

**NEVADA DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION
JULY 17, 2019
9:00 A.M.**

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)**

BOARD MEMBERS PRESENT

In Las Vegas

Mark Newburn
Robert Blakely
Felicia Ortiz
Katherine Dockweiler
Tamara Hudson

In Carson City

David Carter
Teri White

DEPARTMENT STAFF PRESENT:

In Carson City

Jonathan Moore, Deputy Superintendent, Student Achievement
Heidi Haartz, Deputy Superintendent, Business and Support Services
Dave Brancamp, Director, Standards and Instructional Support
Chris Thomas, Education Programs Professional
Chris James, Education Programs Professional
Brandon Gaytar, Assessments, Data and Accountability Management
Tom MacDiarmid, Education Programs Professional
Brenda Bledsoe, Education Programs Professional
Sarah Nick, Management Analyst

In Las Vegas

Felicia Gonzales, Deputy Superintendent, Educator Effectiveness and Family Engagement
Jessica Todtman, Chief Strategy Officer
Greg Bortolin, Public Information Officer
Alberto Quintero, Education Programs Professional
Andrew Morgan, Education Programs Professional
Diana Loeffler, Education Programs Professional
Seng –Dao Keo, Director, Student and School Supports
Allison Warren, LEE
Willie Killins Jr., Education Programs Professional
Karl Wilson, Education Programs supervisor
Kim Bennett, Administrative Assistant

LEGAL STAFF PRESENT

In Las Vegas

David Gardner, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Carson City

Jimmy Lau, Ferrari Public Affairs
Keli Brown, Sierra Nevada College
Edith Duarte, Strategies 360
Mary Pierczynski, Nevada Association of School Superintendents

In Las Vegas

Monte Bay, National University
Rob Askey, Touro University
Anthony Trolle, Clark County School District
Linda Hafen, LETRS
Chris Day, Nevada State Education Association
Maryam Abdelhamid, Opportunity 180
Zane Gray, Sierra Nevada College
Leonardo Benavides, Clark County School District
Cynthia Romero, Nevada Succeeds
Rebecca Feiden, State Public Charter School Authority
Meredith Smith, Nevada Succeeds
Kenneth Retzl, Guinn Center
Brenda Pearson, Clark County Education Association

Call to Order

The meeting was called to order at 9:03 a.m. with attendance as reflected above.

Public Comment

Anthony Troche stated that he is a Spanish teacher in the Clark County School District (CCSD). He began teaching in 2006 and has led the world languages department at the same high school for ten years and has been evaluated as a highly effective educator every year since the NEPF rolled out. About two years ago he received a letter stating that his educator license had expired and he had 30 days to take action or he would no longer teach be able to teach. The next day he went to the NDE to renew his license.

Mr. Troche paid the increased fee and received his license about a week later, but there was also a provision that he must take a Family and Community Engagement course because he was now considered an initial licensee. He thought it was important that the Board is aware of inconsistencies in his situation. He spoke with many educators who said they were told their provision was a mistake and it was easily rectified by the NDE. Others were advised there were acceptable substitutions such as achieving National Board Certification, which he completed last December. He was advised that once he achieved the National Board Certification his license would renew for six years, and the provision would be satisfied. A couple of weeks ago he received notification that his provision was soon due. Again, he went to the NDE office, and was told that information was not accurate. Now, he is enrolled to take a \$390 course through CSN this fall for the Community Family Engagement class. Mr. Troche questioned why he was considered an initial licensee after teaching for more than 10 years and asked that teachers in this situation are not penalized in the future.

Approval of Flexible Agenda

Member Blakely moved to approve a flexible agenda. Member Carter seconded the motion. The motion carried.

President's Report

Vice President Newburn said that with the close of the 2019 Legislative Session the Board is looking ahead to implementing the newly passed bills. Because the Board will not reconvene before school opens next month, he wished all educators, administrators, staff, students and families a wonderful start to the 2019-2020 school year.

