

**NEVADA DEPARTMENT OF EDUCATION
STATE BOARD OF EDUCATION MEETING
NOVEMBER 12, 2020
9:00 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 BOARD MEETING

BOARD MEMBERS PRESENT

Via Videoconference

Alex Gallegos
Elaine Wynn
Felicia Ortiz
Katherine Dockweiler
Kevin Melcher
Mark Newburn
Robert Blakely
Tamara Hudson
Wayne Workman

DEPARTMENT STAFF PRESENT

Jhone Ebert, Superintendent of Public Instruction
Dr. Jonathan Moore, Deputy Superintendent for Student Achievement
Heidi Haartz, Deputy Superintendent for Business and Support Services
Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement
Jessica Todtman, Chief Strategy Officer
Christy McGill, Director, Office for a Safe and Respectful Learning Environment (OSRLE)
Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options (CRALEO)
Dave Brancamp, Director, Office of Standards and Instructional Support (SIS)
Randi Hunewill, Education Programs Supervisor, CRALEO
Beau Bennett, Management Analyst IV, Business and Support Services
Amber Reid, Education Programs Professional, OSRLE
Andrew Snyder, Education Programs Professional, SIS
Denise Burton, Education Programs Professional, CRALEO
Jayne Malorni, Education Programs Professional, SIS
Dr. Kevin Marie Laxalt, Education Programs Professional, SIS
Mark Rincon, Education Programs Professional, SIS

LEGAL STAFF PRESENT

Via Videoconference

Greg Ott, Chief Deputy Attorney General

PRESENTERS IN ATTENDANCE

Via Videoconference

Adam Young, Superintendent, White Pine County School District
Dr. David Jensen, Superintendent, Humboldt County School District
Cole Boyden, Washoe County School District
Rahel Dabala Daka, Clark County School District
Mikayla Dela Rosa, Nye County School District
Jason Mendenhall, President of State Solutions, Northwest Evaluation Association (NWEA)
Kimm Rombardo, Nevada State Partnership Director, NWEA

Chris Minnich, Chief Executive Officer, NWEA

AUDIENCE IN ATTENDANCE
Via Livestream

1: CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

Meeting called to order at 9:02 A.M. by Vice President Mark Newburn. Quorum was established. Vice President Newburn led the Pledge of Allegiance.

2: PUBLIC COMMENT #1

Lindsey Dalley, Moapa Valley Community Educational Advisory Board, submitted public comment regarding agenda item 10 and Assembly Bill (AB) 469. *(A complete copy of the statement is available in Appendix A)*

Kenneth Paul, Principal of Lyon Middle School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Shawna Jessen, Principal of Bowler Elementary School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Antonio Rael, Principal of Western High School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Michelee Quiroz Cruz-Crawford, Principal of Ronnow Elementary School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Hal Mortensen, Principal of Perkins Elementary School and Moapa Valley High School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Kelly Grondahl, Principal of Vegas Verdes Elementary School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Jeff Geihs, Executive Director of the Nevada Association of School Administrators, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Jennifer Black, Principal of Lincoln Elementary School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Stephen Augspurger, Executive Director of the Clark County Association of School Administrators and Professional-Technical Employees submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Anthony Nunez submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Ramona Esparza, Principal of Valley High School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Dana Roseman, Principal of Scott Elementary School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

John Anzalone, Principal of Sierra Vista High School, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

John Vellardita, Executive Director of the Clark County Education Association, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

Jan Giles, President of the Education Support Employees Association, submitted public comment regarding agenda item 10 and AB 469. *(A complete copy of the statement is available in Appendix A)*

The Nevada State Education Association submitted public comment regarding agenda item 12 and the reopening of schools. *(A complete copy of the statement is available in Appendix A)*

3: APPROVAL OF FLEXIBLE AGENDA

Member Robert Blakely moved to approve a flexible agenda. Member Tamara Hudson seconded. Motion passed.

5: SUPERINTENDENT'S REPORT

Superintendent Jhone Ebert, Deputy Superintendent for Business and Support Services Heidi Haartz, Deputy Superintendent for Educator Effectiveness and Family Engagement Felicia Gonzales, and Deputy Superintendent for Student Achievement Dr. Jonathan Moore conducted a PowerPoint presentation regarding the Nevada Department of Education's (NDE or the Department) ongoing efforts to support students, educators, and families in [response to COVID-19](#).

Superintendent Ebert also reported that the Department had recently held a meeting with the Technical Advisory Council, made up of experts who specialize in data. Conversations regarding how U.S. Department of Education policy may shift under new federal administration are also occurring so that the Department is prepared and responsive to opportunities for furthering student achievement.

Member Felicia Ortiz asked Deputy Superintendent Haartz if the comparison between budgets under the Nevada Plan and the projected Pupil-Centered Funding Plan as required by Senate Bill 543 had occurred. Deputy Superintendent Haartz responded that the comparative analysis was completed and presented to the Commission on School Funding (Commission) in May of 2020. This analysis impacted the recommendations that the Commission made to the Governor and the Legislature in July of 2020. Deputy Superintendent Haartz noted that the information is available to the public as items for the May 15, 2020 Commission on School Funding Meeting.

9: INFORMATION, DISCUSSION, AND POSSIBLE REGARDING THE DEFINITION OF AT-RISK

Heidi Haartz, Deputy Superintendent of Business and Support Services, and Beau Bennett, Management Analyst IV, conducted a PowerPoint presentation to the Board regarding the [Definition of At-Risk](#).

Member Ortiz asked how a student would be evaluated to meet criteria under the new definition. Deputy Superintendent Haartz noted that this data is pre-existing data available to schools and the Department via Infinite Campus (the State's student information system).

Vice President Newburn asked about the measures that drove the data. Deputy Superintendent Haartz responded that the Department would determine how this data would be extracted, such as via Infinite Campus, which is currently in use across the State. Vice President Newburn asked to confirm that the implementation of this definition would be consistent; Deputy Superintendent Haartz further noted that this definition would go through a regulatory process under the Board's authority before becoming the definition under the Pupil-Centered Funding Plan.

Member Hudson asked about resources for districts that do not use Infinite Campus, and the system for determining if a student is economically or academically disadvantaged. Deputy Superintendent Haartz clarified that every district in Nevada is using Infinite Campus. The specific measures have not yet been determined as they change over time; however, there are pre-existing measures in statute that may be reviewed during the development process.

