

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
SPECIAL MEETING**

**MAY 18, 2023
9:30 AM**

Office	Address	City	Meeting
Department of Education	2080 E. Flamingo	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson City	Board Room
Department of Education	Virtual/Livestream	Virtual	Lifesize Link

DRAFT SUMMARY MINUTES OF THE SPECIAL BOARD MEETING

BOARD MEMBERS PRESENT

Felicia Ortiz, President
Dr. Katherine Dockweiler, Vice President
Dr. René Cantú
Katie Coombs
Tamara Hudson

DEPARTMENT STAFF PRESENT

Jhone Ebert, Superintendent of Public Instruction
Craig Statucki, Interim Deputy Superintendent of Educator Effectiveness and Family Engagement
Jeff Briske, Director, Office of Educator Development, Licensure and Family Engagement
Kristofer Huffman, Chief Strategy Officer
Martha Warachowski, Administrative Assistant IV, Office of the Superintendent

LEGAL STAFF PRESENT

Greg Ott, Senior Deputy Attorney General
David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

None.

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

Meeting called to order at 9:30 a.m. by President Felicia Ortiz. Quorum was established. President Ortiz led the Pledge of Allegiance, went over housekeeping item and provided a land acknowledgement.

2. PUBLIC COMMENT #1

There were no public comments.

3. CONSENT AGENDA

Member Dockweiler made a motion to approve the consent agenda items. Member Coombs seconded. Motion was passed unanimously.

4. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING CURRENT LEGISLATIVE ITEMS

Dr. Katie Broughton, Legislative Liaison, Office of the Superintendent, provided a presentation on the 82nd session legislative update. She made a disclaimer that because she created the presentation slides last week, some of the dates have been updated and might not be reflected in the slides, but she will provide them verbally. She stated her goal today is to give them an update on the legislative work since the last time they met. She stated the 82nd session began on April 6 and will conclude on June 5, 2023, and today marks the 102nd day of the session and noted she will be providing an update on the bills that she presented in March.

Dr. Broughton presented an update to Senate Bill 251, which creates policies for the transfer and reassignment of

employees of a school district who are not teachers in response to a reduction in workforce or surplus. She stated it was passed out of Senate Education on April 12 and passed out of the Senate on April 25. She stated it was heard in Assembly Education on May 11, and the Nevada Supreme Court made a ruling in the legal matter regarding some of this policy also on May 11 and ruled in favor of CCSD. She stated during the SB251 hearing, the LCB legal staff stated that the provisions of this bill would essentially codify the Nevada Supreme Court ruling. She stated this bill is in a work session today.

President Ortiz asked if that bill would essentially allow surplus employees that are not teachers to be placed in schools without the approval of the principal, and Dr. Broughton replied yes.

President Ortiz asked if NRS 388G.590 would be revised to include that language, and Dr. Broughton replied yes, there was a lot of discussion around that, particular to the Supreme Court ruling that came out, which would require further discussion on their part.

President Ortiz asked if any of the Board members have any thoughts or discussion on that. She stated this is exactly what they spent months working on for AB469 because principals were complaining they were being forced to take staff that they didn't want in their school, and this is basically allowing the placement of staff without the approval of the principal and putting adults before children.

Member Hudson asked if they have to revise this NRS, can they put a guideline to look at their evaluation or something because she's been hearing about this from a lot of people because this was an issue.

President Ortiz replied she thinks it's possible for them to add regulation to it later, and she would have to check with the DAG, but she's hoping that's included in the bill. She asked Dr. Broughton if she knows if the language of the bill says there's any consideration for the evaluation of the employees.

Dr. Broughton replied at the last review, there was nothing specific to that, but there was some discussion in the hearing regarding that and some assurances were shared that this wouldn't be related to the evaluation of an employee but rather timing in which they were hired and where they fell on the seniority compared to a reduction in force or related to a surplus, so it wouldn't be moved based on their evaluation so much as their seniority.

President Ortiz stated that it is the complete opposite of what they're hoping for because as a principal, if that individual does not fit the culture of your order, but they have seniority, they will still get placed in their school. President Ortiz asked if that is correct, and Dr. Broughton replied yes, that is what it sounded like.

