

**NEVADA DEPARTMENT OF EDUCATION  
NEVADA STATE BOARD OF EDUCATION  
ASSEMBLY BILL 469 SUBCOMMITTEE MEETING  
MARCH 28, 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  
Dr. René Cantú  
Lisa Guzman  
Tamara Hudson  
Tim Hughes

**DEPARTMENT STAFF PRESENT**

Jhone M. Ebert, Superintendent of Public Instruction  
Felicia Gonzales, Consultant to the State Superintendent  
Tina Statucki, Education Programs Professional, Office of Educator Development, Licensure, and Family Engagement (EDLiFE)

**LEGAL STAFF PRESENT**

David Gardner, Senior Deputy Attorney General (DAG)

**AUDIENCE IN ATTENDANCE**

Autumn Tampa, community member  
Kenneth Paul, Principal, W. Mack Lyon Middle School  
Jana Wilcox Lavin, CEO, Opportunity 180  
Jeff Horn, Executive Director, Clark County Association of School Administrators and Professional-Technical Employees (CCASAPE)  
Ed Gonzalez, School Organizational Team Member, Liliam Lujan Hickey Elementary School  
John Schleifer, CCASAPE  
Anna Binder, community member  
Linda Cavazos, Trustee member, CCSD  
Eva White, community member  
Jan Giles, President, ESEA

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

Meeting called to order at 3:03 P.M. by Chair Katherine Dockweiler. Quorum was established. Chair Dockweiler led the Pledge of Allegiance.

**2. PUBLIC COMMENT #1**

Autumn Tampa, community member, 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)*

Jana Wilcox Lavin, CEO, Opportunity 180, provided public comment regarding item 3. *(A complete copy of the statement is available in Appendix A)*

Jan Giles, President, ESEA, provided public comment regarding item 4. *(A complete copy of the statement is available in Appendix A)*

Jeff Horn, Executive Director, CCASAPE provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Ed Gonzalez, School Organizational Team Member, Liliam Lujan Hickey Elementary School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Chris Daly, Nevada State Education Association, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Amy Manning, Principal, Ruby Duncan Elementary School. *(A complete copy of the statement is available in Appendix A)*

Kellie Ballard, Chief Strategy Officer, Clark County School District, provided public comment regarding items 3 and 4. *(A complete copy of the statement is available in Appendix A)*

**3. INFORMATION AND DISCUSSION REGARDING THE IMPLEMENTATION OF ASSEMBLY BILL (AB) 469 (2017)**

Felicia Gonzales, Consultant to the State Superintendent, Nevada Department of Education, provided [Draft Regulation Language](#).

Member Lisa Guzman noted that she did not see any due process in the regulation for the district and asked who the district would plead to if they felt that the receivership was inappropriate. Ms. Gonzales responded that at the request of the Subcommittee a process for a hearing before the State Board of Education has been added to the language. Member Guzman noted that the language does not specify a time limit for the district's plan to come before the Board before the distinguished educator is placed. Ms. Gonzales responded that currently in NRS the State Superintendent of Public Instruction does have the ability to ask any district or charter school to complete a plan of corrective action and this plan does not have a process to come in front of the Board. Ms. Gonzales noted that the draft language is permissive and gives possible steps for the State Superintendent of Public Instruction to put in place at any time. Subsection 1(a) would be a notice of noncompliance, and this does not necessarily mean that subsection 1(b) needs to happen. Subsection 1(b) can happen at any time if the Superintendent of Public Instruction believes that the action is appropriate. Subsection 1(b) does have a timeline for the development and implementation of the plan of corrective action. Subsection 1(c) is also at the discretion of the Superintendent of Public Instruction.

Member Guzman asked for clarification on the timing of the appointment of a distinguished educator. Ms. Gonzales responded that it depends on what the Superintendent of Public Instruction sees in the initial notice of noncompliance. Member Guzman asked if the receivership is specifically for AB 469 not the entire district. Ms. Gonzales responded yes subsection 1(f)(1) of the draft language specifically states “concerning the areas subject to the receivership” so the items subject to receivership would be identified in the notice of noncompliance.

Member Guzman asked what the large school district has in the way of due process when it comes to receivership. Ms. Gonzales responded that before there is any receivership, a hearing will take place in front of the State Board of Education in order for the Board to make a recommendation.

