, one of the things mentioned in the article was how this would help us get more sleep. However, as the schedule is now, if I get home at 4:30 on a regular night and I eat, take a shower, do my homework, and watch some TV I don't get in bed until 8:30 or nine. Now push that back twenty minutes and I'm not in bed until nine. What about the days you have to study for a test? If you are reviewing some stuff and are up until ten because you didn't even get home until five you are going to be tired. I used random sampling to ask fifteen kids this question. Have you heard that the Nevada State Board of Education is thinking of pushing our start time back to 8am? I had two kids say they had heard that and the other thirteen hadn't. I then asked 'How would you feel about that?' All fifteen said that sounded great and I agree with them. One said it would mean getting up later which would be good. Then I followed up with 'How would you feel if I told you that to start at eight you wouldn't get out of school until 3:45?' Of those fifteen, fourteen said that sounded terrible and one said that was fine and then they thought about it and realized that as it is now archery doesn't end until 5:30. They then changed their mind. All fifteen ultimately said no. For most the answer 'no' came for this reason they wouldn't get home until later. Of the kids I talked to the times they would get home, on days they went straight home, ranged from as early as 4:30 to as late as 6:15. I think that you are doing what you feel is right for us, the students, but you haven't asked us what we thought. If you want to know we will happily tell you because even though people keep saying that kids aren't involved that doesn't mean we don't want to be, it just means we haven't found a cause or we haven't found a way to help that cause. This is my cause and the thing about it is it barely affects me. I homeschool and only go to regular school for electives. If this law affects me too much I can just drop regular school. The other 755 kids, just at my school, can't. Except they can. Not all of them but I know for a fact that I am not the only homeschooler some come up for electives others core classes but it doesn't matter. According to the ones I talked to if the school time changes they can't come. So maybe think about that before you pass this law. Adobe can't be the only school that has homeschoolers and it isn't. That girl that lives in Ryndon goes to the high school for three classes and homeschools for the rest. Lots of kids do part time schooling, what happens if they all drop out of school to do full time homeschooling? We do part time because we want to, not because we have to. The kids that can't switch to homeschooling, the ones who actually do full time school, are going to have a hard time with this law. This is ultimately your decision, but maybe you could send out a poll with all the information and let the kids and the parents and the teachers help you. Sincerely, Lillian Horsley, 8th Grade, Adobe Middle School, Abeka Academy (homeschool)

#### **APPENDIX A, ITEM 18: JESSIE SHANNON - PUBLIC COMMENT #1**

From Jessie Shannon. Good morning. I am writing to you all as a parent of three children with after-school commitments. As it is with the district forcing us into a four-day school week, my children are out of the house from 6:30 a.m to ride the bus until at least 6 p.m. with practices and games. To delay their start time to 8 a.m. or later would have them out at even later which would then push back our family and homework time. For those of us who are required to have a two income household, it sets the parents back on their own schedules as well. This includes later dinnertimes, later bedtimes and more scrambling in the mornings. We have a set routine in the evenings including dinner being ready to eat within 30 minutes of them arriving home, homework done after, family time, showers and finally bedtime. There is already a struggle in getting everything done that would give them enough time to sleep and often family time has to be reserved to the weekends, because they are tired or need extra time for homework. There is also two issues with the weather in the Northern areas of the State. Last winter in Elko, we saw temperatures in the negative 20s and negative 30s with snow and ice impacting roads for weeks at a time. How would the later start and end times with after-school commitments

affect safe travel for students in the areas that are prone to weather conditions like that? Our rural area has a bus and driver shortage and has to stagger start times to accommodate all the students. Would the DOE be sending buses and drivers out to rural areas to cover the needs of the students or are the students expected to pay the price even with later end times to handle a staggered start.

Nevada is more than just Las Vegas. I truly feel that the DOE needs to look at all the districts and their needs before trying to make any decisions that would negatively affect how schools are handled. Thank you for taking the time to read my concern. From the Lopez Family. I have two girls; one in high school and one in middle school here in Elko County. As for our family and schedule, we do not approve the late start time and end times. We already do not agree with the four-day school week. Why are we trying to change schedules and messing with our students' future? First and now schedules. These kids need consistency and enough is enough. Just let things be and stop trying to micromanage all that they do. Homeschooling is looking better every day. Thank you for your time.

#### **APPENDIX A, ITEM 19: ADLEY BALDWIN - PUBLIC COMMENT #1**

Dear school board members, I am writing this email in regards to the changing times for our school schedule. I wish to not have school start at 8 am and end at 4:30 pm or 5 pm. These times will conflict with my sports schedule which is already very late due to the change in times for the 4 day school week. We should not have times change just because one school/county doesn't like the times. Cross country practice ends at about five and right after I have dinner, with the times being changed to as late as 4:30 or 5 pm it will greatly affect my day. Also with clubs and organizations we would be getting home as late as 7-9 pm which is not substantial

#### **APPENDIX A, ITEM 20: EMMA KNIGHT - PUBLIC COMMENT #1**

Dear Nevada State Board of Education, my name is Emma Knight and I am a junior at Spring Creek High School. I heard the state board of education is trying to make school start at 8am this year and I have some opinions to share with you, from a students perspective. With the four day school week I am already very overwhelmed with trying to balance school, work, sports, and other extracurricular activities. My day starts at 4:50am every morning since my bus comes at 6:15 and that is my only mode of transportation to school. This gives just enough time to get ready to go to school, and then I catch the bus. While at school I cram in seven classes, with their own given amount of homework and tests for each. After school is finished, I go to practice for about an hour and afterwards I go to work. Given, if school did start at 8am, I would have the benefit of sleeping in for an hour. But school getting out later would affect my schedule. More than likely, I would end up quitting cheer and track because it is not possible for me to stay any later after school because of work and my home life. Please reconsider your choice as it would be affecting lots of students' lives.

#### **APPENDIX A, ITEM 21: EMILY CLARK - PUBLIC COMMENT #1**

Dear Members of the Nevada State Board of Education, I would like to address some of the cons of the voting on starting school at eight o'clock in the morning. For starters I would like to add that I am president of the Spring Creek High School FBLA, this change is a downside for all clubs, and that includes mine. This is effective towards clubs because of the general and officer meetings being held after school, getting out of school at four o'clock is a struggle for those who go to work and get off late to get hours in, for others who have two to three hour practices after school, and general family time for all of us. Since being newly changed to the four day school week, Fridays aren't being skipped from those in sports, which has become a plus for all of us, including teachers who deal with constant make-up work. As a leader, I've been taught and told "Leaders start their day early to achieve their dreams while others are sleeping." Starting later doesn't give an advantage to really anyone. To give an example for a single student's life, here is mine. Making it to school at seven forty five, attending my classes and collecting my homework and then having a meeting afterschool that lasts an hour

and a half, then making it to work by six, not getting off until ten thirty and making it home by ten fifty five, then having to do homework until eleven thirty and lastly making it to bed by eleven fifty almost twelve and having to repeat that five times a week assuming we would then go back to school five days a week. That is exhausting for every highschool student and makes a struggle out of a personal life. What change does this make for our elementary schools? Along with those of us with parents who work at the mines? Time is real and does exist for those of us who have to use it wisely. Our school district is so positive and pro on mental health, and being flooded constantly is a downer. Please reconsider this decision and take a look at all of our personal lives and how this individually affects all of us one by one.