Vice President Dockweiler asked if there are any new provisions in the bill that would assign duties to the State Board of Education or what latitude would the Board have in supporting this, should it pass.

Dr. Broughton replied as she looks at the bill, there is no authority to the State Board of Education. She stated it provides language around specific transfers within the district. She reminded the Board she is not a legal counsel, so this might be somewhat incorrect, but she thinks most of the authority in this would be from the original language of AB469 in 2017.

President Ortiz stated that the Supreme Court ruling is greater than their authority, and she feels bad for students of schools that will have employees that don't quite fit the culture and goals of the school. She asked Dr. Broughton to proceed.

Dr. Broughton stated the next two bills are also directly related to AB469 from 2017. She stated Senate Bill 282 was heard in Senate Education on April 5, which makes several changes regarding the selection of staff, the role of the principal of the school and the school operational team. She stated this bill was passed out of Senate Education on April 12 and was referred to Senate Finance, which was heard on May 12.

President Ortiz asked if there were any questions from the rest of the Board and there was none.

Dr. Broughton stated the last measure related to AB469 is Senate Bill 148, which makes several changes regarding the local school precinct's ability to procure services, make staff decisions, and maintain carryover dollars. She stated this bill was heard in Senate Education on April 12, voted out of Senate Education on April 14, passed out of the Senate on April 25, heard in Assembly Education on May 9 and is scheduled for work session in Assembly Education today.

President Ortiz asked if this is taking all of the school's carryover dollars, other than the 16.6%, and Dr. Broughton replied yes, this bill makes specific changes to the amount of carryover dollars, the timeline in which they need to spend it, and the things they can spend it on.

Member Hudson stated so basically, they're tying the school's hands because now they're going to limit what they're going to use that money for, even though that money belongs to the students of that school. She asked is that what she's understanding, and Dr. Broughton replied what they're trying to do is reduce the amount of money that's carried over each year and put some parameters on what carryover funds can be used for so that schools aren't spending money that's allocated to them on the students that are currently in their classrooms.

Member Cantu stated in looking at these bills that have so much support in the legislature, they're in essence doing away with almost all aspects of the school reorganization, AB469. He asked is there anything that's retained from AB469 other than the SOT. Dr. Broughton replied she doesn't have a broad enough understanding of AB469 from 2017 to be able to speak what's leftover, but Superintendent is going to reach out to DAG Gardner to find out more information about what is retained if these three bills were to be passed.

Member Cantu asked in terms of the State Board's ability to oversee the reorganization of whatever is left of it, is that still remaining intact. Dr. Broughton replied yes, that's not been removed, and it would just eliminate the ability to change these sections of the law as she believes their authority is specific to regulations and this would be changes to NRS.

Jhone Ebert, Superintendent of Public Instruction, asked if DAG Ott was available to advise, and DAG Ott replied yes, he was just pulling up SB148 to look at it. Superintendent Ebert suggested that they either wait a moment or move on to something else so that the DAG has a moment to analyze the question that was asked.

President Ortiz stated they will swing back to this, and she will let Dr. Broughton proceed to the next page.

Dr. Broughton stated that the next set of bills are relevant to the purview of the State Board of Education. She stated Assembly Bill 241 proposes to require high school pupils to enroll in course that satisfy the CCR diploma requirements, which makes the CCR diploma opt out rather than opt in. She stated this bill closely aligns with the State Board of Education goal that 50% of students would achieve the CCR diploma by July 2026. She stated AB241 had an introductory hearing on March 30 and received overwhelming support. She stated it was voted out of Assembly Education, passed out of the Assembly on April 25, heard on Senate Education on May 15 and passed out of Senate Education yesterday.

Dr. Broughton stated that Assembly Bills 335 and 420, which she originally gave them updates on, were not heard and are now considered dead bills.

