

**NEVADA DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION MEETING  
JUNE 3, 2021  
2:00 PM**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting Room</b>
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson City	Board Room
Department of Education	Virtual/Livestream	n/a	n/a

**SUMMARY MINUTES OF THE BOARD MEETING**

**BOARD MEMBERS PRESENT**

**In Las Vegas**

President Felicia Ortiz, President  
 Vice President Mark Newburn, Vice President  
 Dr. René Cantú  
 Dr. Katherine Dockweiler  
 Tamara Hudson  
 Tim Hughes  
 Alex Gallegos  
 Christina Nguyen  
 Cathy McAdoo

**In Carson City**

Mike Walker  
 Wayne Workman

**DEPARTMENT STAFF PRESENT**

**In Las Vegas**

Jhone M. Ebert, Superintendent of Public Instruction  
 Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement  
 Jessica Todtman, Chief Strategy Officer  
 Mike Arakawa, Program Officer III

**In Carson City**

Dr. Jonathan Moore, Deputy Superintendent of Student Achievement  
 Heidi Haartz, Deputy Superintendent of Student Investment  
 Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options (CRALEO)  
 Mary Holsclaw, Education Program Professional, Office of Standards and Instructional Support

**LEGAL STAFF PRESENT**

David Gardner, Senior Deputy Attorney General

**PRESENTERS IN ATTENDANCE**

Becky Davis, Valley High School  
 Bradley Linkins, Garehime Elementary School  
 Christ Daly, Nevada State Education Association  
 Crystal Herrera, Clark County School District  
 David Hudzick, Piggott Elementary School  
 Dr. Brenda Larsen-Mitchell, Clark County School District  
 Dr. Eva White, Bailey Middle School  
 Dr. Jesus Jara, Superintendent, Clark County School District

Dr. Lindsay Dalley, Moapa Valley Community Education Advisory Board  
Jan Giles, Education Support Employees Association  
Jason Goudie, Clark County School District  
Jeana Taylor, Parent  
Jennifer Jaeger, Gibson Middle School  
John Vellardita, Clark County Education Association  
Kenneth Paul, Mack Lyon Middle School  
Kent Roberts, Green Valley High School  
Kerry Larned, Clark High School  
Latisha Miller, Clark County School District  
Nadine Jones, Clark County School District  
Nick Jarrell, Clark High School  
Ramona Esparza, Valley High School  
Ryan Lewis, Garehime Elementary School  
Stephen Augspurgen, Clark County Association of School Administrators and Professional-Technical Employees  
Syrissa Jolley, Mack Lyon Middle School  
Tara Albiedrez, Piggott Elementary School  
Wendy Mulcock, Moapa Valley Community Education Advisory Board

**AUDIENCE IN ATTENDANCE**

**In Las Vegas**

Alex Marks, Nevada State Education Association  
Brenda Pearson, Clark County Education Association  
Ed Gonzalez, Hickey Elementary School  
Fernando Romero, Hispanics in Politics  
Leonardo Benavides, Clark County School District

## **1: CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE**

Meeting called to order at 2:05 P.M. by President Felicia Ortiz. Quorum was established. President Ortiz led the Pledge of Allegiance and provided a land acknowledgement.

## **2: PUBLIC COMMENT #1**

Sylvia R. Lazos, Nevada Immigrant Coalition, submitted public comment regarding Assembly Bill (AB) 469. *(A complete copy of the statement is available in Appendix A)*

Linda Cavazos, Clark County Board of Trustees, submitted public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

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

Ed Gonzales, School Organization Team, Hickey Elementary School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Fernando Romero, President, Hispanics in Politics, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

Jeana Taylor, Parent, Bryant Elementary School, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

## **3: APPROVAL OF FLEXIBLE AGENDA**

**Vice President Mark Newburn moved to approve a flexible agenda. Member René Cantú seconded. Motion passed.**

## **4: PRESIDENT'S REPORT**

President Ortiz recognized Juliana Urtubey, Nevada's 2021 Teacher of the Year, who was announced as the National Teacher of the Year, awarded to her by First Lady Dr. Jill Biden.

The Board welcomed a new student representative, Christina Nguyen. Member Nguyen attends Valley High School and is involved in many extracurricular programs, including student council, key club, and the international baccalaureate program. Member Nguyen expressed excitement at the opportunity to be the voice of students on the Board. President Ortiz also thanked Member Alex Gallegos for his service on the Board; Member Gallegos thanked everyone and stated he was grateful for the opportunity.

President Ortiz reported that the goal setting under Silver State Governance was proceeding, with their most recent meeting taking place on May 21<sup>st</sup>.

Two Nevada high school students were among 161 seniors in the country to be announced by the U.S. Department of Education as the 57<sup>th</sup> class of U.S. Presidential Scholars, which recognized students for their accomplishments in academics, the arts, and career and technical education. Derek Lin Chien and Priyanka Senthil, both of the Davidson Academy were this year's scholars. In addition to the selected scholars, the semifinalists from Nevada were Ellie A. Huh, Davidson Academy; Vihaan Jain, West Career and Technical Academy; Jake W. Maeng, The Meadows School; and Alexandra Jean Roberts, Amplus Academy.