Member Wayne Workman asked if weighted funding categories under the Pupil-Centered Funding Plan were stackable, and if not, if there was a priority designation for which category they would be funded under. Deputy Superintendent Haartz responded that students who are eligible for weighted funding across multiple categories are funded in the category with the highest weight.

Member Kevin Melcher clarified that this definition was a policy-level decision, from which the Department would then move forward with the regulatory process in developing the details.

Member Katherine Dockweiler asked if special education would receive funds beyond federal dollars if it was moved outside of the weighted categories of the Pupil-Centered Funding Plan. Deputy Superintendent Haartz responded that the Commission has proposed the current process for special education funding be maintained. Member Ortiz asked if it was possible to change the term “At-Risk.” Deputy Superintendent Haartz responded that At-Risk is a legal term currently existing in statute, and to change the term, legislative action would be required.

Member Blakely moved to approve the recommended definition of At-Risk. Member Dockweiler seconded. Motion passed.

6: APPROVAL OF CONSENT AGENDA

Member Ortiz moved to approve the consent agenda. Member Blakely seconded. Motion passed.

7: INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE DIVERSITY, EQUITY, AND INCLUSION WORKGROUP OF THE NEVADA STATE BOARD OF EDUCATION

Member Hudson provided an update to the Board regarding the October 15, 2020 meeting of the Diversity, Equity, and Inclusion Workgroup. The Workgroup received an update regarding the [Multicultural Standards Taskforce](#) and a presentation regarding Nevada State [Licensed Educational Personnel Demographics](#). The next meeting will be November 20, 2020 and will include an update regarding equity work at NDE.

Member Dockweiler, referencing public comment regarding discrimination submitted by Jan Giles, asked what the Board could do to assist in combatting discrimination. Member Ortiz responded that the Department is currently undertaking equity training to ensure that the Department can then assist districts and schools in addressing implicit bias, systemic racism, and social justice. The Workgroup seeks to further review and monitor issues of equity.

8: INFORMATION AND DISCUSSION REGARDING THE TIMELINE AND PLAN TO IMPLEMENT THE REQUIREMENTS OF SENATE BILL 108 (2017)

Dave Brancamp, Director of the Office of Standards and Instructional Support; Jayne Malorni, Education Programs Professional, Standards and Instructional Support; and Andrew Snyder, Education Programs Professional, Standards and Instructional Support, conducted a PowerPoint presentation regarding [Senate Bill 108 \(2017\)](#).

Member Ortiz noted that criminal justice would most appropriately fit in U.S. Government classes, but they were recently expanded to include economics curriculum; she asked how teachers would be able to include all of the needed class content, and whether the last three years of high school was too late to be teaching these elements of criminal justice.

Ms. Malorni noted that it would not be additional material, as it is currently included. However, the crosswalk would provide an opportunity to highlight and emphasize the information. Responding to Member Ortiz, Ms. Malorni noted that professional development would further support educators, including the scope and objectives to teach and help students understand the subject content, not to enforce the subject content.

[Convenience Break]

10: INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE CURRENT IMPLEMENTATION OF ASSEMBLY BILL 469 (2017)

Felicia Gonzales, Deputy Superintendent for Educator Effectiveness and Family Engagement, and Vice President Newburn conducted a PowerPoint presentation regarding the [Implementation of Assembly Bill 469 \(2017\)](#).

Discussing ongoing concerns and areas to be addressed, Member Ortiz noted that one concern was that Clark County School District (CCSD) was picking and choosing which policies to implement from

Assembly Bill (AB) 469, while another was that teacher shortages have been particularly difficult this year under COVID-19. Member Dockweiler noted that some principals have reported incentivization which often alludes to coercion. Member Ortiz emphasized the importance of investigating discriminatory practices in the hiring process, as the majority of teachers currently remaining in the pool are teachers of color. Member Melcher asked which schools were predominately being affected and that that information be included in the report. Members Ortiz and Melcher noted that school organizational teams (SOTs) are a transparency and accountability measure at the school level, but most schools do not have materials and meeting information posted for the SOTs. Deputy Superintendent Gonzales added that it is required that each school post its school operational plan each year.

Superintendent Ebert noted that discrimination of any kind is unacceptable, and if employment discrimination is taking place, the Nevada Equal Rights Commission should be contacted immediately.

Vice President Newburn moved that the Department of Education conduct an investigation into the current status of the CCSD reorganization as outlined by AB 469 (2017), looking for areas of noncompliance to be addressed by the Superintendent’s authority, or areas of ambiguity which could be addressed by the State Board’s regulatory authority. Member Ortiz seconded. Motion passed.

11: INFORMATION AND DISCUSSION REGARDING THE FALL ADMINISTRATION OF THE MEASURE OF ACADEMIC PROGRESS ASSESSMENT UNDER READ BY GRADE 3

Chief Executive Officer Chris Minnich, President of State Solutions Jason Mendenhall, and Nevada State Partnership Director Kimm Rombardo, all from the Northwest Evaluation Association, conducted a PowerPoint presentation regarding [Read by Grade 3 and Measure of Academic Progress \(MAP\) Growth](#).

Member Hudson asked if enrollment numbers declined; Mr. Mendenhall responded that the results were preliminary, so there may be further students added to the data set, at which time it can be compared to enrollment, and the shortages may be a combination of the timing of the testing and enrollment.

President Elaine Wynn noted that data drives policy, but she questioned whether this data was valuable in this instance. For example, the tests may be positive in part because parents are assisting their children during testing, or with increased drop rates, those children still enrolled are those more engaged in school. President Wynn cautioned against using this data for future determinations.

Member Ortiz noted that the test was norm-referenced rather than criterion-referenced, which means that the tests are compared to the results of their peers, rather than their understanding of the materials. Member Dockweiler noted the importance of norm-referenced tests being administered consistently. President Wynn asked what additional tests would be conducted; Superintendent Ebert responded that this is one of three formative tests conducted. Responding to President Wynn, Mr. Minnich noted that, for future testing, adaptations would need to be made. However, it was reported that this data was helpful for educators at the individual student level to make specific changes to address that student’s learning.