Dr. Broughton stated there are also two Senate Bills that are relevant to the scope of the State Board of Education. She stated SB210, which creates a new public policy about the makeup of boards and commissions and similar bodies, was passed out of the Senate on April 14, 2023 and was referred to Assembly Commerce and Labors. She stated it passed out of Assembly Commerce and Labor on May 12. She stated SB347 is a proposal that initially would have deconsolidated the Nevada System of Higher Education, and as such, the proposed changes would have modified the State Board of Education membership. She stated this bill was amended significantly in the Senate to create a commission on high education funding, and it removed all the other sections of the bill. She stated the bill amended would not impact the State Board of Education and was passed out of Senate Education on April 14, 2023 and referred to Senate Finance.

President Ortiz stated for clarification purposes, on Senate Bill 210, although that does impact the Board, because of the way the Board members are appointed and who they're appointed by, there is no worry, in her opinion, of their Board members being qualified for the seats that they're being appointed to, with the exception of one right now.

Dr. Broughton moved on to the bills proposed by the Department of Education, and stated they are very excited to have had several of their bills move through this process. She stated Assembly Bill 42 proposes to add class size requirements to grades 4-12 and reduce variance requests to twice a year. She stated this bill was heard February 14, passed out of Assembly Education on April 6 and has not been referred to Assembly Ways and Means.

Dr. Broughton stated Assembly Bill 54 proposes to restructure the process when a hospital is providing educational services to people. She stated under the proposed measures, the local education agency would review the educational transition plan and serve the fiscal steward. She stated this bill removes language and NRS that refers to free and reduced breakfast and lunch receivers and creates consistent use of the term attendance and enrollment. She stated this bill was heard on February 14, passed out of the Assembly Education Committee on March 21, passed out of the Assembly on April 14 and was heard in Senate Education on May 10. She stated it passed unanimously out of Senate Education yesterday, May 17.

Dr. Broughton spoke on AB65, which is an omnibus bill with several changes regarding bullying reports, clarifying language regarding bullying and mutual disagreements, the Kindergarten start date, the approval of the work-based learning plans. She stated this bill was heard on February 21, passed out of Assembly Education on April 6, passed out of the Assembly on April 15 and was heard in Senate Education on May 10.

President Ortiz asked if that's taking the work-based learning plans from the State Board of Education back to the Superintendent, and Dr. Broughton replied that is correct. President Ortiz asked if there is justification for that because there's been a couple of times where they have had issues with those.

Craig Statucki, Interim Deputy Superintendent of Educator Effectiveness and Family Engagement Division, stated this is feedback that they received from districts and the Interim Committee on Education that in terms of being able to make amendments to their work-based learning plans or to submit new applications, they thought it extended the process for those programs to get approved, and so that was requested that they had received from school districts to have those programs approved by the Superintendent of Public Instruction, similar to how distance education programs, alternative education programs and adult education programs are approved at the K-12 system across the state.

President Ortiz suggested he ensures that there is an equity lens for that review because the few times that they've pulled those items for the consent agenda, it was due to equity issues. Mr. Statucki thanked President Ortiz and stated that is something that office will consider when reviewing applications and is considering when reviewing applications as well. President Ortiz asked Dr. Broughton to proceed.

Dr. Broughton spoke on Senate Bill 9, which makes several changes regarding end of course finals, the education involvement accord, the parent report card, reporting dates and increasing the amount of CTE funding that can be used for leadership and training activities. She stated SB9 was heard on February 8, passed out of the Senate Education Committee on Monday, April 3, and referred to Senate Finance and heard on Tuesday.

Dr. Broughton stated the Governor's office also has two education bills, AB330 and AB400. She stated Superintendent Ebert and the Director of the Office of Safe and Respectful Learning Environment, Christy McGill, joined Governor Lombardo to present AB330 when it was heard in Assembly Education on March 23, passed out of Assembly Education on April 13 and passed out of the Assembly on April 25. She stated Assembly Bill 400 also makes various changes in early childhood literacy, charter school transportation, the Commission on School Funding, CTE programs, charter school sponsorship, Office of School Choice, increasing opportunity scholarships, local school precinct carryover dollars, Teach Nevada scholarship, Nevada Teacher Advancement scholarships, Read by Grade 3, and PERS critical labor shortage determinations. She stated the bill was heard in Assembly Ways and Means on Wednesday, April 26.

