

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
ASSEMBLY BILL 469 SUBCOMMITTEE MEETING
JANUARY 12, 2022
3:00 PM**

Office	Address	City	Meeting
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	n/a	n/a

SUMMARY MINUTES OF THE BOARD MEETING

BOARD MEMBERS PRESENT

Dr. Katherine Dockweiler, Chair
Mark Newburn, Vice President
Tamara Hudson
Tim Hughes

DEPARTMENT STAFF PRESENT

Jhone M. Ebert, Superintendent of Public Instruction
Jessica Todtman, Deputy Superintendent for Educator Effectiveness and Family Engagement
Tina Statucki, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement (EDLiFE)

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

John Schleifer, Clark County Association of School Administrators and Professional-Technical Employees (CCASAPE)
Kenneth Paul, Principal, W. Mack Lyon Middle School
Lindsey Dalley, Community Education Advisory Board Member
Wendy Mulcock, Moapa Valley Community Education Advisory Board Chair
Anna Binder, Community Member
Felicia Gonzalez, Nevada System of Higher Education Dual Enrollment Task Force

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Meeting called to order at 3:02 P.M. by Chair Katherine Dockweiler. Quorum was established. Chair Dockweiler led the Pledge of Allegiance and provided a land acknowledgement.

2. PUBLIC COMMENT #1

Wendy Mulcock, Moapa Valley Community Education Advisory Board, provided public comment regarding CCSD's noncompliance. *(A complete copy of the statement is available in Appendix A.)*

Lindsey Dalley, Community Education Advisory Board, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

John Schleifer, CCASAPE, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Kenna Higgins, Moapa Valley high School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Hal Mortensen, Moapa Valley High School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Kenzie Hughes, Moapa Valley High School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Hawah Ahmad, Clark County Education Association, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Irene Cepeda, Clark County School District Board of Trustees, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

Rebecca Garcia, Nevada PTA, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A.)*

3. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE DEFINITIONS OF TERMS RELATED TO THE IMPLEMENTATION OF ASSEMBLY BIL (AB) 469 (2017)

Tina Statucki, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement (EDLiFE), provided a PowerPoint presentation regarding [Assembly Bill \(AB\) 469 \(2017\) Definition of Terms](#).

Superintendent Jhone Ebert noted that the Department is hopeful that the Subcommittee would discuss the recommendations presented, make adjustments as needed, and move the item to the full Board meeting on January 20, 2022.

Member Mark Newburn noted the opinion from the Attorney General's Office that a school district does not have the authority to arbitrarily assign staff to a school, as well as opinions from district courts and employee relations board that a principal's authority regarding staffing is not unbounded. Regarding the term "to the greatest extent possible," member Newburn is satisfied with the recommendation "the principal has the ability to see all eligible candidates" but expressed concern with the recommendation the principal

has made every effort to hire a candidate that meets the definition of “in good standing,” noting that the recommendation lacks clarity. Member Newburn suggested developing limited and specific sets of scenarios where long-term substitutes over an in good standing teacher to fill a vacancy is acceptable.

Member Tim Hughes asked for clarification regarding the ability to see all eligible candidates. Superintendent Ebert responded that the Clark County School District (CCSD) testified before the Board that principals can only view candidates that have applied for vacant positions. They are asking to be able to view all eligible candidates looking for a position in the Clark County school district.

Regarding Member Newburn’s suggestion of limited and specific set of scenarios where allowing a long-term substitute over an in good standing teacher, Member Hughes expressed concern that there will always be special circumstances and the Board may overlook one and a potential loophole may develop. Member Hughes suggested expanding the definition regarding the efforts a principal must make to find an in good standing candidate before a long-term substitute would be allowed to fill a vacant position.

Member Hughes asked for clarification on licensure, asking if it is implied that a teacher cannot be hired for a position that they are not licensed for. Superintendent Ebert responded that a teacher cannot be placed in a position they do not have the correct license to teach, providing the example of a teacher certified in mathematics cannot be placed in an English language arts position.

Superintendent Ebert noted that in regard to the implementation plan, all unions had a space at the table to engage in discussions and to move these recommendations forward, noting that it is linked to collective bargaining. Superintendent Ebert noted that in the documentation that was provided in 2018 for evaluation, the plan says to ensure the plan of action listed in this section has been completed successfully and to ensure that completed actions contribute to the overall success of the reorganization. The following actions will be taken. Item A: Principals have the authority to select all staff for their school. Item B: No portion of any employee agreement allows for the placement of an employee into the school under supervision of the principal without the principal having selected that employee. Superintendent Ebert noted that Mr. Schleifer testified during public comment number one, that there are conversations that continue to be had. Superintendent Ebert asked how far the negotiations are and are they still planning on moving forward with this implementation and definition or has one or all the entities decided that this implementation plan in this language needs to be shifted.