Dr. Kevin Marie Laxalt, Education Programs Professional, Office of Standards and Instructional Support, and Mark Rincon, Education Programs Professional, Office of Standards and Instructional Support, conducted a PowerPoint presentation regarding [Read by Grade 3 Supports](#) throughout COVID-19.

Responding to Member Ortiz, Dr. Laxalt noted that budget cuts to Read by Grade 3 were to the role of the literacy specialist and professional learning. However, many districts have continued to use literacy specialists, but have found alternative funding sources for them. Read by Grade 3 programming continues with regular contact and communication with Read by Grade 3 leads in districts and charters, and a survey is forthcoming to assess gaps and needs. Through office hours offered by NDE staff, the primary issue being raised is the struggle to teach reading to students via distance learning.

12: INFORMATION AND DISCUSSION REGARDING DISTRICT AND SCHOOL OPERATIONS AND EDUCATION DURING COVID-19

District leaders and student representatives provided an update to the Board regarding the implementation and status of school reopening plans and education during COVID-19.

- **Humboldt County School District**

Dr. David Jensen, Superintendent of Humboldt County School District conducted a PowerPoint presentation regarding the status of school reopening in [Humboldt County School District](#). Member Hudson asked if superintendents are sharing data and materials about their successful practices, which Superintendent Jensen confirmed.

- **White Pine County School District**

Adam Young, Superintendent of White Pine County School District, conducted a PowerPoint presentation regarding the status of school reopening in [White Pine County School District](#).

- **Lyon County School District**

Member Workman, in his capacity as Superintendent of Lyon County School District, conducted a PowerPoint presentation regarding the status of school reopening in [Lyon County School District](#).

- **Reports from Students Across Nevada**

- Mikayla, a 12th grader from Nye County School District, provided an update to the Board regarding education and learning during COVID-19. Mikayla is on a hybrid schedule, although her school is currently on a two-week quarantine. She reported access to connectivity and a device, but that her internet was often overloaded and she is sometimes unable to connect to live class sessions. Mikayla noted that online learning does not work for her personally, as she struggles to maintain focus and retain information when working from home. While normally an overachiever, this year she reports being overstressed and undermotivated. Non-advanced placement classes are one-semester long and are set at double or triple pace to learn the equivalent amount, which is overwhelming. A new concept in each class is learned every day, unless there is a test, with one to two worksheets due on it the following day, although some teachers are understanding and assign only a few pieces of homework with a one-week deadline. Turning in online work is difficult for some students who do not have access to additional technology, such as cell phones with cameras. The disruption of meal schedules has also been difficult, as the timing means that she finds it difficult to focus once hungry. Lengthier class periods do allow for more time to ask questions and get assistance from the teacher, and there are periods after school to connect for extra assistance or to make up tests. Having recorded lectures and materials online make it easier to make up work, and classmates are less disruptive. Students are learning to troubleshoot and self-teach. Overall, spirit and socialization are low, but opportunities and resources are high. Mikayla concluded with the importance of empathy and the acknowledgement that this has been difficult on everyone.

Member Melcher asked about Mikayla's future plans; Mikayla expressed hopes to attend the University of Nevada, Reno to study computer science engineering with a minor in cybersecurity. Member Ortiz asked if teachers are understanding of technology and connectivity issues, and Mikayla reported that they are.

- Rae, an 11th grader from Clark County School District, provided an update to the Board regarding education and learning during COVID-19. To inform her report, Rae asked 15 of her peers about their experiences in addition to her own. She and her fellow students have been in full-time distance learning since the beginning of the school year. In general, distance learning has been at best unsatisfactory, and at worst detrimental to the education of students. While the shorter school days, more comfortable setting, and the freedom to complete work at leisure can be positives, it also makes it easier to procrastinate or not complete the work at all. At home, there are more distractions that make focusing difficult, and going back to sleep, watching television, etc., when you

should be focusing is as easy as clicking the button to turn off your camera, which she notes students take advantage of. Learning through a screen has been strenuous on students, teachers, and parents, making it more difficult to retain information, and for educators, more difficult to teach material. Canvas, the learning management system, varies widely based on the teachers' organizational approach, making it difficult to track assignments, and the build up of assignments and the lack of understanding from parents has been taxing on mental health. The students Rae spoke with reported feeling isolated, more anxious, more depressed, and suffering from a complete and exhausting lack of motivation. Grades, motivation, and their overall state of mind have deteriorated. Students are also missing out on the interaction of in-person schooling, which is vital to the development of communication and social skills. Being surrounded by others who also have questions and are learning materials is also a more effective learning environment. Rae also reported that Canvas and Infinite Campus have not been successfully integrating. Rae acknowledged that this has been difficult for everyone, and that COVID-19 is both real and frightening; however, given the effects of distance learning, it is safe to assume that outcomes will only continue to worsen.

- Cole, a 12th grader from Washoe County School District, provided an update to the Board regarding education and learning during COVID-19. Cole has been on a hybrid schedule since the beginning of school and emphasized the importance of the opportunity to spend part of his time in the classroom. For Cole, the regular schedule and engagement has allowed things to approach normality. He has not had difficulty with connectivity, but has struggled with miscommunications and misuse of programs making distance learning days difficult. He reported that distance learning is slowing the rate at which students are learning, and has caused a decrease in motivation, even for high-achieving students. The frequency of distance learning days have increased throughout the semester, but they have continually improved. While socialization is lessened, hearing someone's voice still helps reduce the feeling of isolation. Areas of struggle include focusing at home and communicating clearly. Not interacting normally has taken a toll – how students interact has changed and group work has declined. Cole emphasized that his school has been exceptional in prevention and management.

Member Gallegos and Ortiz thanked the students for presenting. Member Ortiz asked what the Board could do to make things better. Cole supported in-person learning, but noted that, given the circumstances, everyone was doing their best, and frustrating things such as technology issues are improving with time. Rae agreed that time needed to run its course, as with time everyone learns and moves forward from that. Mikayla recommended a snack break as an opportunity for a rest and reset. President Wynn thanked the students for their presentations.

[Convenience Break]

13: PUBLIC HEARING FOR REGULATION R063-20, THE HANDLE WITH CARE PROGRAM

President Wynn called the hearing for R063-20 to order at 2:21 P.M.

Christy McGill, Director of the Office for a Safe and Respectful Learning Environment, and Amber Reid, Education Programs Professional, Office for a Safe and Respectful Learning Environment, provided an overview of the proposed regulation [R063-20, the Handle With Care Program](#).