President Ortiz asked if Dr. Broughton could pause for a minutes because there's some significant equity issues in the two bills that they need to discuss. She stated first and foremost, the removal of the statewide framework for restorative justice is an obvious potential major impact, especially for their bi-population. She stated they've already seen data over and over again about the disproportionality from pretty much all of their school districts on the expulsion and suspension of students of color. and this is allowing them to be expelled under 11.

Dr. Broughton stated that was changed in the amended bill, and the bill as amended would retain that statewide framework.

President Ortiz asked what about the authorization of expulsion and suspension of pupils under 11, and Dr. Broughton replied under AB330, that would be allowed at the discretion of principal with the approval of the district superintendent.

President Ortiz asked if there is any language within the bill to ensure that there's social services support for that child and that they're not just sending them home to an empty house because then they're violating federal law.

Superintendent Ebert stated AB330 along with AB285 that was heard yesterday were to move as the Department of Education supported those bills. She stated to President Ortiz's point regarding equity and making sure that students have supports, AB285 has all of that language in plans, making sure there is proper transition for students and then also proper placement. She stated yesterday, AB285 was heard in the Senate Education Committee, and she knows that Assemblywoman Taylor is in the process of making additional amendments, so they will send what was presented yesterday as brand-new language as well. She stated in the questions that President Ortiz is asking, she will see more specific information on making sure students that are suspended receive the proper supports that and they're not sent home with no continuity of education. She stated that is not acceptable and should not be happening today but adding it to the proposals in NRS is what is transpiring.

President Ortiz asked is there any opportunity to include in any of those bills that prior to this being implemented, that all staff receive trauma-informed practices training so that they understand the reasons for the behavior and not just addressing the problem but addressing the cause.

Superintendent Ebert replied in section one of the new document that was just presented yesterday, the statewide framework training is mandatory for all school districts. She stated as they can appreciate, that won't happen on a dime to have meaningful professional development support implementation. She stated the plan is to first look at the data of where individual schools and school districts are at and make sure that that professional development are leaning in on their MTSS systems, working with UNR as they have been for the past 10 years, and targeting those school districts whose data demonstrates that they are most in need first and then continuing on. She stated it will be over a period of time to make sure that the schools and teachers within those schools are provided those supports.

President Ortiz moved on to AB400 regarding changes to early childhood literacy and asked does that include adding back in the retention of third graders who are not reading at proficiency.

Dr. Broughton replied yes, that's under the Read by Grade 3 provisions, and additional to that is a huge increase in funding to support early childhood literacy programs. She stated the idea is the Read by Grad 3 retention wouldn't be in place until 2028, so they would start off by investing in those early literacy programs and students who are three to four years old so that they are reading proficiently by the time they are in third grade.

President Ortiz asked is there a mechanism included for tracking the progress towards that goal so that they are prepared to find facilities in the event that it's a large number of retention and deal with the ramifications of transportation, resources and teachers, etc.

Dr. Broughton replied yes, currently under the Read by Grade 3 law, MAP is used as an indicator to measure that progress, and families are notified, she believes as early as kindergarten, if students aren't meeting the goals that would align them to be proficient by the third grade.

President Ortiz asked what is the mechanism for validating proficiency in third, and Dr. Broughton replied SBAC. President Ortiz responded then they're comparing apples to oranges because MAP is a norm-referenced exam and SBAC is a criterion-referenced exam and that will not align. Dr. Broughton responded that she misspoke and stated the Superintendent said that MAP is also the mechanism in third grade. President Ortiz responded it's still not a good measure for student competency since it's not a criterion-referenced exam.

President Ortiz asked is there any opportunity for them to get that modified at this point and stated for those of them that are not as deep into this as she's been for the last seven years, what that tells them is how they read compared to

their neighbors. President Ortiz stated if she reads better than Member Cantu, then maybe she's considered proficient, but if she goes and take an SBAC exam and it measures proficiency, that may not hold true for both of them.

