

**NEVADA DEPARTMENT OF EDUCATION
REGULATION WORKSHOP
JANUARY 3, 2020
9:00 A.M.**

Meeting Locations:

Office	Address	City	Meeting Room
Department of Education	2080 E. Flamingo Rd.	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson City	Board Room

SUMMARY MINUTES OF THE REGULAR MEETING
(Video Conferenced)

DEPARTMENT STAFF PRESENT

In Las Vegas

Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement
 Patti Oya, Director of Early Learning and Development
 Stacy Joyner, Education Programs Supervisor
 Alberto Quintero, Education Programs Professional
 Cindi Chang, Education Programs Professional
 Daina Loeffler, Education Programs Professional
 Emily Champlin, Education Programs Professional
 Kaitlin Lewallen, Education Programs Professional
 Dr. Kristin Withey, Education Programs Professional
 Matthew Hoffman, Management Analyst II
 Mia Pace, Education Programs Professional

In Carson City

Jhone Ebert, Superintendent of Public Instruction
 Jonathan Moore, Deputy Superintendent of Student Achievement
 Dave Brancamp, Director of Standards and Instructional Support
 Anna Severens, Education Programs Professional
 Dr. Kevin Marie Laxalt, Education Programs Professional
 Sarah Nick, Management Analyst III

AUDIENCE IN ATTENDANCE

In Las Vegas

Denise Tanata, Children’s Advocacy Alliance
 Julie Houchins, United Way of Southern Nevada
 Melody Thompson, Clark County School District
 Rebecca Feiden, State Public Charter School Authority
 Sheila Moulton, State Public Charter School Authority

In Carson City

Lise Coudriet, Lyon County School District
 Melissa Rains, Douglas County School District
 Rommy Cronin-Mack, Douglas County School District
 Ryan Herrick, State Public Charter School Authority
 Teri White, Douglas County School District

1: Call to Order

Meeting called to order at 9:10 AM by Dr. Jonathan Moore, Deputy Superintendent of Student Achievement.

Jhone Ebert, Superintendent of Public Instruction, emphasized the importance of public commentary for the workshop and regulations process, and wished everyone a Happy New Year.

2: Public Comment #1

No public comment.

3: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.662 - Required training or professional development for learning strategist; NAC Chapter 388.664 – Required professional development for teachers employed to teach kindergarten or grade 1, 2, 3, or 4; NAC Chapter 388.666 – Duties of learning strategist; and NAC Chapter 388.XXX - Proficiency Decision-Making; which pertain to regulations to carry out the Read by Grade 3 Act (AB 289 of 2019)

[Workshop called to order at 9:12 AM.]

[Presentation]

Dave Brancamp, Director of Standards and Instructional Support, and Dr. Kevin Marie Laxalt, Education Programs Professional, Office of Standards and Instructional Support, presented an overview of proposed amendments to NAC Chapter 388 regarding the Read by Grade 3 Act.

The Nevada Department of Education (“Department”) seeks to amend four NAC chapters to align with AB 289 of the 2019 Session. Specifically, the Department seeks to revise NAC 388.662 to change the title of “learning strategist” to “literacy specialist” and further expand the scope of this professional development category to include all grade levels within the elementary school setting and English language standards. The Department seeks to revise NAC 388.664 to expand the original scope of professional development from K-3 to include all grade levels within the elementary school setting and require that the professional development of K-3 teachers in the subject of reading is presented and developed by the literacy specialist.

The Department seeks to revise NAC 388.666 to expand the current four learning strategist duties to a total of nine duties under the new title literacy specialist. These duties are as follows: assist and provide leadership to prepare a plan to improve the literacy of pupils in K-3; provide professional development; provide necessary additional instruction to teachers and administrators regarding assessments; provide instruction and support for parents and guardians of pupils deemed deficient in the subject area; demonstrate the ability to improve the literacy of pupils; demonstrate the competency in effective instruction of literacy and administration of assessments; demonstrate an understanding of building relationships with teachers and other adults; collaborate with the principal of the public elementary school to develop a schedule and assist in providing professional development; assist teachers at the school by implementing a system of support to include methods of intervention services and intensive instruction for pupils identified deficient in the subject area.

The Department seeks to repeal the entirety of NAC 668.XXX referencing the SB 391 (2015) language requiring the Board of Education to draft regulations to: prescribe the score which a pupil in grade three must obtain in the subject area of reading on the criterion reference exam to be promoted to grade three without a good cause exemption; the name of an alternate examination for administration to pupils enrolled in grade three who did not obtain a passing score; and a listing of the Read by Grade Three exemptions.