President Ortiz noted that April was the month of the military child. As part of the celebration, the Department of Education (NDE or Department) presented two schools with the Purple Star School Award. Robert O. Gibson Leadership Academy and Ernest A. Becker, Sr. Middle School in Clark County School District were honored as the first designated Purple Star Schools in Nevada. The Purple Star certification lets military-connected families know that a school is dedicated to helping their child gain the education skills necessary to graduate with the tools they need, and signals that a school supports the social and emotional wellbeing of military children adjusting to new school settings as well as the absence of a parent during deployment.

## **5: SUPERINTENDENT’S REPORT**

Superintendent Jhone Ebert reported that the Department had issued guidance to districts regarding path forward programs of distance education for the 2021-22 school year under COVID-19. Authority to determine space capacity and social distancing was transferred to local authorities, so it is anticipated that all districts will begin the school year with most students learning in-person. Emergency Directive 044 maintain parent choice as it relates to distance education, and districts and charters must provide distance education to students with a medical reason that precludes in-person attendance.

Superintendent Ebert stated the Department was currently soliciting stakeholder input for the State Plan for the use of America Rescue Plan (ARP) funds. NDE staff has met with over a dozen stakeholder groups and are continuing to schedule additional sessions. Once the state plan is drafted, it will be posted on the Department website for a 30-day public comment period. The plan should be submitted by the end of July.

The Nevada Digital Learning Collaborative held its second conference with over 300 in attendance in April. The theme was “Learning in a Digital Age: A Shift in Instructional Pedagogy.”

Superintendent Ebert introduced the Google Certified Training Cohort. 39 educators across the state participated in this program with Dr. Jonathan Moore and Dr. Heather Crawford-Ferry leading the training, growing leadership skills, and transforming classrooms through technology. Cohort Two is due to begin soon.

Finally, Superintendent Ebert welcomed Allegra Demerjian as the Department’s new Public Information Officer, and announced that Will Jensen, Director of Inclusive Education, would be leaving the Department later in June to become Assistant Superintendent of Humboldt County School District.

## **6: APPROVAL OF CONSENT AGENDA**

President Ortiz asked members whether any items needed additional discussion prior to approving all agenda items in a single motion. President Ortiz pulled Item 6(d), Commission on Professional Standards in Education Regulations for further discussion; Member Cantú recused himself.

**Vice President Newburn moved to approve the consent agenda, barring item 6(d). Member Tim Hughes seconded. Motion passed. Vice President Newburn moved to approve item 6(d)(i), R026-20. Member Katherine Dockweiler seconded. Motion passed.**

Member Hughes asked for clarification regarding item 6(d)(ii), Temporary Regulation, NAC 391.0896, and which districts would be eligible for emergency substitutes and who would hold the burden of proof for what constitutes an emergency and due diligence.

Mike Arakawa, Program Officer III, Office of Educator Development, Licensure, and Family Engagement stated that the burden of proof for a district wishing to employ an emergency substitute is generally left to the district. In the events leading up to the adoption of this temporary regulation, there was difficulty in finding substitutes to meet needs during the pandemic. In other circumstances, it is at the discretion of the school district to decide whether there are enough candidates and to make requests for emergency substitutes. Mr. Arakawa clarified that section 11 of the regulation addresses the issue that other temporary regulations expired during the pandemic, and this provision permits emergency substitutes to remain in place through the duration of the state of emergency.

**Vice President Newburn moved to approve item 6(d)(ii), Temporary Regulation. Member Cantu seconded. Motion passed.**

## **7: INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING ASSEMBLY BILL 469 (2017)**

President Ortiz and Vice President Newburn facilitated a series of reports from principals, school organizational teams, and stakeholders to share successes and challenges regarding the implementation of AB 469 (2017), as well as engagement with Clark County School District Superintendent Jesus Jara regarding possible solutions.

President Ortiz asked that each presentation be kept to ten minutes. Superintendent Ebert highlighted that this issue first came to their attention in the fall of 2020, and Deputy Gonzales had been working with the district and various school communities to ensure that all voices were heard.

- i. Dr. Lindsey Dalley and Wendy Mulcock of the Moapa Valley Community Education Advisory Board (MVCEAB) provided a brief report to the Board regarding AB 469.

They stated that they have been focused on mental and emotional health, bringing wraparound services and resources to the kids and families in their community. MVCEAB includes at least one member from each of their four local schools. MVCEAB asserted that the district has repeatedly circumvented and violated AB 469. They reported two successes: the formation of successful school organizational teams (SOTs) and their use by principals. For example, the Bowler Elementary SOT is being included in the search for a new principal and hopes that their involvement will be pivotal. The second success was establishing local school precincts and granting them autonomy, creating increased transparency.

Dr. Lindsey Dalley reported that stakeholder involvement also produces another success: meaningful input and community ownership. There are two topics he thinks are critical to the reorganization's success. One is to fix the lack of decentralization, one of the main intents of AB 469. The other is rural equity. Decentralization and school autonomy are central to the success of the reorganization, and [Service Level Agreement](#) (SLAs) are the mechanism for decentralizing Clark County School District (CCSD). Their high school SOT was charged \$90,000 for educational centers. The SOT refused that SLA because they couldn't control the expenses and were unable to use the service as they live 60 miles outside of Las Vegas, but the central CCSD office said they [did not have an opt-out option](#) and were still charged.

Effective SLAs require a negotiation process, and the law states it should be done by the school associate superintendent, not the business and finance unit, yet it was still deferred to the business and finance unit. Carryover funds can only be spent from October to April, which does not match the hiring cycle for teachers. Other rural equity issues include a lack of wraparound services and a loss of rural proportionality.