Dr. Broughton stated as they continue to engage with the Governor's office and the other work on these bills, they are happy to share any recommendations they may have. She asked what would be their specific recommendation regarding AB400 on this piece. President Ortiz replied her recommendation would be to use a criterion-referenced exam to determine if a child is proficient in third grade.

Vice President Dockweiler asked if she could also jump in on the Read by Grade 3 portion and stated there are so many negative ramifications of retaining their students and so many factors that go into their education. She stated early literacy supported would be wonderful, but they also can't determine the quality of instruction that the students receive if they have long-term subs random subs, or no subs. She stated there's so much that can go into a student's learning that are strenuous to the factors of their own ability to learn or the instruction that is provided to them. She stated there's also long-term negative outcomes to their mental health, to graduation rates, to school prison pipelines. She stated if they could add or request components to be modified in that bill, she would strongly urge them to consider removing those retention components.

President Ortiz stated she agrees, especially, because they're not, as a system, providing all of the supports necessary to children to ensure that they're also receiving their mental health and social emotional trauma-informed practices that would ensure that they're actually in a mental health space to learn in those early grades. She stated their ratios are vastly inadequate for mental health support, so for children that have high ACE scores in kindergarten through third grade, their capacity to learn is also diminished, and they do not have enough support, so punishing the children by retaining them is a reflection on them and not the children.

Dr. Broughton thanked the Board for the recommendations and stated they will carry them forward as they continue to engage in this work.

Member Cantu indicated he had a question about AB330 and stated when they're done with the conversation about AB400, he would ask if they could go back. President Ortiz stated he could go ahead and ask his question.

Member Cantu stated in looking at the language for AB330, the impression he came away with is that it's balancing school safety and restorative justice, and in listening to the conversation earlier, it seems that many of the concerns that were expressed about the bill have been addressed through various means. He stated he would like to hear from the Superintendent or her staff about how they feel this balances the importance of safety along with restorative justice because he thinks safety is a big issue that has had to be addressed in terms of the things that have taken place in their schools in the last couple of years.

Superintendent Ebert replied that Member Cantu's question is great in how they have been as an entire Department, because AB330 and AB285 are not complete but both moving forward together, the pieces within AB285 in regards to the professional development and the plans that are put forth, and all of those supports working with the Assemblywoman to get there and have that as part of the implementation. She stated as for AB330, they're exactly right that there are a lot of components for making sure that all of their students and teachers are safe in their learning environment, and that teachers and schools are empowered to work with individual students and have the entire class into consideration as they're educating their students. She stated it really empowers teachers and principals to look at individual students and not just a blanket of this is how they will treat all students. She stated they've learned, especially coming out of the pandemic, of the various pieces of trauma, all of those components within individual students' lives in education, making sure that all of their students move forward together in a safe and respectful learning environment. She stated it's been not only herself but also OSRLE, with Christy McGill as the Director and Julie Bowers, who is the Director for special education students, making sure that OSSS is involved as well with their foster care students and homeless youth, so bringing in the entire Department together to inform both of these bills and working with the superintendents, principals, and teachers to have them both move forward at the same time to create an educational environment, so all of their students can be successful.

President Ortiz asked if Superintendent Ebert could elaborate on the mental health and social emotional supports that are included in these bills.

Superintendent Ebert replied AB285 has additional language added that was presented yesterday on page 11, section 4.5. She stated on page 12, section 5, the board of trustees in each district governing body of a charter school and the governing body of each university school for profoundly gifted shall establish a plan to provide for the progressive discipline of pupils and onsite review of disciplinary decisions. She stated that the plan must include and be developed with input and participation of teachers, school administrators, school counselors, school social workers or school psychologists and other educational personnel and support personnel who are employed with the school district for the pupils. She stated it continues on to say prescribed methods of alternative conflict resolution and interventions based on social emotional learning that are developed to avoid the need for removal of a pupil. She stated those are just a few pieces in this bill that have been added to support the students.

President Ortiz stated that she said there's a fiscal note included, so when a school district determines the plan, and ideally this plan includes training on trauma-informed practices, there is money for them to actually deliver that training and have enough mental health professionals and social workers on school sites on staff.