Ms. Reid noted that these regulations addressed the establishment of the Handle with Care program, which was launched by the Department on January 1, 2020 as required by NRS 388.14538. All local education agencies in the State, with the exception of Washoe County School District, use the same support center that was established for the State's SafeVoice program.

To date, and not including the number of Handle with Care notifications that are received by Washoe County School District, since the initial launch of the Handle with Care program on January 1st of this year, a total of 746 notifications from law enforcement partners in communities across the State have

been received. Each of those notifications is then sent to the multi-disciplinary team at the school where the student attends so that our educators are prepared to provide supports as needed.

The Handle with Care program and the requirement for these regulations was established by the successful passage of Senate Bill (SB) 80, which was sponsored by the Senate Committee on Education during the 2019 Session of the Nevada Legislature. SB 80 (2019) established the Handle with Care program, which requires law enforcement personnel to submit a notification when a child is exposed to a traumatic event.

Regulation R063-20 includes the requirements of the support center, security of the information provided in all Handle with Care notifications, and the training elements necessary to implement the program, by audience.

Responding to Member Dockweiler, Director McGill noted that the communication and transmission of information is confidential and trauma-informed.

Vice President Newburn moved to approve to approve the language of Regulation R063-20. Member Ortiz seconded. Motion passed.

President Wynn adjourned the hearing for R063-20 at 2:21 P.M.

14: PUBLIC COMMENT FOR REGULATION R063-20

Items 13 and 14 were combined for consideration, per the agenda notice. No public comment.

15: PUBLIC HEARING FOR REGULATION R135-20, CRISIS, EMERGENCY, AND SUICIDE RESPONSE PLANS

President Wynn called the hearing for R135-20 to order at 2:32 P.M.

Christy McGill, Director of the Office for a Safe and Respectful Learning Environment, and Amber Reid, Education Programs Professional, Office for a Safe and Respectful Learning Environment, provided an overview of the proposed regulation [R135-20, Crisis, Emergency, and Suicide Response Plans](#).

Ms. Reid noted that the goals of this R135-20 are to:

- Fulfill the requirement of NRS 388.255 by providing language regarding the process that school districts, charter schools, and private schools must follow in developing one plan for responding to a crisis, emergency, or suicide;
- Address the mechanisms by which the Department provides the required elements of the model plan for the management of a crisis, emergency, or suicide; and
- Support transparency in presenting the information to the State Board of Education whenever possible.

The requirement for these regulations was established by the successful passage of Senate Bill 289 in 2001. Department leadership elected to bring the hearing for this regulation to the State Board of Education in the public's interest and to support transparency of process. As such, this regulation will not require approval by the Legislative Commission, and it will be filed with the Office of the Secretary of State upon completion.

Current plans have been posted to the Department's webpage for Crisis and Emergency Response, including the two models for suicide pre- and post-vention, as well as the guides for the development of School Emergency Operations Plans. All meet the requirements included in this draft regulation language.

Responding to Member Dockweiler, Director McGill noted that the Department had recently finalized a memorandum of understanding allowing mobile crisis into the SafeVoice platform. The Department has also worked with the Department of Emergency Management to ensure that the regulations are aligned.

Vice President Newburn moved to approve the language of Regulation R135-20. Member Dockweiler seconded. Motion passed.

President Wynn adjourned the hearing for R135-20 at 2:39 P.M.

16: PUBLIC COMMENT FOR REGULATION R135-20

Items 15 and 16 were combined for consideration, per the agenda notice. No public comment.

17: PUBLIC HEARING FOR REGULATION R064-20, SOCIAL AND ENVIRONMENTAL FACTORS

President Wynn called the hearing for R064-20 to order at 2:39 P.M.

Christy McGill, Director of the Office for a Safe and Respectful Learning Environment, and Amber Reid, Education Programs Professional, Office for a Safe and Respectful Learning Environment, provided an overview of the proposed regulation [R064-20, Social and Environmental Factors](#).

The goals of this regulatory language are to establish understanding regarding the social and environmental factors that affect the educational experience of pupils and to clarify expectations regarding the reporting of those factors, and to establish expectations that the Department will provide support to our partners in Local Education Agencies (LEAs) in complying with these requirements, including how those factors must be considered at both the State and local levels.

The requirement for these regulations was established by the successful passage of Senate Bill 267, which was sponsored by Senator Pat Spearman during the 80th Session of the Nevada Legislature in 2019. The bill was co-sponsored by Assemblymembers Ellen Spiegel and Sarah Peters. The original language of the bill included a requirement for the board of trustees of a school district and the governing body of a charter school to establish a site-based team charged with developing a plan for mitigating the social and environmental factors referenced in Section 1 of the bill. That requirement was removed by amendment prior to passage out of the Senate Committee on Education.

The Department held a workshop for this regulation on October 3, 2019, during which the Department indicated that preliminary research had been conducted to identify existing sources of data and information regarding social and environmental factors that affect the educational experience of pupils. Conceptual language for this regulation was shared publicly by the Department through its bimonthly NDE Updates on February 4th and 21st and on March 6th of 2020. Having received no feedback from stakeholders, that conceptual language was then submitted to the Legislative Counsel Bureau (LCB) in June 2020.

Because the language of SB 267 (2019) and therefore NRS 388.900 does not provide clear direction regarding the definition of what types of social and environmental factors are to be included in the regulation, Department staff has to consider the legislative history and intent as recorded through the various hearings and work sessions that occurred during the 2019 Legislative Session. Department staff therefore reviewed those public meetings to collect information on the bill as it was presented by the bill's sponsor, Senator Pat Spearman. The testimony of Senator Spearman throughout those hearings included references to the seven primary factors identified in Section 1 of the draft regulatory language, including, for example, statistics on poverty, food insecurity, the number of hours or jobs worked by parents, homelessness, and Adverse Childhood Experiences, or ACES. Senator Spearman also acknowledged the unique environments and diversity that exist in schools and communities across the state and the need for local education agencies to be able to be responsive to local contexts and conditions that may move beyond those basic, universal factors.