Sincerely,

Emily Clark at Spring Creek High School

#### **APPENDIX A, ITEM 22: JOHANNA COX - PUBLIC COMMENT #1**

Dear Members of the Nevada State Board of Education,

Hello, my name is Johannah Cox. I am a senior at Spring Creek High School this year and getting out of school at 4pm or 4:30pm, would not work. I am involved in SkillsUSA and we have after school meetings and I am involved in National Honors Society and we have meetings after school for that organization too. Nobody in Spring Creek has an issue with starting school at 7:15am, we would have an issue, however, with getting out of school after 3pm. Sports and other after school activities would end at 7pm or 8pm with this schedule and that leaves hardly any time for homework, family time, work, or sleep. Our schedule is fine how it is now, please don't change it. Please don't ruin my senior year. It's my last year of high school and I don't want it to be awful. Thank you for reading this email and I hope you all vote no on this.

Sincerely,

Johannah Cox, senior at Spring Creek High School

#### **APPENDIX A, ITEM 23: JASE HILDRETH - PUBLIC COMMENT #1**

I am emailing to say that if this plan goes through to end school later, then it will be impossible to do sports or extracurricular activities after school for kids who actually participate in this stuff. There is no need to start later because we have always started at the same time year after year here at SCHS and I would know because I'm a senior, please do not change the schedule and make everyone's lives harder.

Sincerely, Jase Hildreth

#### **APPENDIX A, ITEM 24: JOURNEY REYNOLDS - PUBLIC COMMENT #1**

Please do not make school start at 8 am, i'm fine with not sleeping in and being able to go home and take a nap before dinner, i'm in FBLA and when we have meetings I don't get home until 6, and now with this later schedule I will get home at 8. I am normally in bed at that time!!! Please voice my concern in your votes this evening.

#### **APPENDIX A, ITEM 25: ENRIQUE MORALES - PUBLIC COMMENT #1**

HI, please do not change the school timing. I have no issue getting up and most of us will have to for our future careers anyways. Ending school later does not work for anyone and takes away from family spending time, sports, and organizations such as my FBLA.

#### **APPENDIX A, ITEM 26: LANA MORSE - PUBLIC COMMENT #1**

Dear Nevada State Board of Education and School Board Members.

This is Lana Morse from Spring Creek High School, Spring Creek. Speaking of all students, at least in Elko County, we would not be very fond of starting school at 8:00, if this is a real idea you're planning to pass,

especially if school is getting out at 4:00 or later. A lot of students here are very involved in sports and after-school extracurricular activities. They would be swamped with work and are tired all the time on a normal school day and even the weekend, and now they would be even more busy all the time. Also, think of the teachers, who are still struggling with the school hours as it is, would struggle even more. The state of Nevada, along with the rest of the country, is currently going through a teacher-shortage crisis. The time of the school day could potentially increase this problem. Thanks for your concern and for listening to mine.

Sincerely,

Lana Morse, Spring Creek High School.

#### **APPENDIX A, ITEM 27: LORIE HECKMAN - PUBLIC COMMENT #1**

To whom it may concern,

I am writing to you today as a parent of a High School student. I am opposed to the state regulation of school start times. This should only be determined by the local school districts as they understand the needs of the families they serve. Requiring school to start after 8 a.m. will have a host of detrimental consequences to students including, sports, jobs, and other afterschool activities. It will also negatively impact elementary and middle schools because of transportation. Most Nevada schools are in rural areas and you are basing your decision only on what is best for the schools located within cities because, in rural areas, we do not have the ability for children to safely walk to and from school, especially in the winter time when it is dark and the roads are filled with ice and snow. Please stay out of decisions that should be made locally because what you are attempting to do does not work well for all Nevada students.

Sincerely,

Lorie Heckman Spring Creek, NV

#### **APPENDIX A, ITEM 28: CINDY PLUMMER - PUBLIC COMMENT #1**

Please vote no on regulating School Start Time state wide (Agenda Item 7). Nevada has unique demographics throughout the state and this would cause hardships in a plethora of factors to various communities and families. It is also my opinion that this topic should be controlled locally with each District's logistics taken into consideration.

Cindy Plummer

#voteno

#### **APPENDIX A, ITEM 29: KATHERINE DAVIS - PUBLIC COMMENT #1**

Good evening,

It has come to my attention that the Nevada Dept of Ed is considering changing the start times of High Schoolers to be no earlier than 8:00 am. While this change may be the best for the students in other areas of the state, I feel this is an extreme detriment to High Schoolers in NE Nevada. Elko County School District recently approved a 4-Day school week, which has caused students to be released from classes later than previous years. In our smaller community the availability of gyms, fields, etc is extremely limited, especially for those sports that practice and play outside. Making our students start even later in the day will further impact any extracurricular activities, jobs, etc. This also could interfere with families of elementary students, as they will be arriving home earlier than older siblings, leaving them unattended. Locally this will also impact and change elementary school times as we are limited on buses, students may be walking to and/or home from school before and after dark depending on the changes needed to accommodate all schools and bus schedules. I feel that each individual districts and communities have different needs and should be able to determine if this is something that would be beneficial in their area.

Thank you for your time.

Katherine Davis.

**APPENDIX A, ITEM 30: ED GONZALEZ - PUBLIC COMMENT #1**

My name is Ed Gonzalez and I am submitting public comment on item 9 pertaining to the training for the CCSD Reorganization. While this document addresses the basics of how the reorganization works it does leave out some important information. One of the things principals are being asked to address along with their regular duties of education students is to spend the carryover dollars that have accumulated over the years due to the current teacher shortage crisis. Many principals have ideas on how they would like to spend those dollars in light of the legislature passing legislation that will ultimately take these dollars from schools. Many of these dollars are in our most at-risk communities. Some principals would like to use the carryover dollars at their school to expand central office services to their school to help improve student achievement. It would require some responsibilities to be passed down to school and a service level agreement created to expand services. Nowhere in the CCSD training documents on the Reorganization is that processed discussed or how a principal or school precinct could make such a request. As this body is aware, no service level agreements currently exists as the were repeal almost two years ago. While I may have further concerns after a more careful reading, I do appreciate the fact that a document like this exist. However, additional training outside this document is needed to ensure that principals and schools can have a better understand about what the can do under AB469.

Thank you,  
Ed Gonzalez

**APPENDIX A, ITEM 31: DONNA SEALS - PUBLIC COMMENT #1**

Why are we waiting 5 years before we restart this? So, current 3rd grade students will be starting high school and unable to read?