Superintendent's Report

Superintendent Ebert introduced a new member of the NDE executive team, Jessica Todtman, who began her role as Chief Strategy Officer on July 1st. She will work directly with the superintendent to implement strategic initiatives, including SB 543, as well as manage the Office of the Superintendent and serve as the liaison to key stakeholders. Ms. Todtman is located in the Las Vegas Office.

Superintendent Ebert provided an overview of the Legislative Debrief staff meeting that was convened in Carson City on July 8th. Staff is integral to the implementation of the newly passed bills brought together to draft and refine SMART goals, which are Specific, Measurable, Achievable, Relevant and Time-bound. Taking this time early on in implementation to clarify expectations, develop strategies, and set deadlines will help deliver on the governor and legislature's intent

An update was provided on SB 543 regarding the funding of public schools. The bill creates the Commission on School Funding consisting of 11 members nominated by different appointing authorities. The commission is to hold its first meeting on or before October 1, 2019. Superintendent Ebert said the Board would receive regular updates as the work progresses.

The Board was updated with a preview of the State Public Charter School Authority's (SPCSA) work to implement the needs assessment requirement of AB 462. There are two main components of the legislation, the first is a requirement to conduct and incorporate the findings of needs assessment into its authorizing decisions. The needs assessment is "an evaluation of demographic information of pupils, the academic needs of pupils and the needs of any pupils who are at risk of dropping out of school in Nevada". The first iteration of this Needs Assessment must be conducted by the end of this month, July 31. The second main component requires the SPCSA to develop a 5-year Growth Management Plan with the first plan due by January 1, 2020.

Approval of Consent Agenda

- a. Possible Approval of Special Education Advisory Committee (SEAC) appointment:
 - Jessica Dunn – Parents of Children with Disabilities and/or Individuals with Disabilities
- b. Possible Approval of Instructional Materials from Carson City School District0
 - World Language, Bier Dit!, Grades 9-12
 - World Language, Galeria I, Grades 7-12
 - World Language, Senderos, Grades 6-12
- c. Possible Approval of June 6, 2019 Board minutes

Member Ortiz moved to approve the Consent Agenda. Member Blakely seconded the motion. The motion carried.

Information, Discussion and Possible Action regarding the Alternate Performance Framework (APF) School Approval Recommendations. NRS 385A.730 and NRS 385A.740 require a school district or a sponsor of a charter school to apply to the Board on behalf of a school seeking approval from the State Board to be rated using the alternative performance framework for the 2019-20 school year.

Brenda Bledsoe, Education Programs Professional, conducted a [PowerPoint presentation](#) regarding the APF with the recommendation to approve an additional school. The APF is a framework in addition to the Nevada School Performance Framework (NSPF) that is designed to highlight qualifying schools that serve high-needs populations. It allows them to collect and report data for schools that may have an incomplete reflection in the NSPF, and to provide actionable information about the progress of qualifying schools.

The APF is guided by stakeholder engagement, SB 460 from the 2015 Legislative session, regulation R126-15, and APF guidance. The presentation provided further information about:

- The four categories of schools in the APF;
- The APF is in addition to the NSPF, schools are rated under both frameworks;
- Comparison of APF and NSPF indicators and the continuum of performance;

- APF progress reporting includes the NSPF;
- Statute requires a school district or a sponsor of a charter school to apply to the State Board on behalf of a school seeking approval to be rated using the alternative performance framework;
- Eligibility requirement;
- List of APF (23) approved schools 2018-19.

Mission High School in CCSD applied to be included in the ratings for the 2019-20 school year. They submitted data, the application has been reviewed and they meet the requirements. The school has 88 unique students with 83 percent of their students meeting one or more criteria. Mission High School is a comprehensive secondary school designed for students in recovery from substance abuse, and/or dependency. The work they are doing is impressive. If the Board approves this school there will be 24 schools to be rated under the APF for the 2019-20 school year.

Member Ortiz moved to approve Mission High School in CCSD to be rated using the Alternative Performance Framework for the 2019-20 school year on the basis that the school mission and student population meets the requirements set forth in NRS 385A.730 and NRS 385A.740. Member Hudson seconded the motion. The motion carried.