While the statutory language and draft regulatory language both include the word "identify" in relation to what boards of trustees and governing bodies are required to do, the Department recognizes that many of the factors and data points identified in the testimony provided by the bill's sponsor and therefore included in the draft regulatory language move beyond the types of data that our LEAs are traditionally required to collect or consider. As such, the Department included a commitment in the draft regulatory

language to, at least annually, provide a list of resources of where that data can be found and to post those resources on the Department's website.

It is not the intent of the Department or, based on legislative record, of the bill's sponsor that LEAs would have to go out and collect this data on their own. The goal of the regulatory language, while difficult to capture given the formality of the regulatory process and language, is to acknowledge that the Department will provide necessary resources and information to LEAs so they can easily access and use existing data sources in order to be compliant with the requirements of NRS 388.900. The testimony provided during this hearing by the Department creates a public record of that intent.

Upon review of public comment, Director McGill thanked the districts for their contributions, which will allow for building stronger and clearer regulations moving forward. Hearing concerns about the duplication of effort, the Department will investigate incorporating some of these elements into school risk assessments and will be happy to return in future with revised regulatory language.

Member Ortiz noted that this item needed financial support in order to support this level of data request. Member Workman was authorized to speak on behalf of the Nevada Association of School Superintendents on this topic and expressed that there is great concern about the reporting element of this regulation as it is written. All districts and charters submit fiscal notes on bill draft requests from the legislature, and as it did not have this reporting element at the time, no fiscal note was added. As the regulation is written, it would require a fiscal note. Vice President Newburn clarified that the Department was withdrawing this item for approval at this time.

President Wynn adjourned the hearing for R064-20 at 3:01 P.M.

18: REVIEW OF PUBLIC COMMENT FOR REGULATION R064-20

Items 17 and 18 were combined for consideration, per the agenda notice.

The Secretary of the Board read Humboldt County School District's comment into the record, as it was summative of the comments submitted. In addition, the Secretary summarized that additional district concerns included no reporting requirement under Senate Bill 267. The remaining comments were made available to Board Members and Department staff for review.

Humboldt County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Washoe County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Victor Salcido, Executive Director of the Charter School Association of Nevada, submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Clark County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Carson City School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Lyon County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Pershing County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Churchill County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Elko County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Lincoln County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Douglas County School District submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

Power2Parent submitted public comment regarding Regulation #R064-20. *(A complete copy of the statement is available in Appendix B)*

19: FUTURE AGENDA ITEMS

Member Ortiz asked for further discussion regarding the Nevada Educator Performance Framework.

4: PRESIDENT'S REPORT

Making use of the flexible agenda to hold her report to the end of the meeting, President Wynn reported that ConnectingKidsNV will be closing in a few weeks, as they have nearly accomplished their goal of connecting every student to a device and connectivity. She commended the work of Punam Mathur and Superintendent Ebert in leading the work, and everyone involved in this gargantuan feat, including the students and educators who have continuously adapted and improved.

20: PUBLIC COMMENT #2

The Nevada State Education Association submitted public comment regarding Assembly Joint Resolution 1 (31st Special Session, 2020). *(A complete copy of the statement is available in Appendix A)*

Malcom Gillard submitted public comment regarding agenda item 11, MAP testing. *(A complete copy of the statement is available in Appendix A)*

21: ADJOURNMENT

Meeting adjourned at 3:14 P.M.

Appendix A: Statements Given During Public Comment Periods One and Two

1. Lindsay Dalley, Moapa Valley Community Educational Advisor Board, submitted public comment regarding agenda item 10 and AB 469.
2. Kenneth Paul, Principal of Lyon Middle School, submitted public comment regarding agenda item 10 and AB 469.
3. Shawna Jessen, Principal of Bowler Elementary School, submitted public comment regarding agenda item 10 and AB 469.
4. Antonio Rael, Principal of Western High School, submitted public comment regarding agenda item 10 and AB 469.
5. Michelee Quiroz Cruz-Crawford, Principal of Ronnow Elementary School, submitted public comment regarding agenda item 10 and AB 469.
6. Hal Mortensen, Principal of Perkins Elementary School and Moapa Valley High School, submitted public comment regarding agenda item 10 and AB 469.
7. Kelly Grondahl, Principal of Vegas Verdes Elementary School, submitted public comment regarding agenda item 10 and AB 469.
8. Jeff Geihs, Executive Director of the Nevada Association of School Administrators, submitted public comment regarding agenda item 10 and AB 469.
9. Jennifer Black, Principal of Lincoln Elementary School, submitted public comment regarding agenda item 10 and AB 469.
10. Stephen Augspurger, Executive Director of the Clark County Association of School Administrators and Professional-Technical Employees submitted public comment regarding agenda item 10 and AB 469.
11. Anthony Nunez submitted public comment regarding agenda item 10 and AB 469.
12. Ramona Esparza, Principal of Valley High School, submitted public comment regarding agenda item 10 and AB 469.
13. Dana Roseman, Principal of Scott Elementary School, submitted public comment regarding agenda item 10 and AB 469.
14. John Anzalone, Principal, submitted public comment regarding agenda item 10 and AB 469.
15. John Vellardita, Executive Director of the Clark County Education Association, submitted public comment regarding agenda item 10 and AB 469.
16. Jan Giles, President of the Education Support Employees Association, submitted public comment regarding agenda item 10 and AB 469.
17. Nevada State Education Association submitted public comment regarding agenda item 12 and the reopening of schools.
18. Nevada State Education Association submitted public comment regarding Assembly Joint Resolution 1 (31st Special Session, 2020).
19. Malcom Gillard submitted public comment regarding agenda item 11, MAP testing.

Item A1, Lindsey Dalley

From: Lindsey Dalley, Community Member SOT for Mack Lyon Middle School and Moapa Valley High School
Past Chair of Moapa Valley Community Educational Advisor Board and current Member

Re: Undermining Legislative Intent of AB469/NRS 388G

Dear Elaine Wynn and other Board Members:

Please read this in public comment and place it in the official record.

I am very concerned about efforts to undermine NRS 388G, the statute that reorganized CCSD. Our Community Educational Advisor Board (CEAB) was very involved influencing that legislation and understand it well. The solution to our educational challenges will come from implementing this reorganization. I sat in those hearings when ALL the legislatures, democrats and republicans, were aghast upon finding out that CCSD was taking money away from struggling inner city schools in the form of "Attrition Dollars" and put them back into the general budget. These Attrition Dollars come from the difference between long term subs and licensed teachers. This is the core of what 388G was to ensure; that central CCSD does not become more important than individual schools and children.