Member Tim Hughes noted that as related to the qualifications of the distinguished educator, the Board should care more about getting the job done and having the requisite skills and experiences versus an arbitrary set of requirements that may or may not align. Member Hughes suggested language that would specify that the designated liaison should have the requisite skills aligned to the specific noncompliance needs. Member Hughes suggested changing the name from distinguished educator to a more descriptive term such as liaison or compliance monitor to describe the position better. Chair Dockweiler agreed and asked if any Subcommittee members had a preference on the new name for the distinguished educator. Member Hughes recommended a name with AB 469 included to specify the purpose of the position such as AB 469 Support liaison or compliance liaison. Superintendent Jhone Ebert agreed with member Hughes on specificity and suggested the name of compliance monitor. Member Hughes agreed.

Vice President Mark Newburn asked member Guzman for suggestions regarding due process. Member Guzman responded that if the district is not in compliance, providing a timeline for creating the corrective action plan and an additional timeline for the district to complete the plan, then bringing in the distinguished educator to allow an opportunity for the district to present the efforts and progress before bringing in the distinguished educator.

**Member René Cantú moved to approve the subcommittee draft regulation language with the amendments and changes noted by the State Superintendent. Member Tamara Hudson seconded. Motion passed unanimously.**

#### **4. INFORMATION AND DISCUSSION REGARDING THE IMPLEMENTATION OF ASSEMBLY BILL (AB) 469 (2017)**

Felicia Gonzales, Consultant to the State Superintendent, Nevada Department of Education, provided a PowerPoint presentation regarding [Definition Recommendations and Proposed Regulatory Language](#).

Member Guzman suggested the definition of other staff should state other staff who work under the direct supervision of the principal shall mean any support staff employee that is assigned to the local school precinct and is evaluated by the principal. Member Guzman noted that signing an evaluation does not mean that the principal conducted the evaluation. It means that the principal examined the evaluation and signed off if they have read it. Member Guzman expressed concern with the statement if a principal signs an evaluation that they have done the evaluation.

Vice President Newburn asked for clarification on who would be affected by the Department’s proposed language versus member Guzman’s recommendations. Ms. Gonzales responded that the 2018 implementation plan outlined that any negotiated bargaining agreements and collective bargaining agreements moving forward should ensure that employee contracts executed after the authorization of AB 469 comply with the following criteria and letter A on page 9 of the implementation plan states principals have the authority to select all staff for their school, and no portion of any employment agreement allows for

the placement of an employee into the school under the supervision of the principal without the principal having selected the employee. Ms. Gonzales noted that the regulations in discussion need to be applicable to any school and any scenario.

Member Hudson noted that she as a teacher provides an informal observation of her aid during an evaluation process and the principal or administrative staff has the formal authority to complete the evaluation. Ms. Gonzales agreed the rating of any employee can be done by other administrative staff but the final sign off and actual responsibility for all evaluations falls on the shoulders of the building principal. Ms. Gonzales noted that this is why the Clark County School District submitted public comment to suggest removing the word administrative out of the draft that NDE provided so that it can include individuals such as member Hudson who have input on the rating of employees.

Vice President Newburn asked for examples of employees that would be included in the principal evaluating and the principal or staff evaluating to discern the difference in who would be affected by the potential language of the proposed regulations. Chair Dockweiler asked Jan Giles President, ESEA to provide input from the perspective of someone who would be immediately affected by the proposed regulations. Ms. Giles noted that there are certain positions in the schools such as an instructional assistant in SPTA where someone else is completing their evaluation such as a teacher or office manager, the evaluation is then taken to the principal and signed off. Chair Dockweiler noted there is many layers that these evaluations can go through, but in all cases ultimately it is a building principal who is responsible for signing it. Ms. Giles noted that the principal signs off at the end, but basically, they're just being told by the person that did the rating how the employee performed.

Member Hughes asked if principals are given the authority to select any person who is in the building. Ms. Gonzales responded that there are employees that are hired by the principal that are provided school-based evaluations. There are other staff members for example a landscaper who may be assigned to several different sites and they are not provided by an evaluation by the principal. The principal is asked to provide input and to help rate the employee, but ultimately that responsibility falls on a central administrator to provide their evaluation.

Vice President Newburn asked who would assign a teacher's assistant to a school. Member Hudson responded that a school goes through a hiring process. The principal allows the teacher to sit in on the interview and then takes the opinion of those who will be working with the assistant into consideration.