- ii. Kenneth Paul, Principal, and SyriSSa Jolley, SOT Member, of Mack Lyon Middle School provided a brief [report](#) and [presentation](#) to the Board regarding AB 469. Referencing a recent sexual education advisory committee, Ms. Jolley reported that they did not feel the district had been transparent and had violated parents' rights to give input and feedback. Their SLA workgroup was excited to have choices, but the choices were to choose central services or choose central services. She further noted that SOTs should be focused on their students, not fighting for autonomy, understanding, and funding.
- iii. Kent Roberts, Principal of Green Valley High School provided a brief report to the Board regarding AB 469. He reported that AB 469 gives authority for hiring of all staff, outside of the principal, to the principal and SOT. However, the school district and bargaining units collaborate to place employees without input. Principal Roberts cited to specific examples of teachers who were placed in his school but were not good fits for the position and even upon counseling them on the fit, was not able to find another placement. President Ortiz asked about the Nevada Educator Performance Framework (NEPF) rating for the educator and whether he could dismiss the teacher if they were rated "unsatisfactory". Principal Roberts responded that it should be the case but is not.

*[Convenience Break]*

- iv. David Hudzick, Principal, and Tara Albiedrez, SOT Member, of Piggott Academy of International Studies provided a brief report to the Board regarding AB 469. They highlighted the importance of school autonomy, including the ability to hire staff and for SOTs to budget and make purchases. Furthermore, they emphasized the need for carryover funds in a timely manner.
- v. Ramona Esparza, Principal, and SOT Member, Becky Davis, of Valley High School provided a brief

report to the Board regarding AB 469. Principal Esparza reported that Valley High School is 100% Free and Reduced Lunch (FRL), serves one of the highest homeless student populations, and is a minority-majority school. Seven years ago, it was designated an underperforming, transformational site by NDE, with one of the highest expulsion/suspension rates. Due to effective leadership, they have established an on-site wellness center providing mental health counseling and medical care. They have been able to retain effective educators with rigorous curriculum. They have increased the graduation rate above the district average pre-COVID and shown gains in their proficiency growth rates while outperforming other secondary schools. The SOT reviewed data to reduce chronic absenteeism, and with their site-based decisions were able to hire Data Insight Partners to provide customized data services, attendance letters in varying languages, and hire an attendance officer.

However, in 2018, they were not permitted to hire Data Insight Partners, lost access to their data, and were directed to use EdFocus despite its deficiencies. Only due to their own diligence have they prevented the placement of teachers who were not suitable for their programs. With budget fluctuations, local control allows them to make decisions based on their unique contexts. Ms. Davis expressed concern for what would happen once Principal Esparza retires and whether their SOT would have a say in their next administrator. Member Nguyen expressed that the SOT has been crucial and provides a platform for everyone in the school to have a say.

- vi. Ryan Lewis, Principal, and SOT Member Bradley Linkins, of Garehime Elementary School provided a brief report to the Board regarding AB 469. Principal Lewis stated that each school has different needs, and the struggles with AB 469 are not insurmountable, they only need to be worked through. Mr. Linkins shared the opportunities he has had to contribute as a member of the SOT; he had not previously known that he could attend other school SOT meetings.
- vii. Kerry Larnerd, Principal, and SOT Member Nick Jarrell of Clark High School provided a brief report to the Board regarding AB 469. Mr. Jarrell addressed carryover funds and how they impact elective programs with course and material fees. Many students pay their fees late in May, while the pursing ends in April; ultimately that money returns to the general office and fund, which hurts the program. Mr. Jarrell clarified that he did not want to exclude a student who was unable to pay, so he must be able to support all his students, President Ortiz noted for the record that this was a serious equity issue. She asked what was done when a student couldn't pay; Mr. Jarrell responded that they take the course and do the best they can. However, carryover funds would allow him to be stocked in the fall. Principal Larnerd noted that the consensus was to take this issue to the SOT and determine a budget, and that they are reducing their use of paper to set aside the budgeted paper money for these costs next year, citing Ranch High School which saved nearly one million dollars in carryover funds to build a culinary program to provide students career and technical education and job opportunities.
- viii. Dr. Eva White, SOT Member for Bailey Middle School provided a brief [presentation](#) to the Board regarding AB 469. Successes of AB 469 include SOTs and SOT cross-school collaboration; Hickey, Bailey, and Sunrise Mountain pool ideas and resources, and are working to get a health clinic established on the Bailey Middle School Campus. However, when CCSD implemented a program called Academic Support Funds, Bailey lost nearly \$400,000 in funding; when attempting to get clarification for this cut or their school allocation of these funds, they were unable to get a clear answer from the district. Dr. White provided a [transcript](#) regarding these discussions. She further highlighted the challenge of carryover dollars, which are meant to remain with the school. However, the district has tried to return these funds to their control. The district is funding Acceleration Academies for some school and forcing others to pay for the additional month themselves, draining disenfranchised schools of crucial funds. Dr. White then provided [testimony](#) on behalf of Dr. Darryl Wyatt, Principal of Bailey Middle School.
- ix. Jennifer Jaeger, Principal, Gibson Middle School, provided a brief presentation to the Board regarding AB 469. She stated that she has experienced teacher placement through the annual CCSD surplus as well as employees returning from leaves of absence. Under AB 469, building principals were supposed to have more autonomy when it comes to the selection of candidates, which she has not found to be the case. Her

school received a placement for a position which was not truly vacant; it was filled by a long-term substitute who was completing their degree and securing their license and were due to be hired upon completion. However, the school was unable to decline the placement despite the substitute having the relevant qualifications that the placement lacked.