Chair Dockweiler suggested altering the language of the recommendation of “to the greatest extent possible” to the principal has made every effort to hire a candidate who meets the required qualification and meets the definition of in good standing. Member Newburn noted that there may be cases where a teacher is licensed correctly but may not have the qualifications, giving the example of a school with a need for an AP physics teacher and a candidate that is licensed to teach science but not physics. Member Newburn suggested framework laying out the exceptions and language that creates guardrails to ensure every effort possible is made.

Member Tamara Hudson agreed with Chair Dockweiler regarding altering the language to include “who meets the required qualification.” Member Hudson gave an example where a principal hires an individual who has a special education degree to teach an autism special education class, but the individual does not have the required autism endorsement. The district then informs the individual that they have three years to obtain the autism endorsement. Member Hudson noted that the teacher could decide to leave the position after a short time and the principal could potentially have missed an opportunity to hire an individual who meets the required qualifications.

Chair Dockweiler shifted the discussion towards the term “in good standing.” Member Hughes began the

discussion by suggesting more precise language on the definition point “having no pending serious discipline/no active discipline (3 years and one day rule).” Member Hughes stated he wanted to ensure that these definitions do not negatively impact individuals who have a legitimate concern or appeal. Member Hughes also recommended adding more specific language to define what “good attendance” means. Member Newburn suggested allowing the school through the School Organizational Teams (SOT) and the principal could document what they viewed “good attendance” meant within the context of their climate and culture. Chair Dockweiler agreed stating that every school and community is different and may define “good attendance” differently.

Member Hughes asked if the term “active discipline” includes where a final determination has not been made. Superintendent Ebert responded yes; it would be considered active until final determination is made. Member Hughes noted that he would like to ensure that the label of active discipline does not negatively impact a qualified teacher from being hired in cases siding with the teacher. Member Hudson agreed.

Member Newburn motioned to allow the Department to provide an updated on the discussion of this item to the State Board. Member Hudson seconded. Motion passed.

4. INFORMATION AND DISCUSSION REGARDING CLARK COUNTY SCHOOL DISTRICT’S IMPLIMENTATION AND ITEMS TO BE RESOLVED

Superintendent Ebert noted that former Deputy Superintendent Felicia Gonzalez presented at the September 30, 2021, joint meeting with the Clark County School District a slide deck. Slide 20 listed the five implementation items to be resolved. Item 1 was placement of licensed and qualified teachers and authority to select staff. Item 2 was negotiating collective bargaining agreements with Clark County Education Association and Education Support Employees Association that are consistent with the law. Item 3 which was addressing the service level agreements process in order to provide principals and SOTs which through authority to carry out responsibilities outlined in the NAC. Item 4 was the authority for purchasing of equipment, services, and supplies. Item 5 was defining to the greatest extent possible and in good standing. Superintendent Ebert noted that once the Subcommittee makes that determination on those definitions, it will move forward to the full Board to ask the Department with legal counsel to develop language to be submitted to be approved by this body, and then submitted to the Legislative Committee.

Superintendent Ebert noted that the CCSD 2018 plan for the implementation of actions to finalize compliance with AB 469 (2017) has planned actions in each of the six areas. These six areas include: authority to select staff, allocation of funds to schools, purchasing of equipment, carry forward balance, and waited per pupil funding. Only the last area, the weighted per pupil funding, the Department feels the district does not need to develop its’ own weights with the Pupil Centered Funding Plan (PCFP) however, CCSD does need to come in compliance with all 6 areas. The Department will go piece by piece and work through the document with the Superintendent Jara, the State Board, and the CCSD Board of Trustees to make sure CCSD come into compliance with the 6 items.

Superintendent Ebert reported that the Department did receive a letter from SyriSSa Jolley, Chair of W. Mack Lyon School Organizational Team (SOT). The Department has 10 business days to respond and fully intends to respond within that time. The Department will work with legal counsel to conduct an investigation.

Superintendent Ebert referenced the report on organization of CCSD under Nevada Revised Statue (NRS) 388G.500-388G.810 presented to both the CCSD Board as well as the State Board of Education. Superintendent Ebert noted that there are several places where CCSD has indicated that they do not believe they need to come into compliance. The Department will be investigating the document because the Department is not necessarily in agreement with items outlined in that document.