[Public Comment]

Melody Thompson, Clark County School District, spoke regarding proficiency decision making and MAP within Read by Grade Three. *(A complete copy of her statement can be found in Appendix A)*

Dr. Katie Dockweiler, Member of the Nevada State Board of Education, submitted written testimony regarding Read by Grade Three. *(A complete copy of her statement can be found in Appendix A)*

[Workshop adjourned at 9:35 AM.]

4: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 391.571 -- Performance Evaluation of School-level and Probationary Administrators; and NAC Chapter 391.574 -- Performance Evaluation of Teachers: Required Domains, which pertain to regulations to carry out the provisions of SB 475 (2019)

[Workshop called to order at 9:35 AM.]

[Presentation]

Dr. Kristen Withey, Education Programs Professional, Educator Development and Support, presented an overview of proposed amendments to NAC Chapter 391 regarding performance evaluations.

The Department seeks to amend NAC 391.571 and 391.574 pursuant to §4 of SB 475 of the 2019 session, which changed the student performance domain weight within the Nevada Educators Performance Framework (NEPF) from 40% to 15%. Per NRS, subsequent changes to the educational practice domain have been recommended by the Teachers and Leaders Council. The recommended weights for the instructional practice or instructional leadership domain and the professional responsibilities domains were established from 2016-2018 school years which utilized a 60/20 percent distribution for those domains. For NAC 391.571 the instructional leadership practice for the administrator would account for 65% of the performance evaluation and the professional responsibilities of the administrator would shift to 20% of the performance evaluation. For NAC 391.574 the instructional practice of the teacher would shift to 65% of the performance evaluation, and the professional responsibilities of the teacher would shift to 20%. These changes are in relation to SB 475's shift to the 15% student performance domain.

[No public comment.]

[Workshop adjourned at 9:38 AM.]

5: Workshop to Solicit Comments on Proposed Amendments to NAC Chapter 388.XXX, which pertain to Regulations to Carry out the Provisions of Section 5 of SB84 (2019) Prekindergarten Programs

[Workshop called to order at 9:38 AM.]

[Presentation]

Patti Oya, Director of Early Learning and Development presented an overview of proposed amendments to NAC Chapter 388 regarding Prekindergarten Programs.

Per §5 of SB84 (2019), the State Board of Education shall adopt regulations prescribing 1) comprehensive services that programs supported by the grant must provide, such as wraparound services to support families within the pre-kindergarten program; 2) evaluations in which programs supported by the grant must pursue and participate in, such as Brigance early childhood screening assessment; 3) requirements regarding the engagement of parents and guardians of pupils who participate in the program,

such as the family engagement plan and survey; and 4) indicators of performance measuring effectiveness, which previously included the quality rating and improvement system.

Further changes under SB 84 include the distribution of funds, which changed from a competitive application to a request for application.

[No public comment.]

[Workshop adjourned at 9:41 AM.]

6: Workshop to Solicit Comments on Proposed Regulations to NAC Chapter 388.XXX which pertain to Regulations to Carry out the Account for Computer Education and Technology Provisions of Section 3.2 - Section 3.5.1 of SB 313 (2019)

[Workshop called to order at 9:41 AM.]

[Presentation]

Dave Brancamp, Director of Standards and Instructional Support, and Cindi Chang, Education Programs Professional, Office of Standards and Instructional Support, presented an overview of proposed amendments to NAC Chapter 388 regarding Computer Education and Technology.

SB 313 (2019) seeks to focus on further support for teachers as well as targeted resources for building the teacher pipeline for instruction in computer science and computer literacy. SB 313 §3.1 creates an account titled Computer Education and Technology in the general fund of the Department to be administered by the Superintendent. This account may accept gifts and grants from any source. §7.6 provides a starting balance of \$100,000.

§3.2 and §6.1 require that the State Board of Education shall adopt regulations to govern the distribution of money from this account to 1) provide or reimburse the cost of training in computer literacy and computer science to a school district or charter school by application for a person or persons who receive an endorsement to teach in those areas and 2) provide grant funding to boards of regents for the development of curriculum and standards required to educate and train a person who is training to become a teacher in computer literacy and computer science. §6.2 further clarifies that all persons training to become a teacher must receive appropriate K-12 training in computer literacy and computer science.

