

**NEVADA DEPARTMENT OF EDUCATION
NEVADA EDUCATOR CODE OF ETHICS ADVISORY GROUP
FEBRUARY 27, 2018**

Meeting Locations:

Office	Address	City	Meeting Room
Department of Education	9890 S. Maryland Pkwy	Las Vegas	Board Room (2 nd Floor)
Department of Education	700 E. Fifth St	Carson City	Board Room

SUMMARY MINUTES OF THE REGULAR MEETING

(Video Conferenced)

COMMISSION MEMBERS PRESENT:

Las Vegas:

Lou Markouzis
Amanda McWilliams
Dan Wold
Jason Dietrich

Carson City:

Susan Kaiser
Sean Moyle
Dr. Jeffrey Paul
Casey Stiteler

COMMISSION MEMBERS NOT PRESENT:

Rachel Croft
Caramia Phillips
Dr. Diane Barone
Robert Cowles

DEPARTMENT STAFF PRESENT:

Las Vegas:

Michael Arakawa, Program Officer III, Office of Educator Licensure
Brandon Kirchner, Administrative Assistant II, Office of Educator Licensure

Carson City:

None

LEGAL STAFF PRESENT:

Greg Ott, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Las Vegas:

Christina hall, Prevention Education Manager for the Rape Crisis Center

Carson City:

None

Agenda Item #1: Call to Order; Roll Call; Pledge of Allegiance

In the absence of both Co-Chairs, Deputy Attorney General Ott advised that Mr. Arakawa could facilitate the meeting. Mr. Arakawa called the meeting to order at 01:05 PM.

Roll call was taken as reflected above. It was determined a quorum was met.

The Pledge of Allegiance was led by Mr. Markouzis.

Agenda Item #2: Public Comment #1

No public comment from Carson City.

Public comment from Las Vegas:

Christina Hall introduced herself to the group and thanked them for their time and service. Ms. Hall stated her group; the Rape Crisis Center, believes the responsibility to students should be the number one goal of the code of ethics for educators in Nevada; as opposed to being the third priority as it appears in the Model Code of Ethics for Educators (MCEE). Ms. Hall asserted the group should differentiate between a code of ethics for educators and code of conduct for educators; both are equally important but are distinct and should remain so. Ms. Hall then went on to reiterate the importance of a separate governing body to judge ethical dilemmas in education. Ms. Hall maintained that having such a body would ensure impartiality. Ms. Hall said students and parents need to be aware of the code of ethics for educators, as well as any code of conduct which may be adopted, to ensure they are protected and know their own rights. Ms. Hall went on to say that teachers and students will also need a safe space to report ethical violations. A safe space would offer anonymity and in turn safety from reprisal. Ms. Hall went on to state that the governing body under Title 9 would be a great source of information for the current body in regards to sexual misconduct education. Ms. Hall concluded by thanking the group once again and mentioning the Rape Crisis Center is happy to serve as a resource during the group's work.

Agenda Item #3: Approval of Flexible Agenda

Mr. Wold moved to approve a flexible agenda. Mr. Markouzis seconded the motion; the motion passed unanimously.

Agenda Item #4: Approval of January 24, 2018 Minutes

Ms. McWilliams moved to approve the minutes from the January 24, 2018 meeting. Ms. Kaiser asked to correct a portion of the minutes due to a grammatical error. Ms. McWilliams amended her motion to approve the minutes with the correction of the aforementioned grammatical error. Ms. Kaiser seconded the motion; the motion passed unanimously.

Agenda Item #5: Vice Chair Discussion and Possible Election

Ms. McWilliams moved to appoint Mr. Markouzis as vice chair, and Mr. Wold seconded the motion. Senior Deputy Attorney General Ott proposed holding an election for vice-chair, so that each member would have an equal chance to be nominated. Mr. Markouzis agreed with Mr. Ott, and added that he felt a vote for vice chair should be postponed until all members are present. Ms. McWilliams proposed to elect a vice chair now, instead of waiting for all members to be present. Mr. Wold seconded the motion; the motion unanimously passed. Ms. McWilliams nominated Mr. Markouzis as vice-chairperson. Ms. Kaiser nominated herself. A vote was held, two votes for Mr. Markouzis and six votes for Ms. Kaiser; Ms. Kaiser was elected as vice-chairperson. Ms. Kaiser requested Mr. Arakawa continue to facilitate the meeting in her stead.

Mr. Arakawa congratulated Ms. Kaiser in her new role and stated he would continue to facilitate the rest of the meeting per Ms. Kaiser's request.

