

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
ASSEMBLY BILL 469 SUBCOMMITTEE MEETING
SEPTEMBER 8, 2021
3:00 PM**

Office	Address	City	Meeting
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

DRAFT SUMMARY MINUTES OF THE BOARD MEETING

BOARD MEMBERS PRESENT

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

DEPARTMENT STAFF PRESENT

Jhone M. Ebert, Superintendent of Public Instruction
Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement
Allegra Demerjian, Public Information Officer
Tina Statucki, Education Programs Professional

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

Hawah Ahmad, Clark County Education Association
Kenneth Paul, Mack Lyon Elementary School
Lindsay Dalley, Moapa Valley High School, School Organizational Team

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

Meeting called to order at 3:06 P.M. by Chair Katherine Dockweiler. Quorum was established. Chair Dockweiler led the Pledge of Allegiance.

2. PUBLIC COMMENT #1

Lindsey Dalley, Mack Lyon Middle School/Moapa Valley High School SOT (School Organizational Team)/Moapa Valley Community Educational Advisory Board, provided public comment regarding AB 469. *(A complete copy of the statement is available in Appendix A)*

3. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE IMPLEMENTATION OF ASSEMBLY BILL 469 (2017)

Vice President Mark Newburn asked for identification of areas of ambiguity and key questions surrounding the implementation of AB 469. For example, revisiting the use of “good standing” when doing teacher evaluations to include clearer definitions, guardrails, parameters, etc. He noted that as principals currently disagree, the Board could begin to draft these definitions or request input from stakeholders but noted the importance of highly focused questions, such as, “What elements are included in good standing?” Vice President Newburn recommended asking for a definition, then asking what authority principals should have in rejecting staff assignment to their school, which may require a clearer understanding of principals’ “limited ability” to reject staff assignments and further delineation regarding what that means. Member Tim Hughes highlighted the issues with open-ended questions to stakeholders and recommended a case study driven series of specific options for input. Chair Dockweiler suggested surveying employee associations and invested stakeholders.

Deputy Superintendent of Educator Effectiveness and Family Engagement Felicia Gonzales noted that two issues needed to be separated clearly. The first was teachers unselected due to budget downsizing and placed into the surplus category; upon review, there was no evidence of widespread abuse in CCSD hiring practices. The second was that most principals hire highly qualified licensed educators to the greatest extent possible; however, principals do not have access to the licensed qualified pool of educators.

The Subcommittee agreed to revisit this issue during their next meeting to include developing guardrails and a more clearly defined definition of “greatest extent possible,” and the development of a stakeholder survey.

Vice President Newburn noted that ambiguities regarding service-level agreements (SLAs) allow the district to interpret the agreements to their favor. Member Hughes stated that the most recent CCSD Implementation Report should be reviewed to understand what data is reported and what data may be missing to best determine next steps. Vice President Newburn agreed and expressed that this was a good area for stakeholder engagement. Chair Dockweiler summarized that after reviewing the most recent report, stakeholders could be polled for the elements they would most like to see in the report, how they can identify what is missing, and what details they would like to add. However, a timeline will be necessary in order to ensure that procedures are in place before new SLAs and renewals occur in January. Jhone Ebert, Superintendent of Public Instruction, stated that she could request SLA information, current SLA agreements, and any current SLA drafts from CCSD for review at the next meeting of the subcommittee.

Vice President Newburn emphasized that the Superintendent does not need Board approval to enforce the compliance of Assembly Bill (AB) 469 (2017), and that she should not feel encumbered by the Board. Superintendent Ebert acknowledged this and supported collaboration regarding AB 469 compliance.

Regarding staffing processes, Vice President Newburn supported defining guardrails to ensure AB 469 compliance, but that the Board should not define staffing practices themselves. Member Hughes suggested regulations regarding frequency of cases rather than volume of hiring and/or developing a grievance mechanism. Vice President Newburn supported developing additional regulations for the Teachers and Leaders Council regarding the Nevada Educator Performance Framework to better support the educator evaluation process. Member Hughes asked whether greater data transparency regarding these ratings would be possible and included under the oversight element.

Superintendent Ebert confirmed that next steps included CCSD developing hiring practice manuals, the Board developing guardrails regarding these practices, and the Board developing an ongoing oversight mechanism to ensure compliance. Vice President Newburn emphasized the need for oversight, a body that receives complaints regarding implementation and can recommend corrective action to the Department or the Board. Chair Dockweiler asked whether a report from the unions would suffice, or surveys from educators. Vice President Newburn favored an oversight board. Member Hughes noted that an annual report is currently received and that a deeper analysis is necessary.

Chair Dockweiler asked that CCSD develop a memo to provide to schools that includes a clear timeline regarding carryover funds. Vice President Newburn supported creating a specific date within regulation. Member Hughes asked whether a reporting mechanism was in place for carryover funds, which Deputy Superintendent Gonzales confirmed.

4. FUTURE AGENDA ITEMS

The Subcommittee agreed that future agenda items would include a continuation of the discussions heard today, to include evaluations, SLAs, staffing practices, and carryover funds.

5. PUBLIC COMMENT #2

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

6. ADJOURNMENT

Meeting was adjourned at 5:05 P.M.

APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT

1. Lindsey Dalley, Mack Lyon Middle School/Moapa Valley High School SOT (School Organizational Team)/Moapa Valley Community Educational Advisory Board, submitted public comment regarding Assembly Bill (AB) 469.
2. Kenneth Paul, Principal, Mack Lyon Middle School, provided public comment regarding agenda item 9, AB 469.

APPENDIX A, ITEM 1: LINDSAY DALLEY

Mr. Dalley noted that CCSD is ramping up its hold of centralized control, and that the COVID allocation process is further embedding central control and a lack of transparency. Local papers reported that legislation requires 20% of the COVID relief funds - \$835 million in total to CCSD – be used for learning loss inequities to include impacts on rural communities. He stated that when his school developed and submitted a plan for the use of those funds, CCSD rejected it and responded that CCSD is an urban district with no rural funds available. Mr. Dalley stated that a community member joined the CCSD Community Advisory Committee, and she was required to sign a non-disclosure agreement. CCSD is claiming that they have \$58 million less than reported. Mr. Dalley emphasized that CCSD was stalling and not interested in decentralization, and he suggested that the funds be divided equally among the schools.

APPENDIX A, ITEM 2: KENNETH PAUL

Principal Paul addressed good standing and how difficult it is to give a non-effective rating to an educator under the Nevada Educator Performance Framework. The subcommittee discussed consequences for noncompliance, and he highlighted the importance of services and supplies, especially purchasing service-level agreements, since schools are not given control over their funds to do so. This process is not currently working and especially is not happening proportionally, an effort of particular importance to rural schools. He supported both perspectives being listened to and the subcommittee as an arbiter and noted that while the district has lawyers and negotiators, the schools do not.