- x. Jan Giles, President of the Education Support Employees Association and Chris Daly, Executive Director of the Nevada State Education Association provided a brief [presentation](#) and [report](#) to the Board regarding AB 469, highlighting the impact of AB 469 on Education Support Professionals, the lowest paid employees in the district.
- xi. John Vellardita, Executive Director of the Clark County Education Association provided a brief report to the Board regarding AB 469. Mr. Vellardita noted that he had written a letter to Superintendent Ebert regarding the emerging issues with AB 469 and that the Board was empowered to develop regulations and the Department to enforce compliance. Mr. Vellardita sat on the technical advisory committee on the formation of this law. He referred to varying sections of Nevada Revised Statutes as they relate to the selection of staff and the placement of qualified educators. CCSD has a high number of vacancies, however 25 educators have been denied placement in a school by the principal citing AB 469; 19 of them were in 2020 alone. Mr. Vellardita highlighted that the emerging trend appeared to be employment discrimination. The second issue he highlighted was the increasing number of carryover funds, increasing from \$64 million in 2019 to \$205 million in 2021.
- xii. Stephen Augspurger, Executive Director of the Clark County Association of School Administrators and Professional-Technical Employees provided a brief report to the Board regarding AB 469. Mr. Augspurger cited the 2018 Joint Implementation Plan developed in concern with various bargaining groups, NDE, and CCSD. He stated that while CCASAPE adjusted their contract to comply, CCSD and other unions had no intention of complying and it has now become a [legal debate](#) regarding definitions. He stated that CCSD will not give control to schools, who have in turn been forced to break contracts with providers; and CCSD has not provided schools access to their carryover funds. He urged the Department and the Board to implement regulations and compliance enforcement.

*[Convenience Break]*

- xiii. Dr. Jesus Jara, Superintendent of Clark County School District provided [two reports](#) to the Board regarding AB 469, stating that he took his position in June 2019 and could only speak to events since that time. He reported that all employees and substitutes have received raises and CCSD is in the best financial shape the district has been in for over a decade. Nadine Jones, Chief Human Resources Officer, CCSD was introduced to provide an overview of the placement process under AB 469. CCSD has negotiated agreements with CCEA and ESEA, as well as CCASAPE, which includes language on managing situations where administrators are no longer included in school budgets. In 2019, there were four principals who did not accept placements in their schools; CCSD HR worked to find alternative placements for them. This process did seem to conflict between the CCEA negotiated agreement and the principal's rights under AB 469 as both relate to the placement of qualified teachers in vacant positions; CCSD HR awaited clarification from the Employee Management Relations Board (EMRB) proceedings prior to the 2020 surplus process. To address this discrepancy during the 2020 surplus, CCSD HR implemented the lottery process which was used twice in 2020.

Crystal Herrera, Assistant General Counsel, CCSD, was introduced to provide an overview of the legal proceedings related to AB 469. She highlighted two cases related to the intent of AB 469. The first was filed December 7, 2020, by EMRB requesting clarification regarding their bargaining contracts under Nevada Revised Statutes 288.150 and NRS 388G.600, AB 469. EMRB ruled that both statutes could be read in harmony; however, these proceedings were paused pending a ruling from the district court regarding the case filed by CCASAPE, which was dismissed on May 20, 2021, via a minute order. Ultimately, the court stated that the teacher lottery provided principals with vacant positions in their local school precincts a list for selection, due notice and opportunity to interview from and select teachers for

placement. This was not in conflict with NRS 388G.610.

Latisha Miller, Associate General Counsel and Chief Negotiator was introduced to discuss the agreements with CCEA and ESEA. After the December ruling from EMRB, CCSD issued letters to CCEA, ESEA, and CCASAPE requesting notice to bargain. CCEA and ESEA were willing to negotiate, but CCASAPE legal counsel advised that they would enter negotiation with the caveat that they would only entertain the placement of educators and were reserving unconditional authority over all staff and administrators. CCSD paused negotiations to focus on COVID-19 management and recovery. They wish to resume negotiations but are awaiting a final order from the courts. Further discussion regarding balancing the authority and autonomy of principals with legal responsibility is needed, as well as the balance between risk management and civil rights. Principal concerns include 97% of CCSD teachers being rated effective or highly effective despite their actual performance being subpar.

President Ortiz asked how teacher evaluations were providing effective/highly effective ratings despite poor performance. Dr. Brenda Larsen-Mitchell, Deputy Superintendent, CCSD, stated that they were focusing on instructional leadership to address this discrepancy and reduce their ratio of principals to principal supervisors. Superintendent Jara implemented the Leadership and Professional Development division to gather data for accountability and identified 60 schools that are low-performing, chronically under-performing, and downward trending. They will use this data to implement a school support framework.