5. DISCUSSION AND POSSIBLE ACTION REGARDING CONSEQUENCES FOR NON-COMPLIANCE WITH AB 469

Chair Dockweiler noted that the recommendations put forth are specific to the current law corresponding noncompliance past and present and are not meant to target any individual or groups of individuals. The recommendations discussed are to support the successful implementation of AB 469. The Subcommittee's goal is to create sustainable supports and facilitate correction action as needed for any existing or future noncompliance.

Member Newburn suggested guardrails regarding the time allocated to spend carryover dollars to ensure the funds do not grow without bounds. Member Hughes agreed. Member Newburn also suggested training for school district board members regarding reorganization law goals and intent in addition to requiring school boards to include an agenda item at meetings to receive feedback from SOTs. Chair Dockweiler agreed and added the suggestion of extending the training to the Superintendent, their Cabinet, and school principals.

Chair Dockweiler suggested an appeal process for schools and SOTs to appeal to the State Board of Education or the Nevada Department of Education.

Member Newburn noted that CCSD has repeatedly and brazenly indicated that they have the authority to determine which law they would like to follow or not. CCSD has also indicated that they are looking at recentralizing the district. The reorganization law gives the State Superintendent broad authority, so the Board should work with the State Superintendent to define the authority within regulation. Member Newburn suggested reviewing national best practices for dealing with a non-compliant district that the Board would put into regulation adding an element of law to the State Superintendent's ability to enforce non-compliance. These best practices could include additional monitoring and full receivership with the ability to suspend or terminate the district Superintendent. Chair Dockweiler noted that under NRS 388G.580 the State Superintendent does have the authority to enforce corrective action.

Chair Dockweiler stated that the Board has evidence from several states of possible consequences for noncompliance. These options include financial oversight or NDE approval for certain components that the district is out of compliance with, monitoring of the district and/or the school board, placement of a distinguished educator to support efforts to move into compliance, and transference of any financial costs for bringing the district into compliance to the district itself. Member Hughes suggested that any recommendations made must be made in compliance or in collaboration with the Board.

Member Hughes asked for clarification on the 85-15 (85% of funds to local school precinct, 15% to central office) and whether it is possible for CCSD to achieve and the consequences the Board and the State Superintendent could implement. Superintendent Ebert responded that in the law it must be 85-15, the Subcommittee did hear testimony from the Chief Financial Officer (CFO) that it cannot be met. CCSD has not demonstrated that they cannot meet the 85-15 so the first step is to ask CCSD to demonstrate and provide evidence to support their claim that they are unable to meet the 85-15. If CCSD demonstrates their inability to meet the requirement, then the evidence would be used as an artifact to go toward the next legislative session and express for full transparency that every effort has been made to meet the requirements, present the evidence that it cannot be done, and request the law to be changed. Member Newburn stated that if it is determined that it is not possible to meet the 85% requirement without allowing the inclusion of transportation and utilities in the calculation, then the Board could change its regulations to allow the inclusion to bring CCSD into compliance.

Chair Dockweiler moved to recommend a set of national best practices that align with the discussions of this meeting, as well as moving forward the items to be addressed regarding carryover funds, required trainings, appeal process, and providing evidence of the feasibility of the 85-15 for service

level agreements. Member Hudson seconded. Motion passed.

6. FUTURE AGENDA ITEMS

No future agenda items.

7. PUBLIC COMMENT #2

Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469. (*A complete copy of the statement is available in Appendix A.*)

Wendy Mulcock, Moapa Valley Community Education Advisory Board, provided public comment regarding AB 469. (*A complete copy of the statement is available in Appendix A.*)

Lindsey Dalley, Community Education Advisory Board, provided public comment regarding AB 469. (*A complete copy of the statement is available in Appendix A.*)

8. ADJOURNMENT

The meeting was adjourned at 5:41 P.M.

APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT

1. Wendy Mulcock, Moapa Valley Community Education Advisory Board, provided public comment regarding CCSD's noncompliance.
2. Lindsey Dalley, Community Education Advisory Board, provided public comment regarding AB 469.
3. Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469.
4. John Schleifer, CCASAPE, provided public comment regarding AB 469.
5. Kenna Higgins, Moapa Valley high School, provided public comment regarding AB 469.
6. Hal Mortensen, Moapa Valley High School, provided public comment regarding AB 469.
7. Kenzie Hughes, Moapa Valley High School, provided public comment regarding AB 469.
8. Hawah Ahmad, Clark County Education Association, provided public comment regarding AB 469.
9. Irene Cepeda, Clark County School District Board of Trustees, provided public comment regarding AB 469.
10. Rebecca Garcia, Nevada PTA, provided public comment regarding AB 469.
11. Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469.
12. Wendy Mulcock, Moapa Valley Community Education Advisory Board, provided public comment regarding AB 469.
13. Lindsey Dalley, Community Education Advisory Board, provided public comment regarding AB 469.