Superintendent Ebert stated that is the next step with this bill, so if it passes out of Senate Education tomorrow, it would then move on to Finance.

President Ortiz asked so they have an opportunity to still comment, and Superintendent Ebert indicated yes.

Member Cantu thanked Superintendent Ebert and stated he would laud the Governor's office for bringing a bill forward that balances safety along with equitable treatment of students and restorative justice. He stated it's very important that they keep their schools, students and teachers safe, and he thinks this is a really good common sense piece of legislation.

Vice President Dockweiler stated a lot of the supports that they have just heard about today within this bill, specifically AB330, tend to be reactive in nature, so she would encourage everyone to attempt to build in some proactive supports to support students to prevent some of these behaviors that lead to suspensions, expulsions and disciplinary practices. President Ortiz stated she agrees and thanked Dr. Dockweiler.

President Ortiz asked if the Department could clarify exactly how much money is being proposed for charter school transportation and the choice opportunity scholarships, and Dr. Broughton replied specifically for charter school transportation, the language says an amount that the legislature determines is appropriate, and so that amount would be provided and then charter schools would have the opportunity to send in applications to the Superintendent of Public Instruction who would then approve those applications and reward the funding that's requested. She stated it would be opt-in and is not a requirement, but the funding would be based on the amount determined appropriate by the legislature.

Dr. Broughton stated the opportunity scholarships is very complex, but it is done in tax credits to organizations who donate to the scholarship funding, and it's done in a step method.

President Ortiz asked if she could simplify a little bit and stated if she has a company that makes a lot of money and she donates money to this opportunity scholarship, she would get a tax credit, and Dr. Broughton replied yes. President Ortiz responded that sounds like a very privileged thing, and basically, the companies that have the privilege to make the donation, make the donation and then perhaps their kids get to go to a private school.

Dr. Broughton stated there is specific language around the students who qualify, who would qualify to receive the opportunity scholarships as well.

President Ortiz asked if it is based on a socioeconomic status, and Dr. Broughton replied, yes, it's based on the percentage of poverty level of the family. President Ortiz asked what is the poverty level or total potential income of a family of four, and Dr. Broughton replied currently, a family is 300% of the poverty level and what that number equates to in dollars depends on the size of the family. She stated AB400 would move it to 500% of the poverty level.

President Ortiz asked if anybody knew what the poverty level was off the top of their heads, and Dr. Broughton replied it varies based on the size of the family.

President Ortiz asked does the charter school sponsorship fall under the charter school authority and does it change their rubric for approving. Dr. Broughton replied currently the SPCSA is the only entity that can sponsor a charter school, and this would expand it so that cities and counties would have the opportunity to sponsor charter schools. She stated they would not run the charter schools, but they would serve as the authorizer of the school.

President Ortiz asked if DAG Gardner was prepared to address the questions they had on Senate Bill 148, and DAG Gardner replied DAG Ott had to leave, and he apologizes, but he does not know the question she's talking about but he can try to answer them. President Ortiz stated this was Member Cantu's question

Member Cantu stated in looking at the combined impact of these bills that circumvent the authority of the State Board of Education, he was curious what remains of AB469 in terms of their purview to enforce the reorganization of the large school district.

DAG Gardner stated he is not prepared to answer that yet, but if they would give him a few minutes, he will be able to.

Member Cantu stated it seems that as he looks at the six areas of compliance, there were three that the large school district was not in compliance with and it seems that these bills do away with that so that they would be in compliance if these bills pass.

Member Cantu asked if he could ask another question, and President Ortiz indicated yes. Member Cantu stated having been on the Board a couple of years now, the only real authority or power that the State Board has is a regulatory authority, and with the circumvention of their regulatory authority on these items, he asked how much of their regulatory authority is left in terms of making things happen, or whenever they do something, are they going to be circumvented in similar ways. He stated maybe it's a rhetorical question.

President Ortiz stated Member Cantu is correct in that there is obviously a lot of other regulations that they still have authority over, but for this bill, he is correct that it's eliminating quite a bit of the stuff they were trying to fix via their regulatory authority.

Member Cantu stated oversight maybe, and President Ortiz replied oversight remains but there's not much left of it, and she believes DAG Gardner is going to confirm what is left shortly.