Member Guzman suggested discussing the term supervision and who is really supervising these individuals. A principal ultimately signs an evaluation but are they actually supervising the employee? Chair Dockweiler asked Senior Deputy Attorney General (DAG) David Gardner what the legal interpretation of the phrase "Other staff who work under the direct supervision of the principal" DAG Gardner responded the way statutory interpretation is handled is by looking at the plain language and if the plain language is self-explanatory then you go no further. If there is ambiguity, then regulations or court interpretation are needed. If there is ambiguity and this body decides there is an ambiguity, then it would be up to the body if they so desire to create a regulation to define the ambiguity. It would be within this body's purview under NRS 388G.590 to decide what these words actually mean.

Member Cantú asked what the managerial implications are if a principal does not have the supervision directly or indirectly of every person in the building, what are the managerial implications for a school site administrator and their team with regard to managing the school and student outcomes. Ms. Gonzales responded that a principal is responsible for the supervision of all employees on a school site. Principals are requesting the ability to select who is in their building based upon the needs of students because it is the adults that directly impact the achievement of students. Member Cantú expressed concern if the Board were

to adopt something other than the language recommended on page seven of the presentation that there would be managerial and student outcome implications if ultimate authority was not given to the principal.

Ms. Gonzales offered one of the suggestions from CCASAPE to revise the language to read “Other school staff who work under the direct supervision of the principal shall mean any support staff employee that receives a school-based evaluation by the principal or any member of the principal’s staff.”

Member Guzman expressed concern with the proposed language that it could affect food service workers, custodians, and special education professionals because they receive an evaluation from their supervisor at the school site that is turned into the central office and the proposed language may change the thought process and complicates things.

Member Hughes expressed concern with the language becoming more defined and potentially simultaneously complicating matters further. Member Hughes noted that he has underlining questions about the premise that the current language precludes negotiations from happening or not or whether it is individuals wanting clarity to support their side of the argument so that they may move forward. Member Hughes noted that the plain language already might capture everything about who is under the direct supervision of the principal versus someone who is centrally assigned.

Chair Dockweiler proposed bringing the item back to a future subcommittee meeting. Vice President Newburn agreed.

## **5. FUTURE AGENDA ITEMS**

Vice President Newburn requested a discussion regarding guardrails around carry over dollars and a further discussion on the 85-15. Chair Dockweiler requested a discussion regarding the data that SOT’s are receiving and what it looks like in terms of the different components that might go into. Member Guzman requested a discussion on the HCM system and the catalog system for SLAs.

## **6. 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)*

Autumn Tampa, community member, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Ed Gonzalez, School Organizational Team Member, Liliam Lujan Hickey Elementary School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Anna Binder, community member, provided public comment regarding SOT input. *(A complete copy of the statement is available in Appendix A)*

Angie Sullivan, Teacher, CCSD, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Sylvia Lazos, Nevada Immigration Coalition, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

## **7. ADJOURNMENT**

The meeting was adjourned at 5:14 P.M.

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

1. Autumn Tampa, community member, provided public comment regarding AB 469.
2. Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469.
3. Jana Wilcox Lavin, CEO, Opportunity 180, provided public comment regarding item 3.
4. Jan Giles, President, ESEA, provided public comment regarding item 4.
5. Jeff Horn, Executive Director, CCASAPE provided public comment regarding AB 469.
6. Ed Gonzalez, School Organizational Team Member, Liliam Lujan Hickey Elementary School, provided public comment regarding AB 469.
7. Chris Daly, Nevada State Education Association, provided public comment regarding AB 469.
8. Amy Manning, Principal, Ruby Duncan Elementary School.
9. Kellie Ballard, Chief Strategy Officer, Clark County School District, provided public comment regarding items 3 and 4.
10. Kenneth Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding AB 469.
11. Autumn Tampa, community member, provided public comment regarding AB 469.
12. Ed Gonzalez, School Organizational Team Member, Liliam Lujan Hickey Elementary School, provided public comment regarding AB 469.
13. Anna Binder, community member, provided public comment regarding SOT input.
14. Angie Sullivan, Teacher, CCSD, provided public comment regarding AB 469.
15. Sylvia Lazos, Nevada Immigration Coalition, provided public comment regarding AB 469.