Because I am on two School Organizational Teams (SOT), I am aware that currently many local school precincts are exercising great fiscal restraint and have saved significant amounts of money trying to ward off devastating budget cuts they know are coming. Superintendent Jara would love to sweep that money out of their account for short term political gain, perhaps for the teachers union. To allow CCSD to once again raid those funds or weaken NRS 388G will place the central office above education. Superintendent Jara and many others, including some CCSD Trustees, do not understand why and what 388G stands for and why it is critical to preserve it and build on it. Don't let short term politics undermine this great piece of legislation.

Sincerely,

Lindsey Dalley
cell 702-682-5415
Sent from my iPad

Item A2, Kenneth Paul

Re: AB469/NRS 388G: A Principal's Perspective

President Elaine Wynn and other Board Members:

Please read this in public comment and place it into the official record.

Executive orders and CDC guidelines have tended to once again centralize systems and decision making within the CCSD School District. Please remember the vision and purpose of NRS 388G.

The following comes from the beginning of NRS 388G::

- "Section 2a: ...large school districts are prone to develop large, complex and potentially inefficient, cumbersome and unresponsive bureaucracies that tend to become too dependent upon a centralized operational model where most decision-making is made by central services.
- Section 2c: When more decision-making is transferred from central services in large school districts to the site-based administrators, teachers and other staff and the parents and legal guardians of pupils in each local school precinct, the State's system of public schools is better structured to educate efficiently, effectively, and successfully the diverse and varied populations of pupils within large school districts because a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct."

This is my twenty fourth year as an educator in the Clark County School District, the majority as a site-based administrator in the rural areas of Moapa Valley and Virgin Valley. If CCSD Central Administration and Services are allowed to do what it has always done, it will continue to get the same results.

For example, if teachers can be force placed within schools without the ability to interview and make decisions at the school level, the district continues to do what it has always done. The interviewing and hiring of a teacher is one of the most critical factors of success for precincts/schools.

For example, if central administration can take away carryover funds from individual schools, the district continues to do what took place for years and years. Lyon's School Organization Team (SOT) currently has a large carryover. This was a site-based decision as teachers, support staff, parents, students, and community members assess the current situation and the real possibility of no pandemic federal assistance funds in the future. As stated above, "...a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct."

I respectfully request that the Nevada Department of Education enforce implementation of NRS 388G for its intended vision and purpose. How can the Nevada Department of Education or the Clark County School District expect to get substantially different results, without substantial, or even transformational, changes that put decision-making and funding closer to the individual schools and communities?

Thank you for your time and consideration,

Ken Paul

Principal at W. Mack Lyon MS in Overton, NV (Rural area within CCSD)

Cell: (702) 376-2067

Item A3, Shawna Jessen

Re: AB469/NRS 388G: A Principal's Perspective

President Elaine Wynn and other Board Members:

Please read this in public comment and place it into the official record. Executive orders and CDC guidelines have tended to once again centralize systems and decision making within the CCSD School District. Please remember the vision and purpose of NRS 388G. The following comes from the beginning of NRS 388G::

- "Section 2a: ...large school districts are prone to develop large, complex and potentially inefficient, cumbersome and unresponsive bureaucracies that tend to become too dependent upon a centralized operational model where most decision-making is made by central services.
- Section 2c: When more decision-making is transferred from central services in large school districts to the site-based administrators, teachers and other staff and the parents and legal guardians of pupils in each local school precinct, the State's system of public schools is better structured to educate efficiently, effectively, and successfully the diverse and varied populations of pupils within large school districts because a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct."

As a veteran principal of 17 years, I have strong conviction that this bill has been a blessing to our school. I believe that school autonomy is critical to school success. Because of the flexibility in our budget for the first time in my whole tenure, we were able to allocate resources that we typically did not receive in our typical elementary school. As a result, we moved from two to five stars on the Nevada Performance Framework which I directly attributed to the autonomies in this bill. Therefore, it is with passion that I plea for your team to dig deeper to understand the challenges yet to face as we continue to enact this bill rather than toss it out due to sensationalistic claims. We have a functioning school SOT team that represents the community we serve. We also believe that even the most well intended central oversight cannot meet every child's needs. This bill levels the playing field and places the responsibility on the schools to do as it is prescribed to do.

I have also served as a director on the Clark County Elementary School Principal Association. What I have heard from principals, is that if schools have carryover money of any significance, it is often related to an abundance of other funding sources. Typical elementary schools, who do not have access to extra grant funding, have been able to implement a strategic budget that allows them to leverage resources to better serve their schools.

As stated above, "...a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct."

For example, at our school we pay for two additional instructional aids to help us move the hardest population, our students who are on or above grade level that keep us from reaching our accountability requirements. The addition of these aids would not have occurred without resource reallocation from central office back to our school and it has made all the difference for our students.

I respectfully request that the Nevada Department of Education enforce implementation of NRS 388G for its intended vision and purpose. How can the Nevada Department of Education or the Clark County School District expect to get substantially different results, without substantial, or even transformational, changes that put decision-making and funding closer to the individual schools and communities?

Thank you for your time and consideration,

Shawna Jessen, Principal
Grant Bowler Elementary School, CCSD

Item A4, Antonio Rael

President Wynn and Members of the Board,

I write this email to share the impact of NRS.388G (formerly AB469) on the students of Western High School. Western HS resides in the heart of Las Vegas with a student population that is nearly 90% children of color and of whom 80% live below the poverty line. It is certainly one of the great joys of my life to serve this school community, filled with potential and greatness, as the principal.

As I am sure you would agree, schools like Western have unique challenges that require contextualized solutions. To successfully reach, support, and cultivate the potential of historically marginalized students looks very different than to do the same for students who originate from the urban ring. And while structures, systems, and programs may look different at Western, the most critical component is great teachers. The art of teaching is a beautiful profession where individuals literally pour their lives into children. And while this good work is challenging on every school campus, it takes a unique gifting, along with deep passion and convictions, for an education professional to succeed at an inner-city Title I school like Western.