**APPENDIX A, ITEM 32: AMIE PALMIRA - PUBLIC COMMENT #1**

Good afternoon,

My name is Amie Palmira and I am a Coordinator for Psychological Services in Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause harm to our students. As a school psychologist, I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. The idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the average range. However, any given percentile can result in a different score depending on what scale the assessment used -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be reported as a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on a different scales. It was presented that students who score at the 40th percentile on MAPS would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "average" or "proficient" on these assessments is clearly reported on different scales of measurement. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the school year. But that is where the comparison of these two assessments should end. The question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic

discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score outlined in the current law.

Thank you for your time,

Amie Palmira, M.S., NCSP (she/her) Coordinator IV - Psychological Services, Region 3 East  
Dr. Beth Howe Center

#### **APPENDIX A, ITEM 33: ERANDY BENAVIDES - PUBLIC COMMENT #1**

Dear State Board of Education Members:

Sadly, AB400 overturned all of the good work that Assemblyman Tyrone Thompson accomplished before his passing to remove the retention piece from Read by Grade 3. Everyone who has studied the enormous amount of research on this topic knows that retention unduly penalizes students of color and students with primary languages other than English; it is highly correlated with violence and school dropout rates; and moreover, retention actually hurts students' academic performance in the long run (see Hattie's Visible Learning meta-analysis data). Even so, as you the State Board are charged with setting a cut score, please consider the average range within norm-referenced assessments (e.g., MAP), along with the at-risk and severely at-risk ranges. The average range is: the 16th to 84th percentiles. The at-risk range is: the 6th to 15th percentiles. And the severely at-risk range is the 1st to 5th percentiles. Certainly, students scoring in the average range, starting at the 16th percentile, should never be retained. While retentions may sacrifice students for what we as adults should be doing to help them, please seriously consider using your voice to speak up for wisdom in this decision.

Thank you.

Erandy Benavides, NCSP

#### **APPENDIX A, ITEM 34: WANYUN KELLEY - PUBLIC COMMENT #1**

My name is Wanyun Kelley, a school psychologist at Clark County School District. I am writing in reference to READ BY GRADE 3 AND MAP ASSESSMENT DATA agenda item: to retain students whose MAP scores are below 40th percentile. The cut-off score for the 40th percentile is not reasonable nor supported by the statistics. Statistically, any score between the 16th percentile and the 84th percentile is considered Average. If we are to use 40th percentile as a cut-off score, we are in danger of retaining students who are actually AVERAGE. In addition, as a school psychologist and a former teacher, we NEVER use one data point to make any decisions. Using one MAP score of the 40th percentile to determine students' retention is detrimental to students' academic progress, and social-emotional well being. When setting a cut-off score for retention, please consider the Average range within the norm-referenced assessments such as MAP. The Average range is 16th to 18th percentile. Students scoring in the average range, starting at the 16th percentile, should never be retained. I urge the board to reconsider the cut-score regarding retention.

Sincerely, Wanyun Kelley, M.Ed, Ed.S, NCSP

School Psychologist

Clark County School District

#### **APPENDIX A, ITEM 35: FRANCO CARRANZA - PUBLIC COMMENT #1**

Dear Members of the State Board of Education: As a bilingual school psychologist with extensive experience in assessing students' educational needs, I was disappointed to hear that AB400 reinstated the retention piece from Read by Grade 3. The research shows the harmful impact of retaining students, particularly for English Language Learners (ELL) and other minorities, which can affect their self-esteem, social-emotional condition, negatively impact their learning and academic performance, and increase their chances to drop out of school. Now we hear the State Board is looking to set a cut score using MAP data to determine whether a student is retained or not at the end of third grade. I would like the Board to consider the following: when talking about



PERCENTILES, NOT percentages, the AVERAGE range is from the 16th to the 84th PERCENTILE. Retaining students within this range would not only be harmful to the student but would also further overwhelm our classrooms, as potentially hundreds of students would be held back. A more reasonable approach, if you are to retain, is to look at students who are in the severely at-risk range which runs from the 1st to the 5th percentile. In regard to ELL students, consideration should be given to the length of time they have been exposed to English instruction, as it can take 4 or more years for them to academically approach peers of the same grade level. Thank you for your time and consideration.  
Respectfully, Franco Carranza, Ed.S., NCSP School Psychologist  
Clark County School District Bilingual Psychological Services

**APPENDIX A, ITEM 36: MELODY THOMPSON - PUBLIC COMMENT #1**

Dear State Board of Education Members:  
Sadly, AB400 overturned all of the good work that Assemblyman Tyrone Thompson accomplished before his passing to remove the retention piece from Read by Grade 3. Everyone who has studied the enormous amount of research on this topic knows that retention unduly penalizes students of color and students with primary languages other than English; it is highly correlated with violence and school drop out rates; and moreover, retention actually hurts students' academic performance in the long run (see Hattie's Visible Learning meta-analysis data). Even so, as you the State Board are charged with setting a cut score, please consider the average range within norm-referenced assessments (e.g., MAP), along with the at-risk and severely at-risk ranges. The average range is: the 16th to 84th percentiles. The at-risk range is: the 6th to 15th percentiles. And the severely at-risk range is the 1st to 5th percentiles. Certainly, students scoring in the average range, starting at the 16th percentile, should never be retained. While retentions may sacrifice students for what we as adults should be doing to help them, please seriously consider using your voice to speak up for wisdom in this decision.  
Thank you kindly,  
Melody Thompson  
Nationally Certified School Psychologist  
Experienced Data Analysis Researcher

**APPENDIX A, ITEM 37: LETICIA MARRUJO - PUBLIC COMMENT #1**

Hello Respected Board Members: Please consider the number of years it takes to develop CALPS, before instituting draconian policies that may result in repressive outcomes across ethnic groups.  
Thank you for your time.  
Leticia Marrujo, M.S., Ed.  
School Psychologist Crestwood ES

**APPENDIX A, ITEM 38: DOUGLAS LANDAVEDE - PUBLIC COMMENT #1**

My name is Douglas Landaverde and I am a school psychologist in Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause undo harm to our students. Additionally, it is important to note that the standardization of MAPS did not include Nevada in their norming sample. Therefore, any score from these measures are significantly confounded and would be highly unethical to use them as indicated in the AB 400 Ready by Grade 3 Law. Additional context about scores follows in the next paragraphs. As a school psychologist, I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. The idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the