**APPENDIX A, ITEM 1: AUTUMN TAMPA**

Autumn Tampa speaking as an individual. Nice to see everybody. Um you know, I'm really torn about this being of, of trying to figure out what exactly to say here because I know the law was passed and I think it is no secret that I don't feel very good about the law and how it is going to work. And right now, I think there is over 500-600 support staff of vacancies and 1500 teacher vacancies. I'm looking at, you're trying to determine the language about who supervises who I've been in central services. So, I've mostly been supervised by central services department heads. But I lost those positions because we were decentralizing. And so, I was rift well surplus into a lower paying position and then I kept that for a while and then because of AB 469 I was again surplus out of the position I was in and surplus again and now this is my third surplus. And so, I chose jobs that I felt I could do well. I chose jobs that I thought I could give service to the children the best. Um I do well at tutoring the ELL students. I now being surplus out of my school and don't know if I am going to be able to do that. Quite honestly if I can't do that, I don't know if I'm going to stay because I don't want to be put into a position of a job that I'm not going to be happy with or that I'm not using my talents and that is what I am very concerned with in this is that you have a large group of people who have been in this district a long time and I'm I heard a principal one time I was an ELL tester, I was at the school and we were just talking back and forth. And she said to me, you know, I wish I could get rid of my PE aid. And I'm like, oh. I said, how come? Well, he doesn't speak English well and I can't communicate with him and I just want to get rid of him, but I can't because of the contract and and it, you know, it's those kinds of things that scare me. I've had people because I am a union rep at different times come to me support staff and say, you know, I'm being targeted. I can't, this principal doesn't want me, you know, and I'm afraid that how this is going to be implemented is going to hurt innocent people. And ultimately when you don't have positions filled that need to be taken care of children, its going to hurt the children. It's going to be stressful. So I'm not sure how you're planning to define other staff under the direct supervision. I know I have a teacher in my room that directs and monitors us. I consider her my direct supervisor, not the principal. He literally has spent ten minutes the whole entire year in our classroom watching what we do. He has no idea what we're doing. So I know that there's other principals that are very dedicated and make sure, but there are those other principals out there that in my opinion um it's gonna be really scary if they're 100% in control. So, I'd like to see safeguards for people put into place to hold the principals accountable and to make sure that innocent people aren't hurt because right now the process isn't very effective at CCSD and I know because I've been through it more than once myself and so CCSD needs a process that's fair and equitable and the principal needs to be held accountable in a process that is fair and equitable. Thank you.

**APPENDIX A, ITEM 2: KENNETH PAUL**

Principal Kenneth Paul from W. Mack Lyon Middle School out in Overton, about 70 miles north of here. Ah this is on agenda item number 3 regulatory language. The guiding belief that I like starting out with is that a governance model that places most of the decision making in 85% of the school district funding into the schools and communities will result in higher academic achievement and higher operational efficiency. At this point the new proposed regulatory language NAC to fully implement this governance model is essential. CCSD is several years passed the full implementation deadline. Looking at CCSD open book under tools and NRS 388G reporting for fiscal year 22 and 23. It reports for the school year and this school year and estimated 85% of unrestricted funding went to schools or precincts, please note not that precincts had control or discretion using the NAC language of purchasing services or SLAs this year or any previous year. So it's questionable whether 85% was truly representative of allocated precinct school funds. For next year, on open book FY2023 it is estimated that 79% of the unrestricted funds being allocated to the precincts. The 85% threshold and the ability of precincts to purchase equipment services and supplies will need to be addressed in a major way to achieve full implementation. In closing, this governance model has a central and site-based element to it roughly a 15% central to 85% site-based community-based relationship. Precincts were intentionally called autonomous precincts for a reason. State legislators knew that it would be difficult for a big bureaucracy such as CCSD to relinquish that control and the money. A quote that I found, it says "Leaders become great, not because of their power but because of their ability to empower others". By John Maxwell. I appreciate being able to continue to share a site-based perspective with you all. Thank you.