Although new to Western High School this summer, I previously led two CCSD schools, with nearly identical demographics as Western, through successful turnaround. (These schools had very similar school-based empowerment and autonomy as is granted under NRS 388G.) What I learned, and the philosophy that drove our success, is that people are the silver bullet. When I arrived at Western in June, we had more than 20 teaching vacancies. (Nearly 40 vacancies in total when including support staff and administrators.) We have since cut this number in half. This has come through tireless effort, interview panels that include teacher leaders from my campus, and extensive vetting. NRS.388G gives me, and my team, the ability to ensure each teacher that we select is competent, skilled, and most importantly, deeply impassioned for the students of our community. As I am sure you would agree, people are not interchangeable parts.

I have committed to my school community that we will open the 21-22 school year with no teacher vacancies. It is my highest priority as an educational leader. As I have stated publicly many times, we cannot win for students without impassioned (licensed) professionals in every classroom.

In conjunction with having the right team members in place, we have much work to do in establishing the right supports including programs and resource allocation. It will be critical that we have the budget autonomy, under the guidance of our School Organizational Team, to make the necessary adjustments, corrections, and provisions to meet the needs of students.

Western High School is a historically underperforming school. However, once we have great teachers in every classroom, combined with the educational structures and systems that match our unique student population, we will unlock our students' greatness. It will remain critical that we, the team at Western High School, have the autonomy and empowerment to do this great work to which we are called.

Sincerely,
Antonio Rael
Principal, Western HS
@PrincipalRael

Item A5, Michele Quiroz Cruz-Crawford

Re: Public input for Agenda Item 10 (AB469). Please read my email for Public Comment #1.

My name is Michele Crawford and I am the proud CCSD principal. NRS.388G/AB469 has had many positive impacts on my school. I serve a wonderful school community that has many challenges which include servicing a high English language learner population and includes a student population with free and reduced lunch. All of my students are bright and in order for my students to have the high expectations required for student achievement in academics and social emotional learning, I need to hire the best teachers. NRS.388G/AB469 has allowed me to properly vet staff that can overcome the many challenges that my school faces in order for students to be successful. Over the past six years, the best teachers that come to my school are the ones that have growth mindset, proactive behavior management styles, ELL strategies, and those that believe that all students can learn. In order to continue selecting the best staff for my school's population, I must continue to hold the autonomy of hiring staff that is best for my students. Please continue to support NRS.388G/AB469 because it will support student growth at my school.

Thank you,
Michele Quiroz Cruz-Crawford
Principal of C.C. Ronnow Elementary

Item A6, Hal Mortensen

Re: AB469/NRS 388G

President Elaine Wynn and Members of the State Board of Education:

Moapa Valley High School was one of the original empowerment schools (NRS 386.700–386.780) in 2007. When AB469/NRS 388G came to fruition, Moapa Valley High School was extremely enthusiastic to embrace this statute as both the empowerment model and the AB469 are very similar models.

The beauty of the AB469/NRS 388G model is the autonomies given to each individual school (NRS 388G.060). Each school has a School Organizational Team (SOT) which has two main responsibilities: the budget and the implementation of the plan of operation (NRS 388G.100). The members of the SOT have participation from all stakeholders such as school administration, teachers, support staff, parents and community members. The SOT ensures that all students have equal access to an equitable and quality education. Moapa Valley High School has fully implemented this model to the fullest extent that allows all stakeholders to have a voice for all students. And today, the SOT meets faithfully, thus making the decisions that help drive growth, achievement, and accountability. For example, the SOT interviews and hires all teachers for their school and each year, the SOT determines the budget. Unfortunately this has not come without the struggles from CCSD and its top brass.

At the time of the implementation of AB469/NRS 388G in 2015, CCSD School Superintendent Skorkowsky and its top brass in CCSD as well as the Superintendent of Public Instruction for the Nevada Department of Education-Steve Canavero, all fully embraced and followed the new law. In the last two years, the AB469/NRS 388G is not being followed in full fidelity and it continues to be threatened to the point of becoming unlawful. For example, autonomy of selecting teachers, the number of associate superintendents per precinct (school), the Service Level Agreements (SLA) is not fully being followed as mandated in the law and now the threat of taking the dedicated funds from each precinct (school) (NRS 388G.660).

As I represent two schools in CCSD, Ute V. Perkins Elementary School and Moapa Valley High School, I respectfully request the Nevada Department of Education to enforce CCSD to follow AB 469/NRS 388G for its intended purpose which is autonomy to the local precinct (school) especially with the hiring of teachers and the use of carryover funds.

Thank you for your diligence in this matter.

Sincerely,

Hal Mortensen Principal
Ute V. Perkins ES-CCSD
Moapa Valley HS-CCSD

Item A7, Kelly Grondahl

Dear President Elaine Wynn and Board of Education Representatives,

Thank you for allowing time for my testimony regarding AB469/NRS 388G and the positive effects that have been provided by this piece of legislation. One of my most important tasks as a principal is to create an environment of equity for my students and community in regard to educational opportunities. Among this wide umbrella of duties, the most important are encompassed in identifying, retaining, training, and supporting effective teachers. These individuals are the backbone of school success and I can never truly explain the magnitude of their reach and inspiration for our students. The goal of equity for all students is multiplied exponentially throughout our district, as well as in each town and city and throughout the state in the field of education.

In addition to the equity lens, the task of managing resources to effectively address the financial “rollercoaster” in regards to funding at the school level is a constant challenge faced by all educational leaders. This yearly struggle consistently tasks administrators with decisions to often choose between the bare minimum of options to provide for instruction and the extra supports needed by struggling communities (Communities in Schools and other wrap-around services). The autonomy provided by the legislature in regard to AB469/NRS 388G has helped maintain continuity in staff, provide wrap around services to the community, provided flexibility on a site level for decision making, and give me the ability to plan years in advance to protect the systems and structures put in place for all students, families, and educators.

In conclusion, thank you for your vision and guidance in regard to AB469/NRS 388G. I know of no other bill which provided support to our campuses, administrators, teachers, and communities that was more impactful to reach our goal of educating our students and providing opportunities for success. As you face the challenge of identifying changes and support for Nevada in future preparation and legislative sessions, I hope each of our leaders, who developed and support the document, feel pride and success in knowing AB469/NRS 388G has been so successful.