average range. However, any given percentile can result in a different score depending on what scale the assessment used -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be reported as a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on a different scales. It was presented that students who score at the 40th percentile on MAPS would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "average" or "proficient" on these assessments is clearly reported on different scales of measurement. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the school year. But that is where the comparison of these two assessments should end. The question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score outlined in the current law. I also urge our K-12 leaders to evaluate the conventional education system in efforts to meet the current needs of our children. Sincerely, Douglas Landaverde PD. Please note the research compiled by the National Association of School Psychologists (NASP) regarding the Impact of Retention on Student Outcome Impact of Retention on Student Outcomes Retention is a costly intervention with little to no evidence of improving long-term academic outcomes. The majority of studies conducted over the past four decades on the effectiveness of grade retention fail to support its efficacy in remediating academic deficits (e.g., Andrew, 2014; Fruehwirth et al., 2016; Hwang & Cappella, 2019; Jimerson, 2001). In fact, repeating a grade prior to beginning high school increases the risk that a student will drop out even when other variables, including overall academic achievement and disciplinary records, are considered (Hughes et al., 2018; Jacob & Lefgren, 2009; Stearns et al., 2016). Moreover, retained students from minoritized backgrounds drop out at disproportionately higher rates compared with their White peers (Hughes et al., 2018). There is also evidence of significant racial disparities in retention rates. Students of color are at greater risk of being retained, regardless of school characteristics, such as availability of school resources or whether or not the school is in an urban, suburban, or rural community (Peguero et al., 2018). Retention should not be used to remedy the lack of school-based supports. This ineffective strategy could compound these losses rather than support student learning and long-term academic outcomes. Despite the negative outcomes associated with retention, many states have mandatory retention laws. These mandates could result in hundreds of thousands of students being retained, causing untold academic and social consequences for students. Additionally, these mandates will create larger class sizes that could imperil districts for years to come. We strongly urge states to waive these mandatory retention requirements and instead focus efforts on implementing appropriate evidence-based interventions to address academic needs. Given the limitations and potential negative impact of grade retention, as well as the considerable evidence that targeted interventions help struggling students improve their academic performance (Peguero et al., 2018), schools should consider alternatives to grade retention for students who are struggling academically. Specifically, school teams should consider the following before retaining a student. • There is wide research support that retention is not an effective strategy to address academic deficits (e.g., Andrew, 2014; Fruehwirth et al., 2016; Hwang & Cappella, 2019; Jimerson, 2001). • Under typical circumstances, grade retention is not recommended except in very rare situations when a student has missed a large number of school days (NASP, 2011). • Students whose performance is substantially below that of grade level peers need a culturally responsive, intensive individualized intervention plan with frequent progress monitoring (Stevenson & Reed, 2017). This plan should include involvement of specialists and relevant related services providers as needed. • Families should have input when retention is being considered for a student. • A single assessment score (e.g., year-end standardized assessment) is not sufficient in making this determination, particularly following a period of disrupted

educational experiences. Multiple sources of data should be considered. • Decisions to retain should not simply lead to repeating the same curriculum for a second time. Retained students will need intensive intervention support that goes beyond repetition of material.

Douglas Landaverde, NCSP  
Bilingual School Psychologist Roundy Elementary  
Wynn Elementary

#### **APPENDIX A, ITEM 39: KATIE SORRENTINO - PUBLIC COMMENT #1**

Dear Board Members,

My name is Katie Sorrentino, and I have been a school psychologist in Clark County School District for almost thirty years. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices, and would cause undo harm to our students. In the course of my work I regularly reference percentiles and other similar statistical data when interpreting assessment results. Score ranges indicating average, or proficient, performance are those that fall between the 16th to 84th percentiles. This is universally and objectively accepted in the fields of research, education, and psychology. Therefore, identifying students at or below the 40th percentile as “at-risk”, or in need of a significantly life altering decision such as retention, is well outside accepted practice and illogical with regards to statistical and data-based decision making. There is also an issue with over-identifying students based on this unsupported approach to quantitative statistics and data analysis, which is the very real danger of disproportionately retaining student subgroups including our Black, ELL, Hispanic/Latino, and IEP students. While perhaps unintentional, indisputable facts indicate this is the reality and would perpetuate a system of discrimination in our schools. I urge the board to reconsider the cut-score outlined in the current law.

Thank you for your time,

K. Sorrentino  
School Psychologist

#### **APPENDIX A, ITEM 40: ANDREA DAVIS - PUBLIC COMMENT #1**

To Whom It May Concern,

I am a school psychologist who has been working in CCSD since 2001. I would like to weigh in on the requirement for retention that is being considered as AB400. There are numerous reasons that I believe this is a disastrous bill. For the first reason, the cutoff score of the 40th percentile includes a range of scores that still fall within the average range, according to statistics. Percentiles and standard scores are based on a normal distribution, on a bell curve, that indicates that average scores are from the 25th to the 75th percentile, and low average scores are above the 16th percentile. This bill would cause many students who are performing within the average range to be held back. In addition, this bill would have the effect of increasing retention for particular subgroups of students that have historically underperformed on these standardized assessments, such as Hispanic, African American, English Language Learners and students with IEPs. I urge you to reconsider the passing of this bill, and instead look for ways to increase student and parent engagement in the learning process.

Thank you for your consideration,

Sincerely, Andrea Davis  
Andrea Davis, MS.Ed, NCSP School Psychologist

#### **APPENDIX A, ITEM 41: ANNE SIKRA - PUBLIC COMMENT #1**

Hello, My name is Anne Sikra and I am a school psychologist in Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be

subject to mandatory retention. This requirement makes no sense mathematically. If this requirement were followed, 40% of the students in the state would be retained.

Anne Sikra

School Psychologist

CP Squires Elementary School

Mountain View Elementary School

#### **APPENDIX A, ITEM 42: ANNE SIKRA - PUBLIC COMMENT #1**

Good afternoon,

My name is Andrea Walsh and I am a Nationally Certified School Psychologist in the Clark County School District. I am also the Nevada Delegate for the National Association of School Psychologists (NASP) and I sit on the Executive Board of Directors for NASP. I am currently in my 28th year with CCSD and I have seen educational laws come and go, but I have never seen anything with more potential to harm students than the Read by Grade 3 law. I am writing today to comment on the Read by Grade 3 and MAP Assessment Data agenda item. I implore you to reconsider the current requirement for students to be above the 40th percentile in MAPS, or be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause great harm to our students. As a school psychologist, it is very difficult to explain to parents and school teams that while the cut-score for the mandatory retention in this law is the 40th percentile, the 40th percentile is perfectly average! I am not sure if the law makers that came up with this cut-score do not know the difference between percentage and percentile, but those two things are not the same. The 40th percentile cut-score is not supported by the normal distribution of scores on any given assessment. Statistically, the 16th to 84th percentile is considered the average range. Regardless of whether standard scores, T-scores, scaled scores, etc. are used--- on every measure the 16th to 84th percentile is considered average. If you allow the 40th percentile to be the cut-scores, do you understand that 40% of ALL third graders will have to be retained? That is how percentiles work. Everyone cannot be above the 40th percentile. Only 60% can be above the 40th percentile. Out of 100 students, 40 will always be at or below the 40th percentile. Out of 100,000 students, 40,000 will always be at or below the 40th percentile. The percentile does not indicate proficiency, it indicates where a student's score falls in comparison to their peers. They could all be nonproficient and you will still have 40% of students fall at or below the 40th percentile. Regarding retention-- research shows that retention rarely results in good outcomes for kids and should only be considered in rare cases. School teams know what to do with students who are struggling with proficiency-- and this law shows that lawmakers have no idea. Schools use MAP data to determine who needs additional intervention in reading or math. MAP has been good at alerting school teams of who needs intervention. And when students are not making adequate progress with intervention, that indicates that there is an issue. That issue will not be solved by retention. These students are referred to the multidisciplinary team (including the school psychologist) who then evaluate and determine the cause for low scores. Often, children with low scores have a disability impeding progress- and they have a right to special education services. For lawmakers that apparently do not understand the normal bell curve to pick a perfectly average score (the 40th percentile) to arbitrarily decide who is going to be retained is simply bad for kids. Finally, the NWEA presented data regarding the proficiencies of subgroups, including English Learners, Black and Hispanic/Latino and IEP demographics. These demographics chronically underperform on the MAPS assessment, which is extremely concerning in and of itself. Mandatory retention at the 40th percentile on MAPS would perpetuate the systematic racism that already adversely impacts these minoritized populations. I strongly encourage this Board to ask questions and seek understanding of how a cut-score of the 40th percentile will negatively impact 40% of Nevada's students. Reach out to the Director of Psychological Services with the Clark County School District-- our department would be thrilled to explain it. Please do the right thing for the students of Nevada. The Read by Grade 3 law and the cutscore outlined in the law is not good for kids.