§3.5.1 states that to the extent money is available, the State Board of Education shall adopt regulations to establish a program to award grants to rural school districts and charter schools in counties with populations of less than 100,000 to provide incentives for teachers to earn a degree or credential in computer science. §3.5.2 allows rural school districts to submit consolidated grants with other school districts, employers, colleges or universities, qualified providers of alternative routes for licensure, or nonprofits. §3.5.3 states that school districts or charters must submit an application to the Department with a description of the incentives that the applicant intends to establish using the grant.

[No public comment.]

[Workshop adjourned at 9:46 AM.]

7: Workshop to Solicit Comments on Proposed Regulations to NAC Chapter 390.320, which pertain to the Placement of Pupils in more Rigorous Courses to Carry out the provisions of Section 1 of SB 320 (2019)

[Workshop called to order at 9:46 AM.]

[Presentation]

Dave Brancamp, Director of Standards and Instructional Support presented an overview of proposed amendments to NAC Chapter 390 regarding rigorous courses.

SB 320 requires that the State Board of Education adopt regulations which require each public school to establish and carry out a plan to identify pupils in grades 3-12 inclusive for placement in more rigorous courses in the core subjects of math, English language arts, science, and social studies. The public school is required to place the identified student in such a course unless the parent or guardian of the pupil submits to the principal a written notice of their objection to that placement. It requires the board of trustees of the school district or charter to establish more rigorous courses in math, English language arts, science, and social studies if: 1) there are sufficient numbers of pupils enrolled in the highest level of courses in that subject area offered in both the school district or the charter school where they've been identified and 2) the school district or charter school has sufficient financial resources to establish the more rigorous courses.

Director Brancamp noted that distance education courses may also be an option to assist the Board in this manner.

[No public comment.]

[Workshop adjourned at 9:48 AM.]

8: Workshop to Solicit Comments on Proposed Amendments to NAC Chapters 388, 388A, 387 and 385A, which pertain to Regulations Governing Charter Schools that Provide Distance Education Programs

[Workshop called to order at 9:49 AM.]

[Presentation]

Rebecca Feiden, Executive Director of the Nevada State Public Charter School Authority, and Ryan Herrick, General Counsel, provided an overview of proposed amendments to NAC Chapter 388 regarding charter schools providing distance education programs.

SB 441 requires the Department to adopt regulations to establish requirements for the operation or regulation of charter schools for distance education; determining when a student enrolled in a charter school for distance education may be expelled or suspended for failing to actively participate; delegation of oversight to a subcommittee of the State Public Charter School Authority Board; and related to the local education agency status of charter schools for distance education.

[No public comment.]

[Workshop adjourned at 9:51 AM.]

9: Public Comment #2

No public comment.

10: Adjournment

Meeting adjourned at 9:51 AM by Dr. Jonathan Moore, Deputy Superintendent of Student Achievement.

Appendix A: Statements Given During Public Comment

1. Melody Thompson, Coordinator, Clark County School District, on agenda item 3, the Read by Grade 3 Act.
2. Dr. Katie Dockweiler, Member, State Board of Education, on agenda item 3, the Read by Grade 3 Act.

Item A1, Melody Thompson

Good morning, my name is Melody Thompson, I'm a coordinator for psychological services for the Clark County School District. I wanted to bring comment today on AB 289, Read by Three because I worked directly with Katie Dockweiler and Assemblyman Thompson on this bill, so we're very vested and we want to continue to support the Nevada Department of Education as you implement the bill. So I wanted to be here today to support you and thank you for all your great work on this. I would like to speak to the proficiency decision making in particular. I know that, I guess from what I'm understanding you're going to be removing that section from the NAC. I do know out there in the field, in Clark County in particular, they are struggling with implementing certain aspects of Read by Three because of not understanding that proficiency decision making level, that proficiency level that they're looking for. So what I'm trying to say is that MAP is such a great tool, and they are loving MAP in Clark County, so it's very exciting to see MAP being used throughout the state so that we can understand students who are below the proficiency level, and it's a great tool for providing all of the things that AB 289 was looking for, for the letter-sign relationships, phonological awareness, learner identification, vocabulary, fluency, comprehension, all of the pieces and parts to when students need to learn how to read well. So, we're grateful for MAP and thank you very much for having that as a tool for our teachers and students. Then, speaking to the proficiency decision making in particular, because MAP, the NWEA who makes MAP has that average range of the 20th-84th percentiles, we're trying to help teachers and guide them, and parents and students as to when they do need particular skills. So I don't know how that would look in the law, but somehow or another, within multi-tiered systems of support for students providing them interventions and instruction on their skill deficits within the 20th-84th percentile perhaps included in core curriculum could be something for teachers and school districts to consider. And then when students are below the 20th percentile really jumping in with those intensive reading interventions targeting their skill deficits would be fabulous. Once again, I don't know how that would look in the law, I just wanted to speak to the intent of Read by Three to get every student on grade level before they leave elementary school, and using the MAP as a starting point is a great tool, plus it provides three scores a year for the students showing growth, so that we know when the students are making growth, we know they're going to narrow and close those achievement gaps and get on grade level. So, I'm just very excited about all the work you're doing and thank you for letting me speak today.