President Ortiz asked if the 8515 is still relevant because that was their next major item to attack.

Member Walker stated when President Ortiz talked about supports for some of those bills and having plenty of emotional support in the schools for students and staff, he thinks another thing they have to realize is even with that legislation, until something is done about teacher and support staff pay and the pipeline. He stated they don't have people standing around waiting to take those jobs, so even with the best legislation out there to support their schools and students, they have to do something to support employees and educators because it's a problem. He stated even if they have the money, there aren't people applying for the jobs.

President Ortiz responded that what Member Walker stated is 100% accurate, and she understands that there's a fairly significant budget increase included in this legislative session for schools and asked while DAG Gardner continues to review that language, can Dr. Broughton give them an idea about when that budget will be approved and will they know if any of that money is available for collective bargaining for these specific things or is it earmarked towards anything in particular.

Member Walker asked also, are all school districts going to receive it because with the new funding plan, there are districts, such as Storey County, that are going to lose money, and so he doesn't know they're going to support their employees if the current plan actually decimates their budget. President Ortiz asked if Superintendent Ebert could respond to that.

Superintendent Ebert replied they are more than happy to forward to the Board the closing documents for the funding that has been made available for school districts, which are historic amounts of \$2 billion, equating to about \$2,000 more per student. She stated to Member Walker's statement, there are still three school districts that would not be part of the pupil-centered funding plan.

Superintendent Ebert noted that each of those districts currently receive anywhere from \$35,000 to \$48,000 per student, so it would be a while before they actually work into the pupil-centered funding plan, so the range there is per student as always across the state, but now with the new pupil-centered funding plan, it goes anywhere from \$9,000 to \$45,000 or \$48,000, which she would have to verify again, but she will send them that file. She stated for collective bargaining, everything is made available, except for the weights, and she believes that's roughly \$1.2 billion across the state that would be made available for school districts, and that was intentional in the funding formula. She stated school districts wanted to have the flexibility within the dollars instead of all the different categoricals to be able to use those funds and pay staff the wages that they deserve to provide the resources to reduce class sizes. She stated each school district is different on how they need to address the needs of their students, and so the funding formula has provided that flexibility, but there is quite a bit available of historic amounts for the negotiations of those contracts.

Dr. Broughton responded that she is going to build on that a little bit and stated on top of the historic funding that was provided, SB231 gives money to the Interim Finance Committee to incentivize school districts to raise all education salaries by providing a match to a certain percentage, and so the legislature didn't earmark money specifically for raises, but they are trying to incentivize school districts by providing raises to education staff.

President Ortiz asked would that be issued via a grant application or how would the school district apply, and Dr. Broughton replied the school districts would have to apply but show evidence that they have raised teachers' salaries and include a signed letter from the Superintendent, and then the raise itself is matched and the money would be awarded through the Department of Education directly to the school district.

President Ortiz stated she's a little concerned because that's a little chicken and egg. She asked so the school district has to negotiate the collective bargaining agreement to give a raise and then apply for the money and hope that they actually get it, and Dr. Broughton replied this money would be a match, so the school district has to provide a raiser and then also this money would provide additional funding on top of the raise that would be negotiated.

President Ortiz asked if there's any sort of language in there to ensure if all the school districts applied for it and the amount of money that they have to do the match is not sufficient. She stated just doing basic math in her head, that could be a problem, and Dr. Broughton replied no, there's nothing about that but it is \$250 million. President Ortiz stated that could go all to Clark County in a heartbeat and the rest of the counties would never see it.

Vice President Dockweiler asked is this one-time funding or is this funding that will be available in perpetuity or how long will these raises be offered, and Dr. Broughton replied any raise that would be part of the negotiated agreement would be long-term, and this bill in particular would just match one-time funding, so it would match once, but the raise that would be required to receive the funding would be part of the negotiated agreement, which would be long-term. She stated it's a complicated answer.