APPENDIX A, ITEM 1: WENDY MULCOCK

Good afternoon. My name is Wendy Mulcok I am the current chair for the Moapa Valley Community Education Advisory Board. For those who may not know, the creation of community education advisory boards is codified in state law under NRS 388G 880.760. They were created to quote “facilitate broad community input and to provide advice and assistance to the organizational team of any local school precinct and the board of trustees of the large school district”. Our board became aware of a prolonged and aggressive CCSD investigation of our middle school principal Ken Paul regarding mask wearing violations. The SOT chair and other concerned staff and teachers informed us what was taking place. Upon further inquiry, we found that no other local administrators were experiencing this type of investigation, even though they all had similar mask protocols. We asked the question why? As you know, Ken Paul testified multiple times before this board, citing specific instances when CCSD had violated the law. We watched the unfair treatment he received from CCSD for several months. Even after the Southern Nevada Health District cleared the middle school two separate times from the district’s allegations. However, the unwarranted investigations still continued. We have concluded that CCSD acted in a retaliatory manner designed to intimidate Mr. Paul and other administrators from further testimony and public involvement. We drafted a letter to the district stating our reasons, we sent it to the school Associate Superintendent Lindsay Tomlinson and CCSDs Deputy Superintendent Kelly Ballard and I have copies for each of you of that letter and the email that was sent. We’re disappointed though not surprised that the district gave us zero response to our letter. Even though we requested an investigation under administrative code 388G.100. Under the law they were required to respond within five business days. It has been thirteen days, and those are business days. We thought you should know of this as another example of selective and self-serving noncompliance. We intend to advance this to the next step and appeal to the Department of Education. We don’t think the Board of Trustees has ever established an administrative code 388G.100 dispute process because we can’t find it, but that remains to be seen. If this can happen to one of the very best principals that the district has employed, it can and likely does happen to others. Protection against such reprisal must be ensured. Thank you for your time.

APPENDIX A, ITEM 2: LINDSEY DALLEY

My name is Lindsey Dalley. I serve on two SOT teams in Moapa Valley as well as a community education advisory board member. I want to take a little more positive approach and look at solutions because everybody, it's almost easy nowadays to beat up on CCSD. So, let's look past that and come up with maybe solutions. I don't know whether this subcommittee is looking at long-term and short-term solutions, but I'd like to just throw something out there, just kind of was a potential long-term solution. It may not be the only, but I know that in the background I've worked with a lot of people, and I know there's a thought process out there, an idea of creating legislation so that in the future if a municipality decides you know what I think we can do this better than CCSD I think it would be reasonable to create legislation to allow a municipality to opt out of CCSD and create their own. In order to do that, they would come up with a plan and then present it to the State Board and the State Board would then be able to weigh in and make sure they've covered all their bases and then either tell them to go back and change things or allow them to do that. I think it eliminates the inevitable food fight of trying to break up the district and who gets what you've already got a governance structure in place. If the municipality is happy with the district great, they get to stay as is, but if they're not, then they have a chance to maybe improve on it and do something different. If there are a couple of municipalities that withdraw from that, that is going to affect the character of the district. You've taken, I'm just speculating, I'm not saying no one has told me or anything, but you looked at Las Vegas or Henderson and you bull them out of the equation, now the district is a lot smaller by default and that's going to change the whole character and that's a whole different discussion after that point. So, that's just an idea to thought. I know there's people who worked on it working on language, there's talk about ballot initiative and so forth, but man, if we could just cut to the chase, you get some legislation that allows an opt out if you're happy stay with what you got. If you're not opt out State Board monitors it, you know everybody wins. Thank you.