Sincerely,

Kelly Grondahl, Principal

Item A8, Jeff Geihs

Dear President Wynn and Members of the State Board of Education:

My name is Jeff Geihs and I serve as the Executive Director of the Nevada Association of School Administrators, Nevada's PreK-12 Professional Development organization for ALL educators in Nevada – including those in non-administrative positions. Our mission is to provide high quality professional development to educators so that they can be highly effective in service to students no matter the position they hold. Further, NASA supports any policy, regulation or law that supports the best interest of Nevada's students, which is why I am writing you to convey NASA's ardent support for NRS 388G. On a professional note, I can assure you with utmost conviction that this law helps principals, teachers, and the school communities best serve Nevada's children. Here's why:

While it is certainly recognized that some operational services should remain central for optimal efficiency, it is also understood that decisions are best made closest to where the problems occur. Data driven decision making in the best interest of students made in collaboration with School Organization Teams better ensures positive outcomes because principals, teachers and the communities know their students best. Having the nimble purchasing authority is crucial to invoke expedient measures that ensure optimal achievement gains for students in each of their unique school precincts without bureaucratic delay - plans that do require approval from school supervisors.

For example, while it is commonly agreed that schools within a district or even the state must have a common formative assessment so that school leaders are equipped with comparative district or state-wide data, it is also essential that principals and School Organization Teams maintain purchasing authority to ensure student equity as schools seek and retain other measures that help them further delve deep into data beyond the surface, assess students' proficiency levels expediently, and invest in socio-emotional inventories so that the needs of the whole-child can be determined and interventions and/or the teaching of coping skills can be purchased and utilized as further diagnostic tools. No one-size fits all central approach can assure such as it is deeply personal to individual school communities.

Further, having been a school turnaround leader, staffing autonomy is crucial: just as it is in a for profit business. Student achievement is a school's profit margin. The preponderance of research shows that the school success or failure is always due to the attitudes of the adult employees in the building. When schools implement the correct and individualized tailored structures, functions and processes with great urgency, they will improve – just like a waning company would be expected to do when falling short of profits for their shareholders. The autonomies granted in NRS 388G provide this latitude!

Successful schools have staffs that strongly believe that they can control student outcomes. They understand that schools are built by design and not by chance. Unsuccessful schools blame outside sources of which they have no control, like the child's socioeconomic level, the neighborhood or the parents. Successful schools can, and do, break those cycles! Principals and School Organizational teams must be able ensure that all staff members hold this firm conviction.

To ensure the closing of achievement gaps, achievement gains and equity, it is critical that School Organization Teams and principals retain the ability to carryover funds from year to year and also that unfilled teacher vacancy funds (attrition dollars that schools retain that is the difference between a vacancy they are unable to fill and a long-term substitute teacher) remain at the local school level where they can be used specifically for kids and not go to central office. Through collaboration with a variety of stakeholders, NASA regularly learns of schools using these dollars to purchase research proven options that increase achievement and close gaps with carry over dollars and attrition dollars due to historical ongoing teacher shortages.

Over the past two years NASA has held three statewide conferences and nearly 70 statewide workshops for thousands of Nevada educators that enrolled. Continually we hear from educators about the importance and benefit of these autonomies and best practices they are able to invoke for the benefit of students – so much so that many building and teacher leaders are leading some of our professional

development around such! NASA wants to send a message of affirmation that the Nevada State Legislature made an excellent bipartisan decision in making these school autonomies law because they are good for Nevada's students. With full uninhibited implementation, and if given a fair shot to stay the course, NASA believes our Great State will begin to further see the positive impacts of NRS 388G for our children.

Thank you for your time.

Item A9, Jennifer Black

Dear President Wynn and Members of the State Board of Education,

I am the proud principal of Lincoln Elementary School in North Las Vegas, Nevada. I have humbly served this diverse community for 10 years. I am writing this email to you because I truly believe that NRS 388G has positively impacted my school community in many ways since its inception.

What is best for kids is at the heart of every decision a principal makes, which keeps our focus on all students. With this being said, NRS 388G has allowed for more autonomy at the school level which has assisted me and the School Organizational Team the ability to make sound decisions for the students at Lincoln ES in the areas of staffing, purchasing and equity. Because each student is different and has varying needs, we look at the whole child and tailor our supports and instructional strategies.

A highly effective teacher in every classroom is the most important factor in ensuring all students have access to a world class education. When we have vacancies, our school leadership team interviews candidates and hires those who align with the mission of Lincoln ES. If NRS 388G were not in place, the Clark County School District would have the option to fill our teacher and support staff vacancies with teachers and support staff who may not align with our school mission.

For the past five years, our school has developed a partnership with Nevada Teacher Corp. Through this partnership, we have hired over 10 alternate route teachers who are very passionate about working in a Title I, at risk community with a diverse student population. Our leadership team is able to support them in refining their craft by offering differentiated professional development, curriculum, instructional supplies and resources, mentoring, coaching and feedback with funding from our school's strategic budget. Due to the intense support we provide, our staff recruits colleagues to come work at Lincoln.

When licensed staff are not available for hire, we seek to find the best long term guest teachers to serve our students. However, the ultimate priority as a building leader is to hire a highly qualified licensed teacher for all teacher vacancies. All decisions are made using the core value of integrity to ensure our students have access to the most qualified educators who will work to close the achievement gaps.

On behalf of the students, staff and community of Lincoln ES, I appreciate the opportunity to share my thoughts with you on the positive impacts of NRS 388G. Thank you for your time.

Jennifer Black
Principal
Lincoln Elementary School #316
0316-4101
(702)-799-7133

Item A10, Stephen Augspurger

President Wynn and State Board of Education Members:

My name is Stephen Augspurger, and I am the Executive Director of the Clark County Association of School Administrators and Professional- technical Employees (CCASAPE). This correspondence is directed toward Agenda Item 10, Assembly Bill 469. The legislation referenced in this agenda item was passed almost unanimously by the Nevada Legislature in 2017. The legislation was written to decentralize the behemoth Clark County School District (CCSD), moving decision-making and financial resources to the schools and empowering principals and school organizational teams to identify and fund unique instructional and support decisions for children. In an effort to decentralize the CCSD, the law clearly enumerates the autonomies granted to school principals and school organizational teams.

In 2018, the Nevada Department of Education (NDE) took a leadership role to ensure that AB 469 was fully implemented. The NDE led the effort to work with each of the bargaining groups and the CCSD Superintendent to develop a Joint