Information, Discussion and Possible Action to review and approve an application for individuals interested in becoming State Public Charter School Authority (SPCSA) board members. The Board is required to appoint two members to the SPCSA by October 2019, per AB 78 from the 2019 Legislative Session. The Department will post the application on its website.

Vice President Newburn explained that the Board is required to appoint two members to the SPCSA board. The members appointed by the Board will serve staggered terms that expire June 2021 and June 2022.

Superintendent Ebert said current applications to serve on the SPCSA board were reviewed to ensure alignment to the current process. A draft application has been posted with direction from the Board about how to proceed including any changes to the application. As soon as the Board adopts an application process it will be posted to the web site so individuals may apply.

Member Ortiz expressed concern about the application requesting the name of the applicants spouse, along with the names and ages of children. She suggested the names would come up in a background check and there is no need to reveal that information on the application. Also, asking for a political affiliation is not relevant because both the Board of Education and the SPCSA are non-partisan boards. She inquired about ensuring the applicants information remains confidential and how the Board will get the information from the NDE about candidates who apply.

Vice President Newburn asked Deputy Attorney General David Gardner whether the information on the applications will become public record after it is submitted. He responded that is the default under Nevada law and that most everything sent to the Board is not a confidential public record. Birth dates and addresses could be redacted.

Vice President Newburn suggested dropping question 6 “is there anything about your past that could be embarrassing for the Governor?”. Member Ortiz said if something questionable came up in a background check, the applicant would be eliminated.

Member Carter noted question 4 “have you or any company in which you have had controlling interest ever declared bankruptcy?” He noted that bankruptcy information is dropped by FICO after seven years, and once past that point it is less relevant.

Vice President Newburn reiterated that the Board is looking for a motion to approve the application striking questions about political affiliations, questions regarding spouse and children, striking the questions about embarrassing the Governor, and altering the question about bankruptcy to limit it within the last seven years.

Member Dockweiler moved to approve the application with the recommended changes. Member Hudson seconded the motion. The motion carried.

Vice President Newburn opened the discussion on the next step about the NDE reviewing the applications, and then bringing the applications to the Board for final review and a decision. He suggested choosing the top four applications to make a decision for the two appointments.

Member Ortiz said she would like to see a list of all the applicants, not necessarily the applications, but a list of all the applicants with the NDEs recommendations. She agreed about choosing two board members from the list of applicants.

Member Blakely reiterated that after the applications come to the Board those deemed successful will go forward. He does not think everyone who applies needs to be evaluated. Member Ortiz explained she is not looking for all the resumes, rather just the names of those who applied because she wants to ensure diverse members are being considered. Member Blakely said he would defer and understood her point of view.

Vice President Newburn re-stated that the NDE will do a down select and provide the names of all who applied, and include the resumes of the recommended candidates. Member Ortiz suggested less than six applicants, and member Blakely agreed that the Board should receive up to six applications to appoint two members.

Member Newburn moved to request the Department reviews the resumes to provide up to six recommended candidates with resumes from which they will pick the final two candidates, while providing the names of all the applicants. Member Blakely seconded the motion. The motion carried.

Information and Discussion regarding the current state of school funding. This item was requested by the Board during the meeting held on June 6, 2019. This presentation will include an overview of the current funding for schools.

Heidi Haartz, Deputy Superintendent, Business and Support Services conducted a PowerPoint presentation about [Funding for Nevada Schools](#). The presentation provided a high level overview of the funding that was allocated to the NDE as a result of the 2019 Legislative Session. The funding for the NDE is very complex, not only does it involve multiple funding formulas that are used to distribute funds to districts and charter schools, there are also varying requirements for each grant received. There are also changes in the funding methodology that occur as a result of each legislative session. The different dynamics make it difficult to do a side-by-side comparison of the funding the state granted to the NDE to support funding for education in Nevada on a program by program basis. The presentation shows where the funds have been allocated with overall comparisons. Information was compiled from 11 different pieces of legislation that included appropriations or authorizations for the NDE as well as dozens of bills that outline the policy for which the programs were to follow.