APPENDIX A, ITEM 3: KENNETH PAUL

My name is Ken Paul, I'm the principal at W. Mack Lyon Middle School, a rural school about 70 miles north of here. I like at the beginning just saying, I believe with all my heart that if decision making and money is in or closer to the schools and the communities that that will result in greater academic success and operational efficiency, and I believe that's what the legislators had in mind. In CCSD's September report of the reorganization, it states quote non instructional functions should be kept off the plate of the instructional leaders or i.e., site-based administrators, including the landscape maintenance. The concept was, or is, is that central services will take care of it. The non-instructional functions don't worry about it principals that will be taken care of. I'm just going to tell you a couple little stories. One was yesterday, we met six principals, one assistant principal representing eight rural schools sat round the table yesterday to discuss landscaping maintenance and the possibility of contracting out. There were so many stories of inefficiencies, delayed services, poor quality, even embarrassments of comparisons to surrounding grounds around them, to waste of manpower, time, water. One principal even said, hey, if irrigation is part of being contracted out, if we could do that and we repaired the leaks that have been persistent, would we be able to keep those savings? And we had to tell him well, as of a few weeks ago, no, even utilities was re-centralized. So that's just one example. Right now, rural Moapa Valley and Virgin Valley are currently waiting for a reassessment of the SLA landscaping money amount that is more reflective of actual costs at our schools, the grounds, the trees, shrubs, irrigation. Formally we're told whatever the number ends up being, it's non-negotiable. Well, we disagree with this because we think we still need to analyze and be able to look at this. One more story is just an idea. I started with ADA bathroom, this was a student that we started in fifth grade trying to get two automatic doors and, in the bathroom, and it didn't happen all during sixth grade, and we went through many facilities service reps. Eventually in seventh grade, to be fair, he did do distance learning because of back surgery. Before eighth grade started this year, I pushed really hard, and it took until about two weeks ago until they got the final approvals. My point is that the student will literally use it a couple three months if we're lucky, and how long will it take to get the high school with those automatic doors. So, my idea is this idea, this concept that several central services will take care of it. The non-instructional functions and principals shouldn't have to worry about it. To me, that's a fallacy. I thank you for the time that I have to say this. Thank you.

APPENDIX A, ITEM 4: JOHN SCHLEIFER

Good afternoon, members of the AB 469 subcommittee. My name is John Schleifer, I'm Deputy Executive Director of the Clark County Association of School Administrators and Professional Technical Employees. We represent the roughly 1,300 administrators in the Clark County school district. We wanted to thank this committee for making headway with the Clark County school district because of this venture, we have had a meeting with ESEA and the Clark County school district and we're in the process of scheduling and rescheduling meetings with CCSD and CCEA and I believe they have been fruitful discussions and they appear to be productive. So once again, I wanted to thank this committee and mentioned that CASA will be supporting and following its functions. Thank you.

APPENDIX A, ITEM 5: KENNA HIGGINS

To the President of the AB 469 NV DOE Subcommittee Chair and Board Members:

As an educator and member of Moapa Valley High School SOT within CCSD, I am concerned that CCSD is not following AB469 as outlined in the law, and I understand that this is an agenda item in your upcoming meeting. AB469 was designed specifically as a way to include local input in our schools, and CCSD has hindered this process from the very beginning. In our SOT meetings, as we consider budgetary items and the regular business of running our school, we repeatedly find that CCSD is constantly at odds with this process. Specifically, with regard to distribution of funds and local control. The funding that follows students is not in the control of the schools where they can directly impact students, instead those funds are micromanaged by the Central Office.

If any other state-sponsored institution was this blatant and belligerent about defying the law, that institution would be threatened with having funding cut off and/or other punitive measures. Therefore, why has CCSD been getting away with this with impunity? Several years ago, the Nevada Department of Education (NV DOE) temporarily took over the White Pines School District until they resolved their budgetary issues. Why is CCSD so special that they can ignore the law and not suffer the consequences? Officials in CCSD Central Office have had more than enough time to make changes to reflect the intent of AB469. Quite frankly, from where I stand, they have not even made an attempt to do so. In the meantime, they lead the CCSD Board of Trustees astray by making them believe they are in compliance with the law, when in reality they are not.

As an educator, I feel torn. CCSD is my bread and butter, but at the same time some of the recent policies CCSD has implemented (or failed to implement) combined with a disregard for input from local communities makes me very concerned. As a member of a rural community and a teacher in that rural community, I feel like my needs as a teacher, and our needs as a school are constantly being ignored by CCSD - especially with regard to local input.

I respectfully request that the Nevada Department of Education take over CCSD in its entirety until all protocols and systems are put into place that follows AB469 in its exactness and to the fullest intent of the law.

Sincerely,

Dr. Kenna R. Higgins
Moapa Valley High School
English/Theatre

APPENDIX A, ITEM 6: HAL MORTENSEN

January 12, 2022

AB469-Agenda Item #4 and #5

To the Members of the Assembly Bill 469 Subcommittee:

As the principal of two small and rural schools within Clark County School District (CCSD) and with one school that was previously an empowerment school, I have wholeheartedly supported AB469/388G to give local precincts (schools) more autonomy especially with the school budget, attrition and staffing.