Item A2, Dr. Katie Dockweiler

Good morning, my name is Dr. Katie Dockweiler and I am a school psychologist. I would like to submit public comment for the regulation workshop on AB289, the Read by Grade 3 Act.

This past legislation session I had the honor of working closely with Assemblyman Thompson and leading his AB289 workgroup of stakeholders to strengthen literacy supports for all elementary students in Nevada. The comments I offer today are a reflection of this work and provide additional context to the intent behind the bill under Assemblyman Thompson’s leadership and across three years of workgroup meetings.

With regard to the four specific NAC Chapter amendments under discussion today, I submit the following considerations to be included:

1. NAC Chapter 388.XXX - Proficiency Decision-Making

- Establish that proficiency decision making include consideration of whether or not the student improved at a rate indicating growth toward a designated level of proficiency
- Establish that the score obtained on the statewide assessment be used by teams as one source of data and triangulated with other data sources to determine overall student proficiency in reading
- Establish that documentation exists to demonstrate integrated student support systems (multi-tiered systems of support) were implemented including screening, identifying, regularly progress monitoring to assess student growth, and documenting student growth toward achieving proficiency that aligns with the Nevada Department of Education’s Framework for Equitable Integrated System of Student Supports
- Establish that standard errors of measurement (SEM) be taken into consideration by teams in their decision-making surrounding student proficiency

From NWEA, the publisher of MAP: “Any time you are making a placement decision or another high-stakes decision for a student, we recommend using the RIT range with the SEM, rather than a single RIT score, to determine whether the student meets criteria established by your district” or in our case, the State. (<https://community.nwea.org/docs/DOC-1659>)

2. NAC Chapter 388.662 - Required training or professional development for learning strategist

- Update language to reflect the term “literacy specialist”
- Section 1: Include all elementary grades in the required English language arts training
- Section 3: Remove mandatory retention procedures referenced in NRS 392.750 to 392.770 inclusive
- Section 3: Include training in integrated student support systems (multi-tiered systems of support) including screening, identifying, regularly progress monitoring to assess student growth, and documenting student growth toward achieving proficiency that aligns with the Nevada Department of Education’s Framework for Equitable Integrated System of Student Supports
- Section 7: Include all elementary grades in the plan to improve the literacy of pupils

3. NAC Chapter 388.664 – Required professional development for teachers employed to teach kindergarten or grade 1, 2, 3, or 4

- Update Chapter heading to reflect licensed teachers employed at an elementary school who provides instruction in reading
- Update language to reflect the term “literacy specialist”
- Section 1: Include all elementary grades in the required English language arts training
- Section 3: Remove mandatory retention procedures referenced in NRS 392.750 to 392.770 inclusive
- Section 3: Include training in integrated student support systems (multi-tiered systems of support) including screening, identifying, regularly progress monitoring to assess student growth, and documenting student growth toward achieving proficiency that aligns with the Nevada Department of Education’s Framework for Equitable Integrated System of Student Supports

4. NAC Chapter 388.666 – Duties of learning strategist

- Update Chapter heading and language to reflect the term “literacy specialist”
- Section 1: Include all elementary grades in the plan to improve the literacy of pupils
- Section 2: Reflect that a schedule of professional development must be developed in *collaboration* with the principal and that literacy specialists will *assist* in delivering professional development to teachers
- Add a section that specifies that literacy specialists shall assist teachers at the school by implementing an integrated system of support (multi-tiered systems of support), which includes the various methods to provide intervention services and intensive instruction for pupils who have been identified as deficient in the subject area of reading including screening, identifying, regularly progress monitoring to assess student growth, and documenting student growth toward achieving proficiency that aligns with the Nevada Department of Education’s Framework for Equitable Integrated System of Student Supports
- Add a section that specifies literacy specialists shall demonstrate the ability to improve the literacy of pupils, demonstrate competency in effective instruction in literacy and the administration of assessments, and demonstrate an understanding of building relationships with teachers and other adults
- Update NAC 388.159 as prescribed by the bill to include the duties and responsibilities outlined in Section 2 of AB289