Kind regards, Andrea J. Walsh, Ed.S., NCSP (she/her)

Nationally Certified School Psychologist

Clark County School District  
National Association of School Psychologists  
Board of Directors  
Western Delegate Representative  
Nevada Delegate

**APPENDIX A, ITEM 43: ALAYNA SACCA - PUBLIC COMMENT #1**

Hello,

My name is Alayna Sacca and I am a school psychologist in the Clark County School District (CCSD). I am submitting this comment to address my vehement disagreement with the current requirement of AB400, which requires mandatory retention of 3rd grade students if they do not score at or above the 40th percentile on the MAP reading measure. Statistically speaking, this would cause students who fall within the average range (from the 16th to the 39th percentile) to be retained. Again, that means students who are performing within the AVERAGE range, would be retained. My work as a school psychologist often focuses on analyzing student performance in the form of percentiles, as well as understanding standard scores, scaled scores, and T-scores. For reference, the average range for percentiles is the 16th to 84th percentile. I have also attached two graphics of a bell curve below for further reference. Yes, the mean, which is the exact middle of the bell curve, is the 50th percentile. However, the average RANGE, where we expect approximately 68.2% of students to be performing, extends one standard deviation above and below the mean. This means that 68.2% of students are performing within the average range of the 16th to 84th percentile, and 15.86% of students fall below the average range between the 1st and 15th percentile. That all being said, the fact that the cut score for mandatory retention in AB400 is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is WELL within the average range, and it is HIGHLY inappropriate to retain students considered statistically average. As a wise colleague of mine stated, the question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" Further, I am quite concerned regarding how this arbitrary cut score will affect our minority populations such as English Language Learners, Hispanic/Latino students, Black/African American students, and students receiving special education. These demographics chronically underperform on the MAP assessments, and their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAP assessments would guarantee the continued systematic discrimination of these minority populations. I would be highly disappointed in and disheartened towards any Board perpetuating this inequality amongst our most vulnerable students. I sincerely urge the Board to reconsider these practices as well as this arbitrary and inappropriate cut-score outlined by this Read by Grade 3 law.

Thank you for your time, consideration, and dedication to more positive student outcomes,  
Alayna Sacca, Ed.S., NCSP Bendorf ES)  
KO Knudson MS

**APPENDIX A, ITEM 44: ELIZABETH SANTOS - PUBLIC COMMENT #1**

Good morning

My name is Elizabeth Santos and I am a school psychologist in the Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause undue harm to our students. This idea that the 40th percentile should be a cut off score to retain kids is a completely manufactured number and therefore, ludicrous. As a school psychologist who is well trained in the statistics and mathematics behind what is considered "average", I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. The theories and research that support the idea of "average" or "proficient" have concluded that there exists a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this

law is the 40th percentile is not supported by the normal distribution of scores on any given assessment and therefore not supported by science and research. The 40th percentile is well within the average range and our students should even be celebrated for obtaining anything within the average range. As a school psychologist, if I see a student with 40th percentile or even 30th percentile scores, I am not worried about that student at all and I can speak for my colleagues on this as well. Where the board got this number as their cut off is beyond me. Another concern my colleagues and I have has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. It does not take a lot of critical thought to understand that this 40th percentile cut off score will harm our students, set them back, and is overall a very bad idea. I understand that the board wants to increase student achievement, but this will not happen using ineffective methods such as this one. As a city with a large, diverse population, we need to take into consideration our English Language Learners, our economically disadvantaged students, and our special education students who will now face even greater discrimination thanks to this cut off score. As a school psychologist, I have vowed to fight discrimination and advocate for the use of well-researched, empirical methods in education and that is why I needed to write this comment to the board. Reconsider this cut off score law as it is nothing more than an arbitrary number that causes more harm than good.

Thank you, Elizabeth (Lisa) Santos, Ed.S,  
NCSP School Psychologist  
Clark County School District

#### **APPENDIX A, ITEM 45: VAROTTA JOHNSON - PUBLIC COMMENT #1**

Good afternoon,

My name is Varotta Johnson and I am a school psychologist in the Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause undue harm to our students. As a school psychologist, I reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. The normative curve that I explain to my teams and parents indicates the the idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentiles. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the average range. However, any given percentile can result in a different score depending on what scale the assessment used -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be reported as a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on different scales. It was presented that students who score at the 40th percentile on MAPS would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "average" or "proficient" on these assessments is clearly reported on different scales of measurement. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the school year. But that is where the comparison of these two assessments should end. The question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these marginalized populations. I

certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score outlined in the current law.

Thank you for your time

Varotta M. Johnson ED.S NCSP

School Psychologist

Eldorado High Rancho High

#### **APPENDIX A, ITEM 46: LOREN CAMPBELL - PUBLIC COMMENT #1**

Good afternoon, My name is Loren Campbell and I am a school psychologist in Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause undo harm to our students. As a school psychologist, I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. The idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the average range. However, any given percentile can result in a different score depending on what scale the assessment used -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be reported as a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on a different scales. It was presented that students who score at the 40th percentile on MAPS would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "average" or "proficient" on these assessments is clearly reported on different scales of measurement. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the school year. But that is where the comparison of these two assessments should end. The question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score outlined in the current law.

Thank you for your time,

Loren Campbell, Psy.S.

School Psychologist

CCSD Crisis Response Team

#### **APPENDIX A, ITEM 47: NICOLE RUBIO - PUBLIC COMMENT #1**

Good Morning,

My name is Nicole Rubio and I am a school psychologist in the Clark County School District. Prior to this, I was a general education teacher for six years. In both of my roles, I became familiar with the NWEA MAP assessment scores and the interpretation of these scores to support students. I would like to speak to the current requirement for students to be above the 40th percentile in MAP otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistical practices and would cause undue harm to our students. As a school psychologist, I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. I have attached a visual of the

normal curve that I use with my teams and parents. The idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the average range. However, any given percentile can result in a different score depending on what scale the assessment used -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be reported as a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on a different scales. It was presented that students who score at the 40th percentile on MAP would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "average" or "proficient" on these assessments is clearly reported on different scales of measurement. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the school year. But that is where the comparison of these two assessments should end. The question "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score outlined in the current law.