Since the implementation of AB469/388G within CCSD, there have been baby steps toward its implementation. My stakeholders, such as the School Organizational Team and the school community, have fully supported AB469/388G but they are extremely disappointed that it has not been implemented to the full extent of the law.

To support my stakeholders and my community, we ask for the AB469/388G law be implemented as outlined in the law such as complete precinct (school) control of the unrestricted school funds, the attrition dollars and the autonomy with staffing.

Sincerely,

Hal L. Mortensen

Principal

Moapa Valley HS, Overton, Nevada 89040

Ute V. Perkins ES, Moapa, Nevada 89025

APPENDIX A, ITEM 7: KENZIE HUGHES

Hello,

I am a member of the School Organizational Team of a small and rural school within CCSD and I am concerned that CCSD is not following AB469 as outlined in the law. As this interferes with local input at a school level, we are allowed to have a say in our schools. AB469 was designed specifically for local input and CCSD has hindered this process from the very beginning of its inception. If AB469 was implemented as designed, it would have a wonderful impact on our school. It was designed so that power was able to go to the school individually so our school would flourish. Instead, we get labeled with the schools in Las Vegas, and decisions are not made logically. This is in turn affecting our school and holding back our students. Please take control of the CCSD school district until they can get things in order to follow the law. We are tired of standing by and waiting for them to do it.

Sincerely,

Kenzie Hughes

Moapa Valley HS

APPENDIX A, ITEM 8: HAWAH AHMAD

January 12, 2022

Good afternoon Subcommittee Chairperson Dockweiler, and Subcommittee members,

CCEA was an active participant in the drafting of AB469 (2017) and served on the technical advisory committee to ensure that the intent of the law would be carried out. As we proceed the regulatory process for clarification of vague terms, it has come to our attention that the recommendations you will be presented today still do not directly align with our current collective bargaining agreements and state law.

Specifically, CCEA supports “in good standing” to be interpreted as an employee whose previous evaluation has a rating of “developing” or higher. CCEA also supports that an employee with good attendance can be taken into account, as long as the impacts of COVID-19 and any other federally protected disability related absence is not held against the educator. However, when it comes to the consideration of an employee having no “active” disciplinary issues, to include pending or documented discipline in the last two years, we must caution this Subcommittee that that this language is vague and goes against previously enacted state statute and collective bargaining agreements. Disciplinary actions that are being appealed cannot be a factor in decision making, as they have not reached their final adjudication to provide educators with due process. Additionally, pursuant to our collective bargaining agreements, we utilize a three year and one day rule for the expungement of certain adjudicated disciplinary issues. Additionally, because this guidance makes no distinction between levels of discipline, for example an Oral Warning is treated the same as someone who has been suspended, this guidance has the potential to result in someone with a very low-level infraction being considered as not in good standing. A distinction as to what level of active discipline, possibly starting with a ten-day suspension and higher, would be appropriate.

CCEA appreciates the effort that has gone into the formation of these recommendations. However, we must also caution this committee against adopting language that does not specify “to the greatest extent possible” to include licensed educators. Principals should have the ability to see all licensed, eligible candidates during the surplus and transfer process, and should make every effort to hire a candidate that meets the definition of “in good standing”. Nevertheless, principals should give priority to licensed, qualified educators over long-term substitutes, to ensure that the quality of education does not decrease and to follow with the legislative intent of AB469. CCEA fully understands that cultural competency can play a factor in the selection of educators, and we are willing to work with the principals to find a fix for the problem.

Lastly, we must raise the concern over AB469 and the Pupil-Centered Funding Plan (PCFP). It is our belief that thoughtful consideration must be given on how unused funds distributed in accordance with the PCFP’s weights are reallocated as carry-over dollars. It is our belief that the reallocation of those unused funds in the subsequent school year violates the intent of the PCFP and that school precincts must utilize the PCFP weighted funding to its fullest extent pursuant to SB543(2019) in the current year.

The Clark Count Education Association and the over 18,000 licensed education professionals we represent thank you for your hard work and we look forward to further participating in the regulatory process to define the parameters around our concerns in AB469 (2017).

Respectfully,
Hawah Ahmad, Lobbyist
Clark County Education Association

APPENDIX A, ITEM 9: IREN CEPEDA

January 12, 2022

Dear Chair Dockweiler, Subcommittee Members, and Superintendent Ebert,

We write to you as the newly elected slate of officers for the Clark County School District Board of School Trustees to thank you for your commitment to collaboration while resolving pending issues related to AB469. We are not able to attend your subcommittee meeting at this time due to work obligations. However, we wanted to take this opportunity to provide public comment.