**APPENDIX A, ITEM 3: JANA WILCOX LAVIN**

Good afternoon, Chair Dockweiler, Superintendent Ebert nice to see you. Trustee Guzman, nice to see you everyone on the phone. I will be brief and I just wanted, I have comments I can leave behind, but I think what I wanted to share I am the CEO of Opportunity 180 we are focused on ensuring every kid graduates high school college and career ready prepared to live the life they dream and our, you know, love to be in the room full of educators who want the same thing for kids. So I think my big questions and while I'm a believer and intervention I'm sure many of you who have sat down in this room with me before know that to be true. Um and also ensuring that the intervention is focused on driving student outcomes um and that is squarely centered on kids. So I'm appreciative of this committee considering ways in which we can create opportunities and structures to intervene and create ways in which we can drive stronger accountability. I think that's critical. I think what feels missing to me and what I would hope this committee would engage in broader dialogue around is like what do we actually want to be true for kids at the end? What will be true for if this if an intervention were necessary and were to take place, what would what would a student's experience and then therefore their outcomes, how would they be different and what would we expect to see and how can we together as a community, identify some common guiding principals that help us really ensure that whatever actions we take, particularly actions with severity but whatever actions we take are really grounded in that arc of change for students and families. Ultimately the other more technical pieces I can share with you in writing. But one thing I did want to say is I think it would be incredibly valuable if this were to move forward that receiver be complemented with a student and family advisory committee who's really helping the receiver truly understand what is happening on the ground with students and families and give constant iterative and regular input around who students and families are experiencing these changes ultimately, you know, we certainly want to move forward together. We want to see great outcomes for kids and whatever structure makes sense. I think um there was obviously clear intention and thoughtful guiding principle behind this law when it was originally passed, there is certainly opportunity to continue to evolve that. And should this level of intervention take place, I would just ask that this committee entertain really getting clear on what do we want to be true for kids at the end and how can we talk about if if the district were to go into receivership and then come back out how does that local control really center on conditions that have been created for kids to continue to thrive. Um so thanks for taking the time and I'll leave behind some more technical components. Thank you.

**APPENDIX A, ITEM 4: JAN GILES**

Hello good afternoon, Jan Giles, president of ESEA I'm here on agenda item number four of regarding the definition of other staff who worked under the direct supervision of a principal. ESEA had input in creating this language back when AB 469 was being discussed. Um If the legislature didn't think it was needed, they would have simply just said all employees at a school site, but they didn't they created this definite they agreed to this definition and the legal definition of um direct is without intervening factors or intermarry intermediary's um with what Autumn was saying, I've worked in a school site I didn't report directly to a principal. Sometimes I reported to a teacher, sometimes I reported to another ESP sometimes I reported to an assistant principal. It was very rare that we ever even saw a principle, we reported to other staff. So that's why we feel that this definition should apply to direct supervision that reports to a principal is going to be the office manager, head custodian or building manager and um possibly the banker. But it's very limited about who directly reports to a principal. Um I know that there are other parties that disagree with this, and they think that a principle should be defined as overseeing the whole staff in the school, but that's not the case, they don't directly supervise them. Um So that's why I'm hoping that you guys will take what we, the people that are out in the schools about what our definition means Um otherwise I think it's going to really hurt ESPs and our bargaining agreement and um so I'm very curious as to what's gonna happen with this because it's gonna definitely hurt us if it comes out any other way. So, thank you.

**APPENDIX A, ITEM 5: JEFF HORN**

My name is, Jeff Horn, I'm the executive Director of the Clark County Association of School Administrators and professional technical employees I'd like to thank Chair Dockweiler and Superintendent Ebert and members of the board for your good work that you're doing with AB 469 and resolving the concerns and the issues to clarify this law. I appreciate my comments from my colleague Jan Giles and appreciate um what she was saying as a former principal I can tell you that the principle ultimately has responsibility authority over everybody at that building. If something happens something goes wrong, they go to the principal, they want to seek guidance from the principal to find out how things happened what happened and how it occurred. So, with the great responsibility should come the authority uh, that the principal has in that position. We believe that the principal has the ability and it's a fact to directly supervise any support staff personnel at the school. And you can look at an elementary school where the principal is the only administrator at the school. That person is directly supervising all individuals that received a site-based evaluation at that school. Ultimately, it is responsible responsibility of the principle to do so. And the outcomes for that school fall squarely on the shoulders of that principle and I've mentioned this many times before when I've shared and given public comment that it's, it's so important that we look at this from the student. The student doesn't have a voice there unless they're 18 and they can vote for Clark County school board members or for the Nevada department of ed or for a governor who appoint our superintendent. They don't have the voice. We need to be the voice in this situation. And the principal is there to select the best possible people who have the greatest impact on students. And in order to do that they need to have that responsibility. And so ultimately, the principal can choose to directly supervise any support staff person at that school. They have administrative staff that under them who usually do that. But the principle oversees the evaluations of all these individuals as a former principal, I signed off on every evaluation at the school because I had the responsibility for them. So, there's a direct line in that and I believe that we need to come to that conclusion. I support the the work that Felicia Gonzalez and the staff where this committee has done, and we support the language and the proposed definition that has been provided for documentation of this meeting. Thank you for your time.