Thank you for your time,  
Nicole Rubio, Ed.S., NCSP  
School Psychologist  
Hoggard  
Jo Mackey  
(Graphic submitted via email with Public Comment)

#### **APPENDIX A, ITEM 48: JORDAN WENGER - PUBLIC COMMENT #1**

Good afternoon,

My name is Jordan Wenger and I am a school psychologist in Clark County School District. I would like to speak to the current requirement for students to be above the 40th percentile in MAPS otherwise they would be subject to mandatory retention. This requirement is not supported by measurement and statistics and would cause undo harm to our students. As a school psychologist, I frequently reference percentiles when discussing students who may have a disability and demonstrate a need for special education services. I have attached a visual of the normal curve that I use with my teams and parents. The idea of "average" or "proficient" is covered by a range of percentiles -- the 16th to 84th percentile to be exact. The fact that the cut score for mandatory retention in this law is the 40th percentile is not supported by the normal distribution of scores on any given assessment. The 40th percentile is well within the average range. However, any given percentile can result in a different score depending on what measure the assessment uses -- whether it be a standard score, scaled score, T-score, etc. For instance, a score at the 50th percentile could be a standard score of 100 or a T-score of 50. Both of these scores are considered "average" but are reported on a completely different scale. It was presented that students who score at the 40th percentile on MAPS would receive a score of 2 on the SBAC, which is considered "proficient" on that assessment. As I mentioned, "proficiency" on these assessments is clearly reported on completely different scales. You are comparing apples and oranges when you attempt to project proficiency on one assessment based on scores of a completely separate test. The MAPS and SBAC underwent unrelated and distinct normative processes and proficiency on one should not be held at the same level as what is considered "proficient" on the other. I understand the idea of attempting to predict students who would be proficient on the SBAC as a way to target these students for additional interventions and support throughout the



school year. But that is where the comparison of these two assessments should end. The question of "Does this student require additional support?" is much different than "Should this student be subject to mandatory retention?" My final concern has to deal with the data that was presented by NWEA regarding the proficiencies of subgroups. As the Board can see, students that fall under the English Learner, Black and Hispanic/Latino and IEP demographics chronically underperform on the MAPS assessment. Their proficiencies are consistently below that of other subgroups. Mandatory retention at the 40th percentile on MAPS would all but guarantee the systematic discrimination of these minority populations. I certainly hope that the Board would not perpetuate these practices by continuing this arbitrary cut-score created by this Read by Grade 3 law. I urge the board to reconsider the cut-score currently within the law.

Thank you for your time.

Jordan L. Wenger, SSP, NCSP

School Psychologist

Clyde C. Cox Elementary School

Paul E. Culley Elementary School

Mentor/PSA Trainer

(Graphic submitted via email with Public Comment)

#### **APPENDIX A, ITEM 49: TAMARA FILANGIERI - PUBLIC COMMENT #1**

To Whom It May Concern,

I am a school psychologist within the Clark County School District and I am writing in regard to the Agenda Item: Read by Grade 3 and MAP Assessment Data. It is very important that the retention cutoff score is capturing those students who are honestly scoring within the at-risk range. The retention cutoff score should be the 10th percentile or below; the 10th percentile is considered at-risk. Since MAP data is going to be used to determine retention, we know that NWEA, the developers of MAP, state the average range is from the 16th to the 84th percentiles. This means NWEA considers any score at the 16th percentile or higher to fall within the average range. A few years back a lot of teachers and other educators believed that students scoring at the 40th percentile or lower on MAPS were considered at-risk. 40th percentile started to grow like a buzzword and as a school psychologist, I am very familiar with percentiles and analyzing data, and I needed to urgently meet with my teams to inform them a score at the 40th percentile is not at-risk. A score at the 40th percentile is not only not at-risk, but is it very much so comfortably within the average range. When a student receives a score at the 40th percentile, that means 'the child scored better than 40% of children their age.' A child scoring better than 40% of other children their age, is not a child who is at-risk. However, a child who scores at the 9th percentile and performs better than 9th percentile of children their age, is considered to be at-risk. It is imperative that the retention cut off score is determined with an understanding of percentiles and which percentiles are considered at-risk. If the cutoff score is too high and captures students functioning within the average range, this will have negative impacts. Should a student repeat the third grade if they are showing mastery of grade level content? What will happen to these students when they repeat the grade without necessity? The social- emotional impact that retention plays on young minds is always vital to consider when looking at the possibility of retention. Let's consider the social-emotional impact of retaining students who are on grade level and not struggling within the classroom. Let's also consider the student who is repeating third grade who grows increasingly bored because they already mastered this content the previous year. I strongly urge you to support a retention cutoff score at the 10th percentile or below. NWEA states the average range on the Reading MAP assessment is from the 16th to the 84th percentiles.

Thank you.

Tamara Filangieri

Nationally Certified School Psychologist

Clark County School District

**APPENDIX A, ITEM 50: KAT MEHOCIC- PUBLIC COMMENT #1**

Dear State Board of Education Members,

I am highly concerned regarding the newly reinstated plan to retain students who are not proficient in reading by 3rd grade, especially when the current definition of proficient is scoring above the 40th percentile on MAP reading testing. Although MAP presents its own classifications of test scores, these classifications are completely arbitrary. Statistically, scores between the 16th and 84th percentile are average. Choosing a cut score of the 40th percentile means we will be retaining a number of perfectly average students, many of whom likely earn "A" grades in reading. Not to mention, we would be retaining nearly half of all third graders across the district. I highly encourage the board to change the proficiency cut score to below the 16th percentile so that we are not retaining average students who would not benefit from retention.

Thank you,  
Kat Mehocic

**APPENDIX A, ITEM 51: DR. KEN COX - PUBLIC COMMENT #2**

Vice President Dockweiler and Superintendent Ebert and Members of the School Board, thank you for your service to the kids in the State of Nevada. I am Dr. Ken Cox. I just retired from 42 years as the school superintendent as an educator, 14 of those in the schools (inaudible) in both Oregon and Idaho. I became involved with the Friends of Regional School District a few months ago as they tried to look at what can happen for the rural part of Clark County School District, both the Moapa and Virgin Valleys are completely separated from the rest of Clark County 80 miles from the center of the district here. So, we are looking to find ways that we can find information and look at the feasibility of establishing an independent school district.