Not that long ago our boards met collectively in an effort to form a positive and productive working relationship. Since that time our board fired our superintendent, rehired our superintendent, and recently paused in person instruction to address the severe staffing issues from the exponential growth of the most recent covid variant. It's been a hectic year for local school boards across the nation. We're writing to let you know that even amongst this chaos we recognize the importance of bringing the district into compliance with AB469. We are committed to doing so in a collaborative and productive manner, as expeditiously as possible. We are currently working with our superintendent to address compliance issues related to NRS 388G, as well as identifying additional areas where improvements can be made.

We appreciate the assistance you shared during the joint meeting, which was to also move forward together, in a collaborative fashion. Our newly appointed clerk recently inquired about the possibility of a member of our board joining your subcommittee. We feel it's important to build a bridge between our boards while ensuring the district's progress in this area meets your expectations. We look forward to this possibility as we bring the district into compliance, while also putting in additional effort to resolve challenges that fall outside the scope of the law but must be addressed to make this work as meaningful as possible.

Sincerely,

Irene Cepeda, President
Evelyn Garcia Morales, Vice President
Lola Brooks, Clerk

APPENDIX A, ITEM 10: REBECCA GARCIA

Nevada State Board of Education
Assembly Bill 469 Subcommittee

January 12, 2022 - Public Comment

Thank you for your efforts over the last months related to AB 469 and the Reorganization of the Clark County School District. A key purpose of the Reorganization was to bring decision making closer to the student and engage key stakeholders including families in essential decisions. After discussions at the December Subcommittee meeting, we felt it was important to gather more feedback from families regarding their understanding of the reorganization and SOT processes. In collaboration with CCSD Parents we recently conducted a brief online survey of families to gather this feedback. Due to the holidays the timeline was short but we wanted to ensure the voices of families were provided to this subcommittee. The survey summary along with more than 100 additional free responses from families are attached for your review.

Several key highlights:

- 61% of respondents indicated no or limited knowledge regarding the Reorganization
- 86% of respondents indicated that schools should have more authority/autonomy about decisions made at the school level
- 24% of respondents did not know the purpose of an SOT
- 55% of respondents indicated that they are informed of SOT activities
- 63% of respondents indicated that they do not know where to find the school strategic budget

Comments submitted varied but many consistent themes emerged including a need for greater transparency and accountability. Many parents indicated that SOTs were not easily accessible or felt in one respondents' words "a rubber stamp for work done by the schools admin team". Many respondents indicated a desire to break up the district entirely. Families predominately want local decision making but responses also indicate that the law is not fully understood or being implemented.

Accountability is a consistent theme in the feedback provided. Effective implementation of the reorganization requires accountability not just on the part of the district but also school administrators. Training regarding the law is also essential as feedback indicated that aspects of the law are not always followed from posting of minutes to ensuring that SOT meetings are always open to the public. A shared commitment to implementation with fidelity and addressing areas of concern all levels at the district is essential if the goals of AB 469 are to be achieved.

Thank you for your consideration and listening to the feedback of families as you make recommendations that will best serve our students.

Rebecca Dirks Garcia
President

APPENDIX A, ITEM 11: KENNETH PAUL

Ken Paul Principal at W. Mack Lyon Middle School, I just wanted to bring up the whole name was autonomous precincts and very much based on empowerment schools and specific points that I wanted to bring over. We talked about carry over, I'm a little afraid that it might be going backwards a little bit because as we talked about spending it on those students that rings, it brings back to me that spend it or lose it. We've worked with that so many times where, oh, if you don't spend it this year, you're going to lose it and so you get very reckless spending. So my thing is if the SOT can justify and put in their plan of operation, what are those ideas and somebody reviews it. You know, I think that might be a better way of doing it. Utilities, its my belief because we tried as a SOT five years ago with utilities, we thought there's some great savings that can happen there if you're more efficient. We started talking about even if it wasn't contracted out, it did say that we could modify, that we could negotiate and modify the agreement between the two parties and we were going down that route. So, I still believe that utilities and the transportation are viable pieces that can be two parties' negotiation and finding something that works. The site-based perspective, I did feel like in the beginning when I first started coming here that was a turning point, that it started out with, hey, if we have questions, we're going to ask central administrators to give us the answers. But at some point, it was believed by the board and key people at NDE that hey, this is a decentralization model, but we're only asking central administrators how it's going or how it's working. So, I just wanted to keep that out there that sometimes I'm back there thinking oh, I wish I could speak, you know right now. I wish I could say something. The last piece is just the idea of trust, I understand the guardrails, but at the same time, this whole movement was to say, yeah, we might have some principals that screw up and we have to get them back in line. Bet we're going to give communities; we're going to give SOTs a representative team. We're going to almost make them like little school boards and we're going to allow them great autonomy, you know, to be able to make decisions that might not be cookie cutter. I know that's a little bit dangerous because school A might make decisions and spend money differently than school B and it will be really easy for somebody to say that's not equitable because they have something we don't. But to me the premise behind the whole thing is so important that if we want better education, if we want something transformational that either we have to think different, and I think I've said a couple times we're trying to fit a square peg into a round hole. We have to change, we have to make some pretty big changes. Thank you.