**APPENDIX A, ITEM 6: ED GONZALEZ**

Thank you madam. Chair members of the committee. I apologize. I may jump to three and four and may combine those. So, um first of all I appreciate the work that this committee has done. I appreciate the time that you've taken. I think I said that to members privately at the last meeting. This is something you easily could have for lack of better term punted just listen and said, well, it is what it is, you know, that we have a history of Nevada doing that. But it's clear that this board, the Superintendent and even trustee Guzman, you know, feel that way. So, I appreciate that. Um, I do support the language um coming up in the draft regulation. Um, I think it's very clear what the next processes I don't think anybody wants to put anybody into receivership, but it lays out a process in this case we do. Um furthermore Um last being talked about the 85-15 and carry over. I think one of the things that we've seen in the last meeting, um last time we talked about this was a couple of years ago. I want to say it's between the 2017 2019 legislative session where they had a big presentation on a budget without showing any numbers or budget. It was very confusing. So, I hope you guys would take a little more like into it. It's almost like teaching showing somebody how to cook without being in the kitchen or showing any food or going over a recipe. It's sort of this concept that didn't really make sense, but also for principles to it's looked very different to strategic budgets from the first one I know Eva White is here who did the first strategic budgets they look vastly different principles now. They take a lot more time to do. The new HCM system does not work well, I know trustee Guzman you have a better idea of how that is going and how much money has been spent. But I think some of that stuff needs to be looked at too not so much for regulations, but just to understand, you know, the holistic approach of how everything is working together. Um so I appreciate what this committee has done. I don't know how close I am to time, but I feel like I'm almost ran out of stuff to say. So, I appreciate it. It's very rare for me to say that. So, thank you Once again, if I didn't say for the record Gonzalez committee member at the Hickey Elementary School school organizational team.

**APPENDIX A, ITEM 7: CHRIS DALY**

The Nevada State Education Association has been the voice of Nevada educators for over 120 years. Our comments relate to item #4 on today's agenda related to proposed definitions and possible regulatory language regarding the definition of "other staff who work under the direct supervision of the principal".

As this committee considers recommended language, we would advise that the Legislature chooses words carefully, and the term "direct supervision" should not be disregarded. The adjective direct's first meaning is "extending or moving from one place to another by the shortest way without changing direction or stopping." In this instance, it more precisely means "without intervening factors or intermediaries".

Unfortunately, the language provided to this committee by the school district and administrators' union would specifically allow for "intervening factors or intermediaries" which is exactly what the plain meaning definition of "direct" precludes. Again, the legislature chooses its words carefully, and if it had meant to allow intervening factors or intermediaries, it would not have used the adjective "direct".

An example of direct supervision could be a principal's supervision of a head custodian or school office manager, which is face-to-face and unmediated, meaning there is nothing or no one, such as another employee in between. To be direct, supervision would have to be immediate, as in "immediate supervisor", and it would also be first-hand. Therefore, the only language provided to this committee that could be read in harmony with NRS 388G.610 is the language provided by the Education Support Employees Association.

Thank you.

**APPENDIX A, ITEM 8: AMY MANNING**

Good afternoon,

Thank you for the opportunity to submit public comment today via email. My name is Amy Manning, and I am the proud principal of Ruby Duncan Elementary School in North Las Vegas. I would like to express my support to the proposed regulation language of allowing the principal to select “other staff who work under the direct supervision of the principal” within AB469. Principals have the understanding and knowledge of what each position in their building requires and should have the opportunity to hire the right person, with the right skill set into the positions. In addition, applicants should have the opportunity to meet the administration and determine if they are the right person to make a positive impact on the students and the building they will work in. When those opportunities are not provided, unintended consequences can occur.

As a school with a STAR program, I have on occasions had support staff members placed into the SPTA position during the surplus process. Sometimes it works out and other times it does not. Unfortunately, there was a time when a particular staff member was placed who did not have the skill set to handle such extreme behaviors from students. This individual was not able to fully support the other staff in the room when behaviors escalated, which in turn made it a dangerous situation for the students and the other staff in the room. Despite the employee from trying their best, it ultimately led to individuals getting hurt, which could have been avoided had we gotten the opportunity to hire the right person and for the employee to find the right place within CCSD.