Member Cantu asked if the NEPF allowed teacher evaluations of unsatisfactory; Dr. Larsen-Mitchell stated that it was difficult to do so due to the cut scores involved. President Ortiz highlighted that six principals had reported the same struggles; either those principals were ineffective in their evaluations, or the district was not paying attention. She asked whether it was disclosed that a teacher scored lowly in their evaluation but were not necessarily rated ineffective. Ms. Jones stated that they did not actively disclose their ratings but did do so upon request. In the spring 2020 surplus, one educator was ineffective and one developing; in the fall 2020 surplus, one was ineffective; they were all still placed. Member Hughes asked if the data showed a difference in student outcomes where schools have had more control in their hiring. Dr. Larsen-Mitchell stated that there were many variables. President Ortiz asked if they could redefine the definition of “good standing”, which Ms. Jones affirmed; however, she clarified that existing negotiated contracts may complicate the matter. President Ortiz was in favor of revising the definition. Ms. Miller requested until the end of the year to resolve the issue through negotiations. Ms. Jones also highlighted that CCSD had transferred to a new HR system in January of 2020. Superintendent Ebert asked if applicants were permitted to apply to schools without a vacancy, and whether principals could see all applicants to the district. Ms. Jones stated that principals could only see the applications for those that applied to their school specifically. President Ortiz suggested a future conversation regarding harnessing the data into a dashboard format that may better serve the recruitment process.

Jason Goudie, Chief Financial Officer, CCSD stated that the district was committed to providing estimated carryover funds for the 2022-23 school year in spring allocations and strategic budgets by January 15, 2022, which would include the actual carryover from the 2021-22 school year. The hope is to provide carryover funds with spring allocations.

President Ortiz asked about the SLA process, particularly in the case of the cited Moapa Valley struggles. Mr. Goudie stated that Moapa brought their SLA options to the Board of Trustees for approval; it was not approved by the Board. President Ortiz asked that it be placed back on the CCSD Trustees agenda. Dr. Jara stated that CCSD’s priority was for curriculum, instruction, and professional development to be centrally organized. President Ortiz stated that CCSD and their Board of Trustees had until the start of the next school year to address this; if they did not, the State Board would intercede. Member Dockweiler asked how they could better support the SLA process. Mr. Goudie stated that they were currently working to facilitate a process for schools to select products and services not on the approved list that still aligned with matters of compliance.

Member Cantú said there is a lot of concern with flexibility, lack of transparency, and safety. He asked



whether they could develop a set of tools that would provide principals and administrators greater transparency when making funding decisions with their SOTs, especially as it relates to carryover funds. Mr. Goudie stated that a new system was being developed, and trainings and resources are being provided to principals to develop improvements. Member Hughes stated they were talking about technical fixes, while he is thinking about the culture and adaptive changes needed, such as a focus on autonomy and use of time. He asked how rural districts could purchase the items they needed; Mr. Goudie discussed how the PCFP could address this issue in tandem with the rural proportionality requirements of AB 469. Chris Daly, who had previously served on the Moapa Valley SOT noted that their attempts to draft SLAs for items such as utilities were not reviewed by the district and ultimately it seemed that proportionality was not an agreed upon concept. President Ortiz stated that she would like to see SLAs addressed by the end of 2021 and asked that funding and proportionality be investigated further. Dr. Jara's final comment was that CCSD was working to change the culture so that principals may focus on students.

#### **8: INFORMATION AND DISCUSSION REGARDING THE 81<sup>st</sup> LEGISLATIVE SESSION**

This item was held until the next Board meeting scheduled for July 15, 2021.

#### **9: FUTURE AGENDA ITEMS**

Member Dockweiler thanked the principals and SOTs that spoke today. Vice President Newburn asked for a follow up item related to AB 469. He also asked that the Deputy Attorney General's Office provide an assessment of the legal proceedings and status of AB 469.

#### **10: PUBLIC COMMENT #2**

Lindsay Dalley, MVCEAB, provided public comment regarding rural COVID relief funds. *(A complete copy of the statement is available in Appendix A)*

#### **11: ADJOURNMENT**

Meeting adjourned at 7:32 PM.

*Appendix A: Statements Given During Public Comment*

1. Sylvia R. Lazos, Nevada Immigration Coalition submitted public comment regarding Assembly Bill (AB) 469.
2. Linda Cavazos, School Trustee, submitted public comment regarding AB 469.
3. Rebecca Garcia, President Nevada PTA, submitted public comment regarding AB 469.
4. Ed Gonzales provided public comment regarding AB 469.
5. Fernando Romero, President, Hispanics in Politics, submitted public comment regarding AB 469.
6. Jeana Taylor, Parent, submitted public comment regarding AB 469.
7. Lindsay Dalley, MVCEAB, provided public comment regarding rural COVID relief funds.

## Item A1, Sylvia Lazos

Dear Superintendent Ebert, President Ortiz and State Board of Education Members:

AB469 was passed with bipartisan support. NIC understands that the intent behind AB469 was that 1) Decentralization was necessary because CCSD is a large monopoly that is unresponsive to parents, especially immigrant and poor parents. Decisions made at Central Office were often out of touch with the practical realities facing children, particularly our most vulnerable. AB469's intent was that decision making at the "precinct level" by principals and SOTs would unleash leadership talent and best serve children's learning needs. 2) Over-bureaucratization at CCSD led to neglect of our most vulnerable children. "Cookie cutter" top-down management hurt poor children the most. Decision making under AB469 was supposed to be community-based and adapted to the needs of each school. 3) Central Office should no longer have the power to coerce local decision making through budget decisions made by the Superintendent alone.