We recognize that there is legislation act - legislative action needed to do that, but we wanted to let you know that we are looking to make change for the students in our part of the state, the activities of Clark County School District are important for all students. Unfortunately, only one point - less than 1.5% of the students of Clark County live in our two valleys and it is important that the ruralness of our valleys be recognized. My last school district, I was superintendent of the Minidoka County School District of 4,300 students. If these two valleys separate, they would be district of about 4,100 students and so my background has got me involved with this group and we are continuing to move forward as you strive to do what is best for the students in our two valleys. I look forward to working with you and if you have ideas or suggestions, please feel free to contact me. Thank you.

**APPENDIX A, ITEM 52: WENDY MOCOCK - PUBLIC COMMENT #2**

My name is Wendy Moccock from Logandale, Nevada. Thank you all for all you do for the students in our state. I always come to these meetings and feel very, very confident in that they are in your hands, so I just am so grateful for your work. On January 6th, CCSD claimed that our Moapa Valley High School Principal AP and two counselors knowingly violated State Attendance Law by allowing open periods for sophomores and juniors. They were also issued a gag order to not discuss the issue with anyone including the (inaudible). Here is the history behind it all. The open periods which were integrated into a block schedule have been in practice for more than 25 years. State law and CCSD regulation states that students must attend a minimum of six periods or equivalent.

Sophomores were attending seven out of eight periods and juniors six out of eight periods. The schedule was implemented for a number of reasons, all of which raised educational opportunities for our rural students. It helped solve the problem of too few teachers, it allows for credit retrieval and actually makes CTE classes and diplomas possible. About three weeks after the notification, CCSD rescinded its notice and stated that open periods were no longer an option. Local admin frantically went to work. In March, parents were informed of

three alternative options, parents were very upset. Our Administration and SOT reached out to the district supervisors for answers on how to move forward and received zero response.

So our SOT voted to pursue seven periods and counselors worked to organize all 600 student schedules. The first week of April while still functioning under the block schedule with open periods, CCSD requested State Auditors perform state attendance audit. The final result stated that we were in compliance. So our Administration asked to return to the block schedule. Again, we received no response from CCSD. Our SOT asked to return to the block schedule with no opens, no response. The waiver that CCEA needed to approve the seven period schedule was rejected due to teacher and salary contract negotiations. Our kids were being held hostage between two very powerful entities. Our Administration again asked, no response.

Two weeks before the school started, our counselors had to again completely rework every single student's schedules to comply with the six periods class schedule, more than three-fourths of all students had scheduled issues on the first day of school and our counselors spent almost the first month of school trying to help students have somewhat of acceptable class schedules. Most students could not take classes they needed and or wanted, because they were not offered at the right time or were completely eliminated. Seniors who had failed classes had to retake those classes this year in order to graduate, but that luxury will not be an option for younger students ever again under this schedule. CTE diplomas will be the thing of the past. Another destructive result is we will lose at least three more teachers next year, and in a rural school when you lose a teacher, you lose a program. I would ask you to please help correct rural inequities and advocate for our high school to return to its previous schedule as soon as possible. Thank you.

#### **APPENDIX A, ITEM 53: TACI MAY - PUBLIC COMMENT #2**

Okay. Taci May, for the record. I am a mom to five kids that are attending CCSD schools. And I am here asking to have some accountability for CCSD Headquarters Superintendent Jara and his office for not answering parental concerns with educational opportunities being taken away from our kids. I reached out to Dr. Jara's Office back in July, and I was told I need to send my requests up the chain, so I started where they told me at the bottom region one and quickly found that the chain links are not connecting and that is why I am here. So my request was to keep the blocked schedule that Moapa Valley High School or MVHS has had for the past 25 years that allowed our students to take eight classes including open periods for sophomores, juniors and seniors.

Our high school told me we were moving to a six period day, which takes two educational opportunities away per year and this is a detrimental decision that will affect these rural students' educational opportunities and in consequence their college and job opportunities. CCSD said we lost the blocked schedule due to a open period policy - due to a state open period policy, which they have not cited in NRS. Some of the MVHS programs and things that are being affected are CTE programs, dual credit classes, we will lose teachers. Before we have three science teachers teaching seven different science subjects, so if we lose one, it is huge. Credit retrieval (inaudible) robotics, our team went to Nationals last year, so that will be affected. FFA, Future Farmers of America, we are the only school in the state with the farm and so moving from the blocked schedule change the time limit we had, so that will be affected on Fine Arts. CCSD is not considering our rural student needs and limiting access to programs. We bought a violin over the summer for our daughter, a \$900 violin, and because of limited class periods, she is not in orchestra at the high school, and just FYI, my daughter is deaf (inaudible) really hard through - sorry - through middle school to learn this skill, and so I am here. Sorry. I am asking you to please help our students get their educational opportunities back and that is why I am here. So thank you all for your time and dedication to education. I really appreciate it. Thank you.

**APPENDIX A, ITEM 54: LINDSAY DALLY - PUBLIC COMMENT #2**

If I had known she was going to do that, I would not have her gone first. Sorry, I was a little late. We had our SOT meeting today. And so I was there for a few minutes and they wanted me to come and specifically emphasize that we need to have our open schedules or it is going to just decimate us and then we can decide how best to, you know, recover. I think Member Hughes made a great point that we need to look at about student access to highly rated schools. We have got good schools, so we are not complaining. The problem is, we do not have school choice. We have got one choice. We like the choice we have, but we only have one. If our students, you know, cannot get what they need at our high school, they do not get what they need, they cannot go to a CTE course or apply (inaudible) school or go to a different zone, that is it.

So we need an expanded opportunity of curriculum, so these kids can have an experience in high school and that is what our blocked schedule was designed to do and I could go really into the weeds as to how and why that happened, but the bottom line is, we are just getting stonewalled on this and it is just a tragedy. We want to strengthen our public schools and so that is just critical. I know, this board does not have direct oversight over that, but what we have learned in - what I have learned - I am a little slow over 20 years of dealing with this is you have to go outside the box.

If you play inside CCSD's box, they just tie you up in knots and run you in circles and that is what has been going on since January when we got the notice and the slots been going back and forth, writing letters, and there has just been no good reason and (inaudible) has done a lot of research and talked to a lot of people and there is no specific reason that they cannot allow us to have a blocked schedule with the opens. We can, the schools that were denied the opens in Vegas, they had enough teachers to fill their block schedules without opens. We do not because we do not have enough funding for that. So that is why we had to go to a six period day and that is a tragedy, that is rural urban inequity. Thank you for your time.

**APPENDIX A, ITEM 55: KAYANA NANA - PUBLIC COMMENT #2**

To Members of Nevada State Board of Education,  
I am currently a student at Spring Creek High School and it has come to my attention that a meeting is scheduled tonight regarding the public school start time. There are two points that I am mainly concerned with and its 1. how this planned schedule will affect hundreds of students throughout our district and 2. how I came about this information. If I were to take a survey for the students of this institution, I am willing to bet that at least half of the students here will have some sort of complaint about the major change you applied to us with the 4-day school week. This change that you are proposing now is, to my personal opinion and others, completely impractical. Clark currently starts school at 7:30, Spring Creek starts at 15 mins earlier. Which might not seem like a lot but trust me it is. The extra 45 minutes that you are offering is not worth the cost of getting out in the late afternoon; neither does it make sense nor does it help our sleep schedule. A few friends of mine are well involved in sports. With our current out, their practice starts at 3 and ends at 5. If this new schedule is implemented, they will be at school until 7. Just a gentle reminder that gas is not cheap and most of these people need jobs to continue this daily function. Lastly, I am begging you to further notify the students that you are trying to implement these changes because they are the ones that have to deal with it.