Information was provided about the areas the NDE receives funding from to support ongoing costs related to the provisions of education services in Nevada, including:

- K-12 Funding Bill: Per Pupil Funding and Adult Education Funding
- AB 309: Block Grants
- AB 543: Appropriations Act – General Operational Support, GF Operational Support, Financial Literacy Program
- SB 543: Authorizations Act: Non-General Fund (GF) support
- AB 92: English Mastery Council
- AB 196: Incentives for Teachers Currently Employed at Title I Schools
- AB 235: Nevada Commission on Mentoring
- AB: 276: Nevada State Teacher Recruitment and Retention Advisory Task Force
- SB 313: Computer Literacy Program

- SB 548: School Gardens
- SB 528: School Safety
- SB 551: School Safety and Operating
- NDE Total Funds Approved: 2019 Legislature 2019-20

In response to questioning from member Ortiz about the \$47 million in funds under the AB 543 Appropriations ACT, and comparing the numbers to 2018-19 for assessments and accountability/data systems, Deputy Haartz explained that the Appropriations and Authorizations Acts are legislation introduced in every legislative session, and they fund state government. It is very difficult to take the Appropriations Act and do a side-by-side comparison to previous years because the funding in each program can change from year to year. Only information included in legislation was used in this presentation. Reports received from the legislature that have financial data included were not available to state agencies. Similarly there would be nuances that could create the appearance that funding had increased or decreased within certain budget accounts as programs shift from one budget account to the next.

Superintendent Ebert noted systems in many organizations have accounting numbers that easily line up. The reason for changing the funding formula is exactly what is being seen here. It is labor intensive, and resources would need to be directed to cross walk each item by hand. Member Blakely said this is using of a lot of resources that could be used elsewhere. Nevada is going to a system that is transparent and more positive in the future and it would be a misuse of resources to chase back that information.

Concluding the presentation, Deputy Haartz informed that the total amount of funds appropriated and authorized to the NDE including the local tax revenues that assist with funding the DSA, is approximately \$5 billion in each fiscal year that have been ear-marked for each fiscal year to support the provision of education within Nevada. Approximately one-half of the \$5 billion is revenue that is anticipated from local resources to support DSA related activities. The total comparison of year over year of the general fund received through the legislative process, the NDE received approximately \$1.4 billion in general funds in each fiscal year 2018 and 2019. In the current biennium there has been approximately \$1.5 billion appropriated in each fiscal year, which represents a \$100 million increase per year this biennium versus the last biennium.

Member Dockweiler inquired about AB 309, and whether it is known how districts are planning to use the \$19 million plus under the allowable uses, and what the reporting mechanism is to find out how those funds are spent. Deputy Haartz said the process of establishing the reporting requirements for block grants was not defined in the legislation. The NDE has sent out notices of grant awards to districts with the request to report back in approximately 30 days to inform where they plan to invest their funds amongst each of the areas of allowable usage. A report will be provided to the Board when it becomes available.

Member Ortiz recalled the reason she requested this presentation is because it was reported that the per pupil funding was increased by \$1000 per student. She wanted to understand how that number was derived, and so asked for a comparison from the last biennium to this biennium. She hoped that at the bottom, when there is a variance by budget line item, there would be a number that if divided by the number of students in Nevada would equal \$1000 per student. She would like to ensure that the per pupil funding is defined the same way that every other state in the country defines it. Some states define per pupil as the total dollars divided by total pupils, and Nevada has not been consistent defining it many different ways over the years. She requested that per pupil funding is defined clearly so reporting is consistent to other agencies across the country, and then put that definition on the front page of the NDE website. When constituents hear students are getting \$10,000 per student, they expect those funds are going to the school but that is not accurate.

Member Ortiz said the dollars did not add up in this presentation, it does not compare to what she sees on Open Nevada, where the budget is located for the state. Because she is responsible as an elected official for tax payer money, if she cannot illustrate how money is coming in and being spent, she is not doing her job. If it takes extra time because the system is inadequate, that is what needs to be done.