As you review implementation of AB469, we ask you to please consider:

- CCSD has no incentives to address equity gaps. For example, after five years, CCSD school budget practices continue to hurt the poorest schools, because CCSD does not budget at actual costs. Yet intra-district equity was a key goal of AB469. (See generally <https://thenevadaindependent.com/article/education-inequity-analysis-of-six-schools-highlights-funding-disparities-within-clark-county>)
- Under Jara-Larsen Mitchell administration, Central Office supports for key civil rights legal obligations for Special Education and English Language Learners were severely cut back two years ago and those budgets have not been re-established. The result has been ongoing EEOC violations of the civil rights of Special Ed and ELL children. Larsen-Mitchell expressly told our organization that she was pausing implementation of the ELL Master Plan two years ago. The Special Education audit from the Council of Great City Schools performed over two years ago was also put aside. Decentralization under AB469 must protect the educational rights of all children, particularly protected classes. NDE should review adequacy of existing supports at Central Office, and use its power under regulation and oversight, to ensure that CCSD does not continue its ongoing violation of the educational rights of these protected classes.
- At the time of enactment of AB469 immigrant and minority community groups argued that principals needed training, particularly in the leadership of Title 1 schools. With the massive turnover caused by Jara managerial decision to "buy out" two years of principals' tenure towards retirement, there has been a mass exit of experienced leadership at the helm of Title 1 schools. We anticipate that in 2021-22, the resulting chaos will hurt poor schools and poor families the most. We ask that you review training of principals under AB469 and protect the poorest children from "mistakes on the job" of what we estimate will be 30 or so novice principals and assistant principals who will be new to Title 1 schools.
- Finally, AB469 was proposed as an alternative to breaking up CCSD, by devolving to local precinct control many key functions through SOTs. Nonetheless, our community has observed MANY examples of SOTs being ignored, or worse, being misled through omission/misleading information (eg Global High School mission to address newcomer and refugee youths has been a point of contention for three years). We are also concerned that the 30 plus principals who have been named already by Dr. Jara last week did not go through the SOT process, which was supposed to function as a check on "good old boy" culture that determined who got promoted at CCSD. SOTs need to function in order for the goals of AB469 to be accomplished. We ask that you review the facts on the ground and put in place a system through regulation that allows SOTs to effectively appeal decisions made by CCSD central office.

Respectfully and in the spirit of helping our most vulnerable children,

Sylvia R. Lazos, Education Committee

**Item A2, Linda Cavazos**

Dear President Ortiz and State Board Members:

In regard to effective and fair implementation of AB469, I believe that the best interests of our students must be considered at all times. To this end, it is imperative that all stakeholders are included, and all perspectives considered. Autonomy and accountability of our site based leaders go hand in hand--we cannot have one without the other. Additionally, our school leaders and SOT's are best equipped and informed as to how best to make strategic use of the monies for their students and school communities.

Central direction at times is of course needed and of utmost importance, but I believe that AB469, to function as intended, needs to be implemented consistently in the best interests of student achievement.

Thank you.

### **Item A3, Rebecca Garcia**

Good afternoon President Ortiz, Superintendent Ebert, and members of the board:

My name is Rebecca Garcia, and I am the President of Nevada PTA, a mother of three Clark County students, and an admin for the CCSD Parents online group. I have also served as a SOT chair since the inception in CCSD at both the elementary and secondary levels. I have been an East Las Vegas resident for 15 years and my children have attended East Las Vegas Title 1 schools during that time.

In reference to Agenda Item 7, I wanted to share some of the major areas of concern regarding the reorganization I have experienced as a parent as well as heard from the thousands of parents I hear from on a regular basis in both my roles.

**Lack of Understanding:** Many families are still unaware of what the reorganization is, the intended purpose, and how to engage through the SOT process. This is further complicated by the varying perspectives and implementation processes at each school and among CCSD staff.

**Consistency:** Over the course of the pandemic one of the most common complaints from families has been the lack of consistency within CCSD on policies, procedures, and processes. Families commonly have multiple children attending more than one school. Families have been continually frustrated by a lack of consistent, uniform policies and procedures across CCSD on everything from Chromebook damages to homework and grading. Families continually question how school only blocks apart at times operate differently in ways that can directly impact student access to services such as tutoring, or programs and student outcomes related to academic and discipline policies.

**Leadership & Training:** The reorganization has vested additional control to principals, but the appropriate training does not always seem to be provided. Many principals continue to not clearly understand the role and processes related to School Organization Teams along with the School Plan of Operations. SOTs continually report issues of not having all position filled and having the principal serve as the de facto chair dictating the agenda. The SOT is purely advisory in nature but can be used for effective discussion and collaboration. That requires a leader willing to engage with and listen to the various perspective of SOT members. Often parents wish to participate until they realize the limited scope and ability to engage. There is still limited oversight regarding the election processes to ensure SOTs are complete and meeting requirements are met.

**Transparency:** While significantly improved many schools still do not have posted required agendas, minutes, and plans on their website. Often calls to front offices inquiring regarding meetings are confused as the staff are not aware or have the proper training to know what the meeting is or when it is calendared. Issues have been reported with access to meetings both in-person and virtually. Too often needed information is provided last minute and without proper time to review to comply with district timelines.

**School Plan of Operations:** SOTs and principals need better training on how to develop collaboratively the School Plan of Operations and ensure that all stakeholders have time to provide input, too often a final document is presented for a rubber stamp vote versus real discussion as was envisioned to engage stakeholders. It is also important to note how many important site-based decisions fall outside of the School Plan of Operations. Just this year during the pandemic, in East Las Vegas, a principal chose to move the library at a tier-one, title 1 school to a portable in order to create a fresh new teacher lounge with leather sofas and TVs. When the SOT raised concerns, it was made clear that because the strategic budget funds weren't being used the decision didn't fall within the scope of the SOT to weigh in regarding the decision so books got backed into storage containers, the library significantly downsized into decades-old portable to make way for a renovated expanded teachers' lounge. Sadly, this is not an isolated example of how SOT even with the best of intentions often has limited ability to impact the decisions made at a school.