Agenda Item #6: Ethics and Conduct Discussion

Mr. Arakawa started by briefly reviewing what Dr. Troy Hutchings discussed in the January 24th, 2018 meeting. Mr. Arakawa went on to state that the current body was formed to create a code of ethics for educators, but will have the opportunity to determine if a code of conduct for educators should be addressed by the group as well. Since statutes can only be amended during the legislative session which occurs every two years, and since bills introduced in session must be sponsored, Mr. Arakawa states it would be beneficial for the group to recommend codification of any code of conduct for educators in regulation rather than in statute. Mr. Arakawa then opened the floor to discussion on whether or not the group should address a code of conduct for educators as well as the code of ethics for educators.

Dr. Paul stated he believes the group is in charge of creating a code of ethics for educators according to AB 124. Dr. Paul went on to express how the group should be adamant about keeping a code of conduct for educators and code of ethics for educators separate from one another. He concluded the group should be very clear of its intent, whether it wants to address a code of ethics for educators by itself, or a code of conduct for educators as well. Ms. McWilliams agreed with what Dr. Paul stated on the importance of keeping a code of conduct for educators and a code of ethics for educators separate, but believes both codes should be simultaneously addressed by the group.

Mr. Arakawa advised the group that per its statutory mandate in Assembly Bill 124 it is not required to create a code of conduct for educators, but can make recommendations to amend the current statute, NRS 391.330, which governs conduct for educators. Mr. Arakawa goes on to explain how the group might benefit more from focusing on creating a code of ethics for educators within regulation rather than statute, while recommending any necessary changes to NRS 391.330 along the way. Mr. Wold suggested the group focus more time on creating a code of ethics for educators, and if time permits, to examine and recommend changes to the existing statutes.

Mr. Wold moved to concentrate the group's efforts on a code of ethics for educators, and to draft a code of conduct for educators if time permits once the work on ethics is complete. The motion was seconded by Mr. Moyle. Ms. McWilliams interjected to ask if the motion currently being presented would prohibit discussion of the code of conduct for educators. Mr. Ott stated that the current motion would focus on whether or not the group should discuss the code of conduct for educators as well, rather than actually creating a new code of conduct for educators or modifying the current one. Mr. Ott recommended creating a list of what should be addressed by the committee in reference to the code of conduct for educators, rather than making recommendations to modify existing statute.

Mr. Dietrich interjected to state the group should not try to limit itself by deciding what should and should not be discussed so early in the process. Mr. Dietrich recommended saving the discussion of the code of conduct for educators for a later time or when the group deems necessary. Ms. Kaiser stated she agreed with Mr. Dietrich to not limiting discussion about ethics and conduct. Ms. Kaiser went on to recommend examining the current statute related to educator conduct and how it can be applied to the formation of the code of ethics for educators.

Mr. Arakawa suggested amending Mr. Wold's motion to have the group discuss the code of conduct for educators, once it feels it has satisfied its obligation to create a code of ethics for educators. Mr. Wold revised his earlier motion to reflect Mr. Arakawa's recommendation. Ms. McWilliams interjected with the concern that the motion would still limit discussion about the code of conduct for educators when the group might deem discussion of conduct necessary while examining ethics. Mr. Ott addressed Ms. McWilliams' concern by restating his earlier suggestion to first discuss ethics while making a list of items concerning a code of conduct for educators to be discussed at a later date. Mr. Moyle agreed with Mr. Ott to focus on ethics first, and then discuss the code of conduct at a later time. Mr. Ott. went on to

remind the group that agenda items are not permanent and can be altered to adhere to the group's needs; whether those needs are a discussion on ethics, conduct, or both.

Mr. Arakawa restated Mr. Wold's motion to have the group focus on creating a code of ethics for educators, with any discussion on conduct to be addressed at the group's discretion. Dr. Paul seconded the motion, the motion passed unanimously.

Agenda Item #7: Review of Model Code of ethics for educators for Educators and Other State's Codes of Ethics

Mr. Arakawa began by stating the group can utilize several methods to create a code of ethics for educators which includes: start from a blank slate and create a code of ethics for educators from the ground up, adopt another state's code of ethics for educators, or adopt all or most of the Model Code of ethics for Educators (MCEE). Mr. Arakawa then opened the floor for discussion.

Mr. Markouzis stated he believed it would be a good idea to look at codes of ethics for educators from other states as we frame our own. He went on to say it is important when borrowing from other states, that the group makes sure the adopted code reflects Nevada's needs, as they may be different from other states. Mr. Stiteler agreed with Mr. Markouzis' notion of examining other states as well as the MCEE when creating our own code of ethics for educators. He provided examples of how the Bar Association in Nevada has adopted portions of other states' code of ethics and reformatted them to suit Nevada's specific needs.