Just like in special trade, we should not continue to just place individuals in an open spot for the blind reason that it is open. We need to allow schools and employees to find the right fit because that it what is best for our students.

Thank you for your time in this matter.

Amy Manning  
Principal  
Ruby Duncan Elementary School

**APPENDIX A, ITEM 9: KELLIE BALLARD**

RE: Public Comment by the Clark County School District Regarding Items 3 and 4 on the March 28, 2022, Agenda of the State Board of Education Assembly Bill 469 Subcommittee.

The Clark County School District would like to again express its appreciation to the State Board of Education for attempting to define some of the vague terms of NRS 388G.610 and other provisions of the AB 469.

As to Item 3, the Clark County School District respectfully maintains that the receivership language is “ultra vires” and beyond the authority expressly or impliedly granted by the Nevada Legislature. As to Item 4, the Clark County School District believes that the current proposed language does not fulfill other than the principal and the administrative staff of the principal.

Respectfully,

Kellie Ballard  
Chief Strategy Officer  
Clark Count School District

**APPENDIX A, ITEM 10: KENNETH PAUL**

I just want to point out under .610 where it is talking about selection of staff. The first the focus was the teachers and then the admin, you know, selection of staff. The principle that's pretty clear. And then other than when it gets to the support staff there are two kinds those that typically that are in our school and that we evaluate and those that like food services and others But I just wanted to point out number six in the law of that same same because I think the intent to me was there is some kind of selection control with every certain type of person that would be working at that site. It says number six says to the extent that any member of the staff of central services is assigned to provide services at a local school precinct on a temporary or permanent basis. The decision regarding the assignment in any subsequent reassignment of the member of the staff must be made in consultation with the principal of the local school precinct and the school associate superintendent. I'm not sure that's happened too much up to this point, but it does kind of carry, it does kind of cover the whole gamut between two a talking about teacher's admin and support and then over here anybody that is assigned that we may not evaluate. It still gives some uh discretion to the principles and SOTs as far as those that are temporary, they are permanently assigned. So, I just want to point that out. Thank you.



**APPENDIX A, ITEM 11: AUTUMN TAMPA**

Autumn Tampa speaking as an individual. Um I want to share some experiences that I've had at my CCSD career and why this regulation and how it's implemented utterly really scares me. Okay as an individual having worked in CCSD for 24 years um I was a substitute teacher and witnesses a teacher push a student and wrote up a report, gave it to the principal and because I wrote that report and witnessed it, I was banned from that school to ever substitute teach there again. Um when I became a classified employee there there's numerous things, I can tell you but I'm going to give you a few. So, I went to a school as an ELL tester, and I've always been a union rep at my school site, and I always let the principal know hey I'm a union rep I'd like to put up the bulletin board. I do it according to the contract and I've had numerous principals say well we don't need a union rep here and um transfer me out directly because I was a union rep which is a violation of the law, but I couldn't prove it. So, um then under ELL department um I had a direct supervisor in that department. Not a principal tell me I was speaking at school board meetings about things and things that I bring. But I've always been respectful and not called out names or anything. And while I was in the audience, I was told you better not speak tonight. And I said excuse me, but I do have the right to speak here. And so, I spoke, and I said those things that I felt that needed to be said and the very next day I was written up for something bogus. Okay so these are my concerns that because I am an advocate and other people are advocates who stand up in these schools. I am afraid that principals are going to target people like me. And they have I've been targeted multiple multiple times and I am grateful for ESEA Being here. I can't tell you how grateful I am. But my concern is that everybody doesn't know their rights that they don't know they have a right to stand up for inequity and unfairness And so I am very concerned about this law being implemented in an unfair and inequitable way. Not because an employee isn't capable of the job but because someone is not liked or for nepotism because someone wants to put their cousin or their uncle or their neighbor into a position. And I don't see any checks and balances on those things in this regulation and that is the unspoken elephant in the room, and it's got to be looked at. So, thank you for listening.