The reorganization, especially the SOT process, could engage stakeholders and create better school communities if done well. Currently, the processes and systems are ineffective at best. At the school level much depends on the training and willingness of the principal to engage with stakeholders and there is little recourse if that is

lacking. SOTs are advisory in nature only, leaving little power and ability to create positive change without a willing administrator. Often parent representatives and families only know the limited information provided by the principal. If parents or guardians encounter issues at the school level, they have challenges knowing where to go for additional support and then unfortunately are not always met with effective support when they do reach the correct point of contact at the region. After years of serving on SOTs and helping parents understand the reorganization, I believe increased training, transparency, and consistency are essential if the goal of providing stakeholder engagement and better outcomes for students is to be achieved.

**Item A4, Ed Gonzalez**

My name is Ed Gonzalez and am the community member of the Hickey Elementary School Organizational Team in Sunrise Manor. Today I am speaking on Agenda item 7.

When we look at the challenges and successes of the law it must be noted that AB 469 still has not yet been fully implemented after nearly five years. I think everyone can agree that legislation should not take five years to implement.

I used to think CCSD could not comprehend the structural changes needed to make the Reorganization successful. Which was to push more dollars and control out of the CCSD's central office and back into the schools and classrooms where decisions could be made by the very people closest to kids. However, in the last few years it has become clear CCSD is in protectionist mode and unwilling to implement the necessary reforms to their structure. This is especially true once committee oversight ceased to exist.

For example, back in 2018, the State Superintendent and CCSD created a joint implementation plan that would address major topics. Here are few:

- Authority to select school staff
- Allocation of funds to schools
- Purchase of equipment, services, and supplies available from the District by schools
- School carry forward of year-end balance

These are mostly the same issues we are addressing at this meeting today. Funding conversation are usually dominated about state dollars making it to districts but AB469 is one of the few times we have discussed how those district dollars make their way into schools.

Our SOT chair highlighted that point to the legislature in 2019, when she said the following: "One of the things that has not really been mentioned so far is that when dollars are moved down to the schools, it changes the dynamic of the service. When our schools have control of these funds, we have more of a say on how that service is provided back to our school, if we choose to buy it back." This is an important part of the Reorganization.

While schools should have full control of those dollars, you will hear testimony today from SOT's how that has not currently happening. Service Level Agreements (the process created to buy back services from the district if they chose) have provisions to modify or even opt out, but there seems to be no mechanism to do that. This needs to change. That being said, there has been successes at our school thanks to the Reorg. We have developed as collaboration with Bailey Middle School and Sunrise Mountain High School to see how we can share resources as we all sit on the same block. It started with an effort to reopen the health clinic at Bailey but it has led us to partner on other issues. Our parental engagement has increased since we had to seek out parents to join the SOT. It has been a challenge due to the demographics of the area but since I joined the Hickey SOT in 2018, we have had every parent, educator and support staff position filled. In fact, our SOT is so committed to improving parental involvement we included creating a PTA or PTO in our school performance plan. Finally, savings in carryover dollars has allowed us to adapt to the funding changes to COVID to save staffing positions and purchase curriculum with support for educators since our staff is typically less experienced than the district average. It also allows us to plan for long-term projects that otherwise would be unattainable.

As always, I am willing to work with the State Board and School Board to ensure the AB469 is implemented as intended.

**Item A5, Fernando Romero**

Good afternoon; I love coming to these meetings and see people who I met when they were 10-years old and others when they were under the age of ten, and now here you are before me to listen to what I want to say. For a quarter of my life, minus five years, I've been fighting for education for bilingual Latinos for ELL, ESL, etc., and equality in education. 469, I thought, would bring about those things. Which is why I belong to two SOTs. I have noted that the CCSD administration is in dire violation of most every single aspect of 469. I am limited in time, so I'm not able to outline every single point, but I can tell you that school administration canceled an SOT meeting that we had scheduled. They have put out when we were interviewing for a principal a - what it's called - screening interview committee member agreement. In there, at the bottom, it states "I understand that failure to adhere to the guidance referenced herein may result in disciplinary action including the possibility of termination to my employment."

Now, we would need to understand that the SOTs have employees at the Clark County School District, as members, when they read this, they are not going to participate or at least will be quiet about things that occur that happen. I was told by the superintendent of region three that it mattered not who we would have supported to be the principal of ECTA, where my son belongs, my son goes to school, that the superintendent had absolute power and absolute word as to who would be appointed, even if that person had not even applied for that job. We were, in essence, forced to succumb to the individuals that the administration referred to us. We did not have the say-so in that. In another school, I belong to the Global High School SOT. Again, that is where another of the administrators canceled a meeting that we had scheduled because they did not like, I assume, what was on the agenda.

