

**NEVADA DEPARTMENT OF EDUCATION  
REGULATION WORKSHOP  
FEBRUARY 28, 2022  
10:00 AM**

<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	n/a	n/a

**SUMMARY MINUTES OF THE WORKSHOP**

**DEPARTMENT STAFF PRESENT**

Dr. Jonathan Moore, Deputy Superintendent of Public Instruction  
Heidi Haartz, Deputy Superintendent for Student Investment  
Beau Bennett, State Education Funding Specialist, Office of Pupil-Centered Funding  
Amelia Thibault, Management Analyst III, Office of Division Compliance  
Andrew Snyder, Education Programs Professional, Office of Standards and Instructional Support  
Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement (EDLiFE)

**LEGAL STAFF PRESENT**

David Gardner, Senior Deputy Attorney General

**AUDIENCE IN ATTENDANCE**

Dr. Pam Salazar, Chair, Teachers and Leaders Council

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

Workshop called to order at 10:10 A.M. by Dr. Jonathan Moore, Deputy Superintendent of Public Instruction.

**2. PUBLIC COMMENT #1**

No public comment.

**3. 10:00 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NEVADA ADMINISTRATIVE CODE (NAC) 387.XXX WHICH PERTAINS TO THE DEFINITION OF AT RISK PUPILS**

[Workshop called to order at 10:14 A.M.]

[Presentation]

*Beau Bennett, State Education Funding Specialist, Office of Pupil-Centered Funding, outlined the Nevada Administrative Code chapters for proposed amendments which pertains to the definition of [At-Risk Pupils](#).*

Mr. Bennett noted that the alternative measure of At-Risk, the Nevada Revised Statute 387.121 currently defines At-Risk pupil to receive weighted funding in the pupil-centered funding plan as a pupil who is eligible for free or reduced-price lunches, pursuant to chapter 42 subsection 1751 of the United States Code or an alternative measure prescribed by the State Board of Education. This statute became effective on July 1<sup>st</sup> 2021. In July of 2020, the Commission on School Funding made a recommendation to adopt a more comprehensive definition for identifying the At-Risk category of pupils for the weighted funding in the pupil-centered funding plan. In November of 2020, the State Board of Education a new definition of At-Risk which is a pupil is At-Risk if the pupil has an economic or academic disadvantage such that they require additional services and assistance to enable them to graduate with their cohorts. The term includes without limitation, pupils who are members of economically disadvantaged families, pupils who are at risk of dropping out of high school, and pupils who do not meet the minimum standards of academic proficiency. After the last legislative session, the Nevada Legislature provided the Department and the Commission on School Funding with a letter of restructure to review and compare the students identified as At-Risk based on eligibility for free and reduced priced lunch and those identified as At-Risk based on the revised methodology. This data comparison has been completed and the Commission on School Funding last month reaffirmed their support for the updated definition of At-Risk.

[Public comment]

No public comment.

[Workshop adjourned at 10:17 A.M.]

**4. 10:05 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 387.120 – SCHOOL CALENDAR; SUBMISSION; CONTENTS; NAC CHAPTER 387.125 – PROGRAM OF INSTRUCTION BASED ON AN ALTERNATIVE SCHEDULE; AND NAC CHAPTER 387.151 – EMERGENCY CLOSING AS DAY IN SESSION**

[Workshop called to order at 10:17 A.M.]

[Presentation]

*Amelia Thibault, Management Analyst III, Office of Division Compliance, outlined the Nevada Administrative Code chapters for proposed amendments which pertains to [Alternate Calendars](#).*

Ms. Thibault noted that Senate Bill 215 in the 2021 session removed limitations regarding who may apply for alternative calendars. The proposed amendments to NAC Chapter 387.125 regarding the program of instruction based on an alternative schedule and in alignment with guidance memo 2106 regarding emergency closures and distance learning. Additional revisions to NAC chapters 387.120 and 387.151 regarding emergency closing as a day in session.

[Public comment]  
No public comment.

[Workshop adjourned at 10:19 A.M.]

**5. 10:10 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 389.488 – EXEMPTION FROM PHYSICAL EDUCATION**

[Workshop called to order at 10:19 A.M.]

[Presentation]  
*Andrew Snyder, Education Programs Professional, Office of Standards and Instructional Support, outlined the Nevada Administrative Code chapters for proposed amendments which pertains to [Exemption from Physical Education](#).*

Mr. Snyder noted that this regulation allows for a variety of options for students to either get physical education exemption or earn no more than one credit of physical education based on enrolling in programs that are similar to physical education that are also aligned to the physical education standards in Nevada. The intention behind the language change is to ensure that there is equity, clarity, and consistency in the implantation of this regulation.

[Public comment]  
No public comment.

[Workshop adjourned at 10:21 A.M.]

**6. 10:15 A.M. WORKSHOP TO SOLICIT COMMENTS ON PROPOSED CHANGES TO NAC 391.582 – REMOVAL OF CERTAIN ASSESSMENT REQUIREMENTS FOR STUDENT LEARNING GOALS**

[Workshop called to order at 10:21 A.M.]

[Presentation]  
*Kathleen Galland-Collins, Assistant Director, Office of Educator Development, Licensure, and Family Engagement (EDLiFE), outlined the Nevada Administrative Code chapters for proposed amendments under [R112-20](#).*

Ms. Galland-Collins noted that R112-20 makes conforming changes to NAC 391.582 regarding the criteria for determining which assessments may be used to monitor progress towards a student learning goal as part of the Nevada Educator Performance Framework or NEPF. These changes will remove subsections three and four of NAC 391.582 that prescribes the hierarchy of the types of assessments that may be used. Removing this prescriptive language will allow educators to utilize assessments that truly measure progress toward the standard on which the student learning goal is set. It will also allow for flexibility of the types of

assessments used to ensure the appropriate level of rigor and relevancy while maintaining assessment reliability and validity requirements. The proposed changes to this regulation came about due to information shared during the monitoring for continuous improvement of the NEPF and feedback provided to the Teachers and Leaders Council. Implementers revealed widespread confusion regarding the appropriate selection of assessments to measure progress on a student learning goal (SLG). This included the selection of standardized assessments prior to the identification of student needs. The SLG process is designed to provide a focus on student learning and instructional practice based on student need. The first step in this process is to identify the learning needs of the students and identify the foundational standard on which to focus the assessment used to measure progress should be closely aligned to the identified standard. By selecting the assessment first, the focus on student needs was minimized. The removal of subsection three and four of NAC 391.582 was discussed by the Teachers and Leaders Council and recommended to the State Board of Education as a solution to this problem.

[Public comment]

No public comment.

[Workshop adjourned at 10:25 A.M.]

**7. PUBLIC COMMENT #2**

No public comment.

**8. ADJOURNMENT**

Workshop was adjourned at 10:25 A.M.