**APPENDIX A, ITEM 12: ED GONZALEZ**

Thank you, madam. Chair members of the committee. Ed Gonzalez Um I'm speaking as an individual right now. I apologize. I tried not to speak again. I know I cut have short last time but sorry um I wanted to talk about a couple of things that some of the members have said. Um I think a member Hughes said about family engagement, something that that Jenna brought up. If you want to look at something, I would look at the SOTs and the parental engagement onto it. I know there were some concerns um when we initially had the original hearings in the interim about how can we get them in um you know, tougher areas at risk schools, title one schools. I do know that when I sat on the SOTs at at Robert Taylor and Henderson which is a title one school, which is not something you would think of in Henderson. They had trouble getting parents at Hickey, we don't have that same trouble because we reach out to you but that doesn't mean other schools don't have that. So if you're looking about family engagement that might be one area to look at it um to go back into what you guys were talking about, I appreciate you having another meeting onto it when we talked about other staff. Um I think the main thing that that we saw when we had our hearings is that there's some positions have actually moved through that process and I'll give you an example, Um custodians before the reorganization, um didn't report the principles. So, if I was a custodian and I called out sick, I didn't call the principal called the central office, maybe the principal found out about it. And so that was some of the frustration when they talked about other staff. That's not the case now They're in their budgets, they report them. It's a different process now. Um And so there's some things that are fluid, but I also do want to remind, I know it was said in the public um in the beginning, what the intent of the legislature was this regulation was written by legislators that went before the state Board of Education. This wasn't a law; it was a regulation that got codified. This came before the board. The understanding I remember from the committees that they wanted broad language because they felt like what a member Cantú choose said that there are principles who had people on their campus who they didn't have really direct supervision or much of a say at the same time, the legislature had pressed past principal accountability saying if they fell back and start ranking or half their staff had left, they would go back to probationary status. So, there's a whole bunch of different elements floating into it. So regardless of where this body goes with the language, I just wanted to put that on to the, to the record and so um that's I think all I have, I don't know where I am on time, and I apologize so thank you so much.

**APPENDIX A, ITEM 13: ANNA BINDER**

Thank you. And I know for the record um I just wanted to be the one to point out that if um you're going to be looking for SOT input that there might be some oversight or direction given to the district to reach out because in October of last year when um I think you guys heard at a previous meeting um a lot of SOTs did not receive, well they received the communication but it was buried so deep into some other part of an email that it was overlooked and we're not communicated at the meetings for them to meaningfully participate. Thank you.

**APPENDIX A, ITEM 14: ANGIE SULLIVAN**

My name is Angie Sullivan, and I am a teacher with CCSD. So, I got very excited about the timeline. So, we waited seven years um to see the central office money and we haven't seen it. um I will say the beauty of AB 469 is uh anyone in the school um according to open meeting law and the parents and the community can go and look line by line at the budget and the admin can answer questions about the regulations for those lines or about the numbers for those lines or about additional money. I would love to see some dates. Um I heard May as a date when the district is gonna respond to why they cannot meet um the law but I would like to see something shortly after May where the district needs to show line by line what they have in their budget. Um The other beauty of the SOT Is there's always options and discussions. So, a good leader will come forward and say you know we have 64\$ or whatever and we can spend it on option A. Or option B. And get input and buying from the stakeholders. Um So I think there's some really important things that we've learned at the SOT level that I would like to see applied up the food chain to the central office. Um So I want to see strict timelines and I would like to see the accounting practice. I want to see line by line where the money is going, I would also like to have some options. Like I would like You know um not just uh Mr. Goudie's telling us all we we don't have enough money. You're not gonna get paid for 10 years. Um I would like to see what are you know what happened that that is the case. Um I would also like to talk about the SOT And um buy in when you talk money with people, and you are able to have a real discussion. An authentic discussion. Even if you're short money people will appreciate that, and they take that a lot better than one individual in the district standing up and saying we don't have any money we're never paying anybody again. And it's very hard to make a case for raising revenue in a state where no one can ever see the line items and the accounting practice in the CCSD Okay so those are some things I got really excited about. I would really really like to see this done within a year and I know that was like speed of light for CCSD, but I will remind everybody they have had seven years already and you can get in the weeds very quickly just like you saw today over you know the details of the thing. Now I want to also talk about um evaluation just because that was what you finished your meeting up on.

**APPENDIX A, ITEM 15: SYLVIA LAZOS**

Dear Nevada State Board of Education,

I want to express my support for the Proposed AB469 Regulation. The changes discussed today have improved the regulations, providing for flexibility and increasing clarity. It is important that there be consequences to CCSD's ongoing noncompliance with AB469 law.

I want to repeat my concern that CCSD's centralized services has not worked for ELL and IEP students. I understand the regulation to provide the State Board of Education the capacity to monitor this centralized function, and whether centralized services in this area are in fact working for the educational support of these vulnerable children.

With respect,  
Sylvia Lazos