I'm asking you, as the State Board of Education, to look very closely as to how 469 is being administered and how much intervention, illegally, in my opinion, intervention from the Clark County School Administration has been taking place, to the point that it makes SOT the laughingstock. The SOTs that I belong to will attempt to fight this intervention by the school district administration as much as we can. But at times, it is impossible, again, because there are employees of the CCSD that are members of the SOT. It is perhaps so bad that the ECTA SOT, we have a vacancy within the staff aspects of the students, of the employees to which nobody, no member, of the union wanted to be a part of the SOT. That vacancy has been there since November of 2020. So, again, without much more to say I will, in fact it's the other way around, I have too much to say, I will leave it at that and entertain any questions you might have or any further address of this nature to these violations as possible. But this, AB 469, as far as I see that the school administration has really not adhered to any of its mandates.

I thank you for your time. Buenas Tardes. Good to see you again.



**Item A6, Jeana Taylor**

My name is Jeana Blackman Taylor, and I am here to offer public comment on Item #7 of the agenda. I have been a parent representative on the SOT for Richard H. Bryant Elementary in CCSD for three and a half years. Since last July I have also served on the Bond Oversight Committee for CCSD as the appointed representative for District E. I am grateful that I've had the opportunity to participate in these conversations about how our dollars are allocated.

I would like to begin by talking about the positives. The existence of the SOT has given parents like me, who have the time and inclination a chance to gain a greater understanding of the often-unseen details of school budgets. I feel lucky to work on a team that has been considerate and well-functioning. I am particularly proud of efforts that were made to increase the use of certified teaching tutors to provide direct pull-out aid to our most struggling kids. And until the pandemic upended everything, these groups have shown the most progress on the MAP testing and we are excited to implement these plans in the upcoming school year.

I do think, from the parent perspective, there are ways to improve. There's a familiar saying, "you don't know what you don't know." So one element that is a continuing challenge is that we often rely on the principal for expertise and decision making. At our school, there hasn't been a ton of disagreements and decisions are well supported, but it can be difficult to knowledgeably explore other options when you don't know what they are. Training can help, and it would be even more helpful if there were segments that could be accomplished during the SOT meetings that occur outside of our more tense deadlines. There could also be greater encouragement to learn from others. I didn't know until I attended a training that we could go to the SOT meetings of other communities. I only knew one perspective, but once I found that another school in my area was using the SOT to ask about MAP results, I started doing it at RHP. And this was in part what led to the decision to increase the number of adults available to teach our kids. I would encourage a system that looks to invite other parents or teachers to neighboring schools to get an idea on how to improve our own SOTs.

And, finally, this is somewhat wearing the hat of the community liaison for the Bond Oversight Committee, is that I think there's a missed opportunity to use SOTs as an information distribution and a feedback channel. In theory, the SOTs and PTAs include some of the more active parents on a campus. So, SOTs can be a way to create more informed parent groups, as well as helping those parents understand and how to communicate to the district. There are times when I'm unsure whether parents are aware of certain decisions being made that affect their schools. SOTs can be utilized as a resource and as a communication conduit. For example, my school was not aware of site-funded projects until I was able to share my knowledge of them through the BOC process. I would ultimately like to create situations where committees like the BOC either prepare materials that can be given to SOTs or consider joint SOT town halls that would also be open to school populations that allow for this greater exchange of knowledge. I'd be more than happy to be a part of any conversations that help move these improvements forward.

Finally, I would like to thank everyone for their hard work during this pandemic, it has not been an easy year. I've been in awe of what our principals and teachers accomplished as well as parents and students. I would be remiss in not saying thank you for that. Thank you.

**Item A7, Lindsay Dalley**

It's been a long day. I wanted to just give the Board a heads up on, I see a potential looming disconnect between what's coming down the pipeline on the federal COVID educational, I don't know what the official name is – ARP. ARP, I need to put a timer, so I stay appropriate. Congressman Horsford sought out our local newspaper editor that covers both Virgin Valley and Moapa Valley and wanted an interview, and he gave him an interview, what was very relevant on that interview was he was very specific that he says he wanted money to go to rural schools in Clark County, he was talking to a local editor in Clark County, so he wasn't referring to the other school districts. He was talking about our two valleys and all rural schools, and it was on the record. So, we then got our high school SOT got excited and asked the principal 'hey, what have you heard about this? That's \$800 million and if you just divide it up between 360 schools that's a \$1 million plus and we could do wonderful things with that. And, so, he asked and his reply back that he got for the SOT was "well, we're gonna". I'm going to kind of read the, he was told by his supervisor that CCSD is an urban district and rural schools would not be eligible for those rural COVID funds. Even though Congressman Horsford specifically in that interview stated that money was earmarked for rural schools and he wanted that money to follow the student to the school. That was Congressman Horsford, yet that is not what we were hearing from CCSD administration, so that's a heads up. Also, the SOT team, I've got another minute here. The SOT team asked because they said we don't want to be caught behind the curve on this. They asked the department chairs of the high school to come up with a plan and to use this money to repair the educational loss from COVID. Because that money has to be earmarked specifically for COVID loss. They met that next week and they came up with a, well it isn't totally detailed, it's pretty decent and the three main items are one more staffing to implement Cohort C because we don't have enough teachers for that, technology to implement Cohort C, and extra money for teachers, extra time and time paid to implement these programs and there's a bunch of detail under that. And so, we're ready for that, and we want whatever that money ends up being, we want it. We'd like to see a plan that goes through central down to the schools so that we can spend it, because programs don't educate, teachers do and that's where it needs to happen. And we're just afraid that there's a lot of momentum for that money to just stay in central and get divvied out in some sort of program that will never reach the rurals or any other urban schools, so thank you.