

**NEVADA DEPARTMENT OF EDUCATION
REGULATION WORKSHOP
FEBRUARY 1, 2021
11:00 A.M.**

Meeting Location

Due to the circumstances created by the COVID-19 pandemic, the State Board of Education met via videoconference. In accordance with Governor Sisolak's State of Emergency Directive 006, Section 1, no physical location was designated for this meeting. The meeting was livestreamed on the Nevada Department of Education's (NDE) website.

SUMMARY MINUTES OF THE REGULATION WORKSHOP

DEPARTMENT STAFF PRESENT

Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement

Michael Arakawa, Investigations Manager, Office of Educator Development, Licensure, and Family Engagement (EDLiFE)

Jeff Briske, Education Programs Professional, EDLiFE

LEGAL STAFF PRESENT

Via Videoconference

Greg Ott, Chief Deputy Attorney General

AUDIENCE IN ATTENDANCE

Via Livestream

1: CALL TO ORDER

Workshop called to order at 11:01 A.M. by Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement.

2: PUBLIC COMMENT #1

No public comment.

3: WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO NEVADA ADMINISTRATIVE CODE CHAPTER 391.XXX – REGARDING THE STATE BOARD ISSUING A PUBLIC LETTER OF REPRIMAND TO A TEACHER, ADMINISTRATOR OR OTHER HOLDER OF A LICENSE UNDER SPECIFIC CIRCUMSTANCES; NAC CHAPTER 391.500 – RECOMMENDATION TO BOARD FOR SUSPENSION OR REVOCATION, FINDINGS OF BOARD OF TRUSTEES TO ACCEPT OR REJECT HEARING OFFICER’S RECOMMENDATIONS, COMPLAINT FOR FAILURE TO COMPLY WITH CONTRACT; NAC CHAPTER 391.507 – ANSWER, TIME TO SUBMIT; NAC CHAPTER 391.509 – MODIFICATION OF LIMITATIONS OF TIME; NAC CHAPTER 391.513 – HEARING: COMMUNICATIONS OF PARTIES WITH HEARING OFFICER AND STAFF OF HEARING OFFICER; NAC CHAPTER 391.515 – HEARING: LOCATION, NOTIFICATION OF TIME AND LOCATION; NAC CHAPTER 391.520 – HEARING: PURPOSE, PRESENTATION OF EVIDENCE, RECORDINGS AND TRANSCRIPTS, RESPONSIBILITY FOR EXPENSES; NAC CHAPTER 391.535 – HEARING: ORDER OF PRESENTATION OF STATEMENTS, EVIDENCE AND ARGUMENTS; NAC CHAPTER 391.545 – HEARING: CONDUCT OF PARTICIPANTS, RULES OF EVIDENCE, WITNESSES, AFFIDAVITS, EXHIBITS, STIPULATIONS, BRIEFS; AND NAC CHAPTER 391.503 – FAILURE OF HOLDER OF LICENSE TO PAY FEE IMPOSED BY AMERICAN ARBITRATION ASSOCIATION FOR HEARING OFFICER; ALL OF WHICH PERTAIN TO REGULATIONS REGARDING DISCIPLINARY ACTIONS AND HEARINGS FOR TEACHERS, ADMINISTRATORS, AND LICENSED EMPLOYEES BY THE STATE BOARD.

[Workshop called to order at 11:01 A.M.]

[Presentation]

Mike Arakawa, Investigations Manager, Office of Educator Development, Licensure, and Family Engagement (EDLiFE), outlined the Nevada Administrative Code chapters for proposed amendment under [R111-20](#).

Mr. Arakawa reported that the Nevada State Board of Education (SBE or Board) has authority over disciplinary actions against an educator’s state license. Prior to the 2019 Legislative Session, this was limited to the suspension or revocation of a license for a set of specific causes, including unprofessional conduct, immorality, evident unfitness for service, conviction of a felony for a crime involving moral turpitude, and breaches in the administration of certain standardized tests. With the passage of Senate Bill (SB) 41 (2019), the Board was granted the authority to issue a letter of reprimand, including a warning and corrective action, to a licensed educator in lieu of more stringent disciplinary action. The proposed regulations include language to incorporate letters of reprimand into the existing disciplinary process and provide guidelines to help determine if a letter of reprimand is appropriate. This regulation does not affect disciplinary processes or capabilities within school districts or charter schools. The Department worked in coordination with Board members Mark Newburn, Dr. Teri White, and Tamara Hudson in the development of the regulatory language.

Mr. Arakawa clarified that under section one, a letter of reprimand would not be used in the case of something such as criminal conviction, but when there is a repeat offender of the same type of misconduct and a pattern of behavior is emerging. Mr. Arakawa also proposed to strike “state of mind” from the language as it may construe that the Board must evaluate a licensee’s mental health.

[Public comment]

No public comment.

[Workshop adjourned at 11:16 A.M.]

4: PUBLIC COMMENT #2

No public comment.

5: ADJOURNMENT

Meeting adjourned at 11:16 A.M.