APPENDIX A, ITEM 12: WENDY MULCOCK

First of all, my name is Wendy Mulcock, I am the Moapa Valley Community Education Advisory Board chair, otherwise known as CEAB. I first want to say thank you for this evening and thank you for your discussion. It's been very enlightening for me. I just wanted to say there were several things I wanted to talk about, but I don't have enough time. So, the two things that I'd like to just mention. The first one is the training of SOTs by the district. To me, the reason that much of this investigation occurred was because a SOT came, or many SOTs came with some concerns about what was going on at the district level and if you're a district training your SOTs, you're going to train them not to monitor you. I mean, really, that would make sense, right? So, I have some concerns about how and who and the ways that SOT training. It definitely needs to be done, but it needs to be done in a manner that is beneficial to the schools and not self-serving to the district. Does that make sense? So, that's the first thing I wanted to talk about. The second thing I wanted to talk about was just to remind you and I know you probably already remember this but, and at that September meeting, the district was given a timeline to have an agenda item on their trustee, the Board of Trustees meeting. I believe it was, it needs to be on the agenda before the end of the year and it never was, it never was. And so I'm concerned about, you know, you say, well, we want you to be in compliance for this and here is the timeline that you have, and they don't even, they don't even look at the timeline. They think the timeline isn't even, they don't even care about it. Right? So, I'm also very concerned, um, about that as well. I would also like to just say that I understand that you guys have a burden on your shoulders with this. You're trying to reprimand a very disobedient, a very disobedient district. And so, you have a lot to do there, but please know that what you're doing matters and the problems that we're dealing with down, you know, where the rubber meets the road. They're big for us. And So I just want you know we support you and what you're doing whatever we can do to help, we're here to help you. We would like to be part of the solutions, in order to make this district a better place for students. So, thank you.

APPENDIX A, ITEM 13: LINDSEY DALLY

Thank you for staying. I also just want to make the point here that I think it had, it took a lot of courage for this board to have an open discussion and frankly talk about some of the issues that you talked about. Receivership and so forth. That's been a long time coming at least, you know whisper the word. So, thank you very much. What I wanted to kind of briefly touch on is that the 85-15%. You know, I was like said involved in that. I mean I don't want to overplay my hand, but I sat through all of the hearings, you know met with the creator of the decentralized model. You know, I understand the concept and I just need to emphasize that it scares me to death to have CCSD come up and justify that they can't do it because I guarantee you, they will. I mean I've hired a lot of accountants in my day, and they will do, they will find what you tell them to find, that's how they get paid. This is nothing against the CFO, I mean, you know, he's a hired hand and that's what his job is and if he didn't do it, he would get fired. So, the 85% is a very specific number to ensure a decentralized model without oversight. If you start meddling with that number, then you're going to have to have somebody to make sure that they're not centralizing again. But if you have that 85%, it is next to impossible for them to centralize because they can't do it. So, in essence that 85% number ensures a self-sustaining decentralized model with minimal oversight. I know you guys have a life, you don't want to spend it and so does you know Superintendent Ebert, spend it you know monitoring CCSD. The other thing is allowing CCSD to argue that it's impossible to meet the 85% is allowing CCSD to undermine the legislation and relitigate the law. That was all litigated and brought in open and fair process and determined 85% was reasonable. Now, do we want to open that back up again? I don't know why it's just going to create drama. So, I really get nervous about that and especially, you know, CCSD you know they're going to come in and make the point and you know, it just bothers me. So, I think you, I don't know, it's just, I'm expressing my concern okay, but I didn't want to take away from the progress that's made and again I appreciate you for what you are doing and have done. Thank you.