Mr. Dietrich recommended each member individually examine the MCEE and determine what should be adopted into our own code of ethics for educators. The group can then discuss any such recommendations at the next meeting. Mr. Wold supported Mr. Dietrich's recommendation. Ms. McWilliams made a motion to have each group member individually examine the Texas Code of Ethics and Standard Practices for Educators as well as the MCEE, and determine individually what should be adopted into a Nevada code of ethics for educators. The group members will then present their recommendations at the next meeting. Mr. Dietrich seconded the motion; the motion passed unanimously.

Agenda Item #8: Review of Specific Tasks

Mr. Arakawa reminded the group that the creation of a code of ethics for educators is not all AB 124 is designed to accomplish. Mr. Arakawa went on to clarify that the group has also been directed to solicit input from stakeholders with an interest in educator ethics during the course of its work. He then listed the rest of the specific tasks assigned to the group outlined in AB 124, and asked for discussion among the group on the best methods to reach out to various stakeholders and groups affected by this work.

Mr. Dietrich queried Mr. Ott on whether inviting the various groups associated with AB 124 and adding said future meetings to the agenda, would satisfy the AB 124 requirement to bring stakeholders to our meetings. Mr. Ott affirmed that this would fulfill the statutory requirement to involve stakeholders in the group's work. Mr. Wold mentioned he will extend an invitation to his fellow superintendents to attend future group meetings. Mr. Arakawa then asked that if any group members would like to invite groups or organizations to comment at a future meeting, to contact him by email so he can formally invite such groups.

Mr. Arakawa stated an examination of funding sources for implementation of a code of educator ethics is within the scope of the group's work as well. He then stated that he will be examining state and federal resources for funding, and will report back to the group with his findings. Mr. Arakawa reminded the group that they must report on all activity and recommendations no later than July 01, 2018, and again before December 01, 2018, to the Governor's office, the State Board of Education, the Commission on Professional Standards in Education, and the Legislative Counsel Bureau. Mr. Arakawa recommended producing the report by May of 2018 so that it can be agendized for

presentation to the various named bodies. Mr. Dietrich asked whether or not the Department of Education will produce a draft of the report to be approved by the body before the required submission dates. Mr. Arakawa assured Mr. Dietrich the department will draft the report to be approved by the advisory group.

Agenda Item #9: Future Meeting Dates

After examining potential future meeting dates, Ms. McWilliams recommended taking into consideration the fact that spring break is occurring in March and may cause issues with some members attending a March meeting. Mr. Dietrich suggested a motion to meet monthly, if possible, between the present date and June. Ms. Kaiser seconded the motion; the motion passed unanimously. Mr. Arakawa assured the group he will send out an online poll to explore future meeting dates.

Agenda Item #10: Future Agenda Items

Mr. Arakawa stated based on group consensus, members could bring stakeholders with in an interest in the advisory group's work to the next meeting. Mr. Arakawa then requested members bring their own electronic devices to future meetings to view meeting materials, so as to cut down on paper waste. Mr. Wold recommended readdressing agenda item #7 in the next group meeting. Mr. Wold went on to ask the group if creating deadlines for certain agenda items would be beneficial to the group's timeline. Mr. Dietrich suggested voting on setting deadlines for certain agenda items in the group's next meeting. Ms. Kaiser questioned whether group members who are not present at meetings could submit documentation relevant to the group's work during their absence. Mr. Ott answered that submitting documentation for review when absent is acceptable, so long as any such documents are made available to the public. Ms. McWilliams asked how group members absent from meetings can get information they may have missed. Mr. Arakawa assured Ms. McWilliams that absent members will be updated on what occurred in missed meetings via email.

Agenda Item #11: Group Members' Comments/Discussion

Ms. McWilliams suggested scheduling future meetings at a time and date more convenient for Mr. Wold, as he has to drive 5 hours to reach either of the meeting locations. Mr. Dietrich recommended allowing Mr. Wold to attend future meetings via video. Mr. Wold thanked Mr. Dietrich for the recommendation and said he was more than happy to participate in future meetings this way. Mr. Arakawa agreed to send Mr. Wold a link to do so.

Agenda Item #12: Public Comment #2

No public comment in Carson City.

No public comment in Las Vegas.

Agenda Item #13: Adjournment

Mr. Arakawa adjourned the meeting at 2:29 p.m..