She requested that AB 196 and SB 551 are addressed, and expressed concern that there might be litigation regarding SB 551. Deputy Attorney General Gardner responded that although litigation was threatened during session, nothing has been started. As of right now those funds are good and are planned on going forward. That could change if a lawsuit is filed.

Vice President Newburn suggested that member Ortiz work with superintendent Ebert to gather information as the reports become available to the NDE. He noted there can be a general confusion when the legislative session ends. There are so many bills coming in, the dollars are moving around, and it is hard for anyone to explain the budget. He is looking for just enough information so they can communicate to their constituents what occurred at the session.

Information and Discussion regarding an overview of federal and state school improvement under the Every Student Succeeds Act (ESSA) and state laws. Discussion will include the methodology for designating Comprehensive Support and Improvement (CSI) schools, Targeted Support and Improvement (TSI) schools, and Additional Targeted Support and Improvement (ATSI) schools, as well as how the Department supports districts and schools identified under these designations.

Superintendent Ebert explained this item was requested to answer questions emerging about the accountability system under the Every Student Succeeds Act (ESSA). It is the first step in a two-part conversation. Specific background will be shared about how schools are identified under ESSA. Then at the August meeting, tools will be shared that the Board and NDE can leverage to support school districts to be responsive to the needs of consistently underperforming schools. Overall work under the ESSA accountability system is to ensure that students have access with opportunities to be successful and the tools they need to build a home, life and future.

Dr. Seng-Dao Keo, Director of Student and School Supports, conducted a PowerPoint presentation with her colleagues Chris Thomas, Education Programs Professional, Maria Sauter, Assistant Director and Gabrielle Lamarre, Assistant Director, Karl Wilson, Education Programs Supervisor about [School Improvement in Nevada](#).

An overview was provided about ESSA from 2015. It lays out new responsibilities and opportunities for Stated Educational Agencies (SEAs) and Local Educational Agencies (LEAs). Further information was provided regarding:

- School designations based on NSPF star ratings and graduation rates;
- Comprehensive Support and Improvement (CSI) flow chart, designation, school plans and exit criteria;
- Targeted Support and Improvement (TSI) flow chart, designation, school plans and exit criteria;
- Additional Targeted Support and Improvement (TSI/ATSI) flow chart, designation, school plans and exit criteria.

Dr. Seng-Dao Keo provided detailed information regarding the following seven domains:

- Supporting local needs assessment and data use;
- Supporting LEA use of funds;
- Developing and delivering technical assistance to LEAs;
- Strengthening school leadership as a strategy;
- Developing a strategy to monitor school improvement;
- Developing guidance and approval processes for CSI plans;
- Supporting LEA engagement of stakeholders.

Member Ortiz asked if the training on solid communication mentioned in the presentation could be included in their governance training. Superintendent Ebert said it could be added to the governance training that the Guinn Center and others are willing to support the Board on.

Mr. Wilson explained the seven domains that are core to school improvement are part of the support the Council for Chief State School Officers (CCSSO) is providing to states in the improvement process. There is a lot of work to do, but there has been progress. Schools and districts have been identified and assisted in moving towards evidence based practice to invest their resources, not only money but time and personnel for efforts that make a difference for students. Some of the challenges faced include capacity at the NDE and the local level. Is there staff and the knowledge necessary to complete the needs assessment, to look at data, and to do the strategic planning.

Vice President Newburn commented it appears this came out of looking at the impact of the loss of the ASD. He asked about a school that goes to CSI, is 1-star, and stuck. Some schools have failed for generations. What is the answer for a school that is not improving and the districts heart is not in to improving it.

Superintendent Ebert said the presentation is really a 3-step process rather than a 2-step process. We wanted to create a baseline and in a month bring back options for the Board to consider including possible legislation. At the October meeting, schools and how they are identified in the process would be part of a presentation. She anticipates a rich discussion during the August meeting on how the Board would like to move forward without the ASD as a tool, but with other tools made available.