**APPENDIX A, ITEM 56: KIRSTEN LALLANA - PUBLIC COMMENT #2**

To Members of Nevada State Board of Education,  
I am currently a student at Spring Creek High School and it has come to my attention that a meeting is scheduled tonight regarding the public school start time. There are two points that I am mainly concerned with and its 1. how this planned schedule will affect hundreds of students throughout our district and 2. how I came about this information. If I were to take a survey for the students of this institution, I am willing to bet that at

least half of the students here will have some sort of complaint about the major change you applied to us with the 4-day school week. This change that you are proposing now is, to my personal opinion and others, completely impractical. Clark currently starts school at 7:30, Spring Creek starts at 15 mins earlier. Which might not seem like a lot but trust me it is. The extra 45 minutes that you are offering is not worth the cost of getting out in the late afternoon; neither does it make sense nor does it help our sleep schedule.

A few friends of mine are well involved in sports. With our current out, their practice starts at 3 and ends at 5. If this new schedule is implemented, they will be at school until 7. Just a gentle reminder that gas is not cheap and most of these people need jobs to continue this daily function.

Lastly, I am begging you to further notify the students that you are trying to implement these changes because they are the ones that have to deal with it.

#### **APPENDIX A, ITEM 57: KRYSTAL GODDARD - PUBLIC COMMENT #2**

To Members of the Nevada State Board of Education,

I am currently a student at Spring Creek High School and it has come to my attention that there is a vote tonight regarding a mandated start time for schools in our district. I think I speak for most of the students in Elko County, but especially the students at Spring Creek High School, when I say that the extra forty five we get to sleep in the morning is not worth how late we will get out of school.

Currently we start school at 7:15 am, and while many students would appreciate being able to sleep more in the morning staying until 4:00 or possibly 4:30 in the afternoon is not a viable option for the students.

Many students, specifically at Spring Creek High School, have extracurriculars or even work after school that prevents them from going home until late at night. Having students stay an hour and a half longer will only result in; dropping grades for students because they don't have time to sleep, participate in their extracurriculars, and do their homework; less participation in all extracurriculars since students will have to choose between good grades, sleep, and their activities; also, there will be kids that drop out of school entirely because they can't juggle work to support their family and school.

Once word of this possible change spread throughout my school I discovered that most of the people I know are going to switch to online school as to not deal with having to stay later. Students are more willing to suffer through online school that provides a lesser education than stay at a physical school and deal with this change.

Even the elementary students would suffer from this decision as they currently have to start an hour than the high school and middle school because there aren't enough buses to transport all the kids. This would either result in the district having to pay millions of dollars to buy buses to carry all the kids or it would result in small children walking home in the dark during the winter months.

Excluding how starting later will effect the students it will also negatively impact the teachers and coaches of the school district. Teachers will have to stay until 5:00 or 6:00 which will severely cut into their family time even without including the personal time they have to use in order to complete their lesson plans and grading. If that teacher also happens to be a coach, like many of the teachers at my school, they will be at the school until after 10:00 pm which will make their personal lives nonexistent.

All students will be negatively effected by this decision including those in elementary school. The elementary school starts an hour after the high school and middle school as there are not enough buses to transport everyone. Therefore, if the high school were to start at a later time the district would either have to spend millions buying new buses to transport all the kids or they would have to let their small children walk home in the dark during winter months.

Even the teachers and coaches that work for the schools would be negatively impacted by this decision. Teachers already have to remain at the school to get in their designated hours and if that teacher is also a coach, they go home even later. Having to stay at the school later would severely cut into the time they are able to spend with their family. This isn't including the personal time that teachers spend each day to make sure the lesson plans and grading are done which would make their personal lives nonexistent.

I sincerely hope that you take the contents of this email into consideration when you are making your decision as this decision could majorly impact everyone in the school system, not just students.

-Krystal Goddard, Spring Creek High School

## **APPENDIX A, ITEM 58: PATRICIA HADDAD - PUBLIC COMMENT #2**

Good afternoon, Vice Chair Dockweiler and Members of the Board.

My name is Patricia Haddad, Director of Government Relations for the Clark County School District, here again to share our opposition to item seven regarding "High School Start Time Regulations," inexplicably narrowed from all schools in name only. There is no shortage of reasons this proposed policy should not move forward, as you are hearing from subject matter experts as well as Superintendents throughout Nevada.

- It is inappropriate overreach for the State Board of Education to contemplate a regulation they have no statutory authority to create.
- The time any particular school starts is a decision the legislature leaves up to local districts and school communities based on the needs of that community and available resources.
- Should this board move forward with this regulation, you will be forcing an unfunded mandate on school districts. The State Board of Education has not seriously considered the financial burden on district operations or families' pocketbooks when forced to seek additional childcare.
- CCSD schools already have the option to submit a waiver to the district to adjust their start time based on the unique needs of that school community. The costs associated with that waiver must be covered by the school's strategic budget. One of our high schools changed their start time and experienced no meaningful difference in attendance between the earlier or later start times.
- Neither this board nor the department engaged school districts in the development of this proposed regulation. Community members have not been meaningfully engaged, as there were only three meetings statewide, with staff outnumbering attendees.
- The regulation forces school districts to "survey" their communities after the regulation is passed. By then, it will be too late to change anything as the damage will have already occurred. This regulation will impact hundreds of thousands of children, families, and households in Southern Nevada. Pushing it through in spite of the real concerns elevated today and shared throughout this process is an affront to the constituents who will be impacted.

We urge the State Board to pause the development of this regulation and engage meaningfully with stakeholders throughout the community, as this policy will impact hundreds of thousands of households throughout the state.

**APPENDIX A, ITEM 59: JOLLIE HOENE - PUBLIC COMMENT #2**

Hello members of the board!

I am a student at Spring Creek High School, and I would like to give some input on the 8:00 am start. If we start at 8:00, we would leave school at 4. This is something that would negatively affect a lot of students, because many students do activities after school. I am in Speech and Debate, and I already don't get home till 4:40 or 5:40. I'm sure this is the same for other clubs/sports. The late dismissal for school would mean that those of us in extra curricular activities would not be home until around dinner time or later. Those with jobs would probably lose said job because they can't work enough hours. My brother starts work at 4. He would lose his job and then lose the opportunity to fix his truck. He then loses his transportation. I already struggle with having enough time to do stuff when I get home, but a whole extra hour being taken away would be even worse. I'm positive this is the case for most students. I highly suggest you rethink this decision for the betterment of the students. This is what this was about, right?

Thank you. - Jolie Hoene