President Ortiz stated that's an easy disincentive to do it, and if you're fiscally responsible, that wouldn't be something that you would do if you knew that there was a cliff, and the amount of money that was being matched was only for one year. She stated just putting herself in the shoes of Member Walker who's a board of trustees, that is putting the district at risk. She asked Member Walker to correct her if she's wrong.

Member Walker replied he doesn't think anything would hurt morale more than feeling like you get a pay cut, so if there's an additional revenue that is put towards that employee in year one and then year two, they're losing 10% of their pay or whatever the percentage might be, that would be a pay cut, so it would be nice if that money were in perpetuity, and President Ortiz agreed.

President Ortiz asked Dr. Broughton what that bill was again, and Dr. Broughton replied it's Senate Bill 231 which was being heard in Senate Finance this morning, but she left the hearing to come to the Board meeting and noted that SB231 is meant to incentivize school districts getting raises, but it's not meant to provide long-term salaries. Dr. Broughton explained they should think of it as a bonus on top of the raise provided by the school district rather than an additional raise.

President Ortiz replied she's putting herself in Member Walker's shoes and if she knew their school district was going to get sufficient money with this new allocation that she could provide raises and then goes and applies for this match and that match could be used for other things, not necessarily the raises themselves, then that makes sense.

Member Walker stated he would really have to see what the requirements are because he's not familiar if they could use it for something other than a bonus on top of pay increase, and President Ortiz replied it's a complicated situation and she's sure it's making some legislators sound great, but in reality, it's potentially a fiscal cliff.

President Ortiz asked if DAG Gardner was prepared to answer Dr. Cantu's question regarding SB148, and DAG Gardner replied yes.

DAG Gardner stated the first amendment that they make is in section 2, which is NRS 388G.610, subsection 2(c), and in reality, doesn't change a lot. He stated it says that the local school precinct can only procure equipment and services for things that they have the authority over, and he thinks this is just clarification saying that unless the school district votes to provide anything that's in the subsection 3 of 610 to them, they can't spend money on it, but that's been the rule anyway. He stated the biggest thing he's seen is staffing being taken away from precincts and principals, and so staffing is now going to be a collective bargaining, which can only be done at the district level. He stated the unions will be doing the negotiating, and the school district will be the ones deciding staffing from now on. He stated principals will not have a say in that except for what is allowed to them through the collective bargaining agreements. He stated there's also another restriction on staffing which is that principals have to spend money on custodial and the security services, in subsection 5, to a certain extent, so he's not sure that was in the law previously so that's just a limitation there. He stated the amendment to 7 is basically the same, and then the amendment at the end in section 3 of this bill in 388G.650, subsection 2, says that the school district can use its money to pay for any carryover money for paying for its funding of these new ratios for security and cleaning services. He stated that being said, the only thing that really takes out of the State Board's hands is staffing at schools, which has now been completely given over to the school districts and unions.

Member Cantu thanked DAG Gardner for answering the question and indicated it provided a lot of clarification.

President Ortiz asked if there were any other questions for DAG Gardner or Dr. Broughton on this item, and Vice President Dockweiler stated she had a follow-up question for DAG Gardner on President Ortiz's question on the 8515 and asked if that's something that would still fall under the State Board's purview.

DAG Gardner replied SB148 does not address 8515, which means it is still the law of the land, and that would be in the purview of the State Board to make regulations if they so desired.

President Ortiz thanked DAG Gardner and stated she will move on to Public Comment #2.

5. PUBLIC COMMENT #2

There were no public comments.

President Ortiz thanked everyone for their time and attention and stated she highly recommends if anyone has the time and energy to continue to pay attention to all of the legislative hearings, they're always welcome to testify on their own behalf, especially for those that have the expertise and experience dealing with these things firsthand, so that the legislators can hear from them. She stated it is imperative that they understand implications of some of their actions and the downstream impacts that may affect the children, and that they keep the children at the top of their minds, which is their role in this work in making sure that their kids are first and foremost.

President Ortiz stated that their next full Board meeting will be June 14 at 9:00 a.m. She asked them to please remember that their meetings in the summer are in the morning now, so they will see everyone in a few weeks.

6. ADJOURNMENT

President Ortiz adjourned the meeting at 10:37 a.m.