Member Newburn stated the Board is the advocate for all kids, and schools that continue to fail are ultimately their responsibility. When no one else will act, the Board needs to act. He is looking for what the Board's tools are.

Information, Discussion, and Possible Action: The Board will hear recommendations from the Teachers and Leaders Council regarding the following:

Revisions to the NEPF Educational Practice Domain weights (pursuant to passage of SB 475 (2019))

- Updates to Rubric Language for School Nurses and Educational Audiologists

Possible action may include approval of the Teachers and Leaders Council's recommendations.

Felicia Gonzales, Deputy Superintendent, conducted a [PowerPoint](#) presentation about the Teachers and Leaders Council and the Nevada Educator Performance Framework (NEPF) Recommendations.

Deputy Gonzales explained that NRS 391.460 specifies that the Teachers and Leaders Council shall make recommendations to the Board concerning the statewide performance evaluation system, authorization to establish working groups and task forces. Senate Bill 475 from the 2019 Legislative Session ensured the inclusion of Other Licensed Education Personnel (OLEP) in these regulations. This includes school nurses, counselors, psychologists, social workers, speech language pathologists and education audiologists. Representatives from each of these professional groups develop frameworks for their peers using the recommendations, definitions and standards set forth by their associated national organizations.

One of the OLEPs groups identified is the Education Audiologist, and the recommendations were developed by the Education Audiologist workgroup. Based on feedback from their pilot year, 2018-19 school year, it was determined that additional clarity was needed for the performance level language. With assistance from NDE staff, the group revised the language to provide clear differentiation between all levels of performance and added phrases to better align with other NEPF performance level language found in other frameworks.

The school nurse group has also completed language refinements to performance level 4 and one indicator in level 3. During the first full year of implementation, 2017-18 school year, school nurses came forward during public comment at TLC meetings to express the need for the development or revision of level 4 language across all indicators. The concern identified is that there may be inequity when applying the score ranges developed for teachers and administrators to school nurses. The school nurse workgroup made revisions to address this concern. With the passage of SB 475 during the 2019 Legislative Session the student outcomes domain weight was changed to 15 percent from 40 percent. This resulted in the need

for TLC to make recommendations for the weights of the remaining domains for teachers and administrators. The final recommendation was made by the TLC at the June 13, 2019 meeting.

Section 4 of SB 475 to be applied by July 1, 2019 altered the weight of the Student Learning Goals student performance domain to be 15 percent. Because of that adjustment the TLC was required to make corresponding updates to the other domains. The recommendations passed by unanimous decision at the June 13, 2019 TLC meeting are as follows: instructional practice instructional leadership to be weighted at 65 percent, and professional responsibilities at 20 percent. This recommendations returns the professional responsibilities domain to its previously established weight of 20 percent and the remaining 5 percent was applied to the instructional practices domain to emphasis the importance of the high leverage practices to be utilized during instruction.

Member Ortiz moved to:

- **Approve the performance level updates to the Educational Audiologist NEPF framework;**
- **Approve the performance level updates to the School Nurse NEPF framework;**
- **Approve the teacher and administrator NEPF domain weights recommended by the Teachers and Leaders Council.**

Member Blakely seconded the motion. The motion carried.

Future Agenda Items

Member Blakely commented about the teacher who made public comment regarding the process the NDE has for licensure and how it put a strain on him for relicensing. Ironically, he spoke with another teacher yesterday who expressed the same concern, with a little different situation. He inquired about having an agenda item to review the licensure process and look at ways to improve it.

Member Ortiz inquired about changes from AB 309 regarding grants, and the Great Teaching and Leading Fund (GTLF) where dollars were focused on teacher recruitment and retention. The large teacher shortage was one of the reasons she became a board member. She requested a report from school districts about their current teacher shortage, and to list the shortage by school if possible. She said it would help push that information out to the communities and more people might consider the teacher profession.

Public Comment #2

Member Carter read a letter into the record concerning his resigning from the Board. Because of the high cost of living in the Reno area, he is moving his family out of state and is resigning his seat on the State Board of Education effective immediately.

The meeting was adjourned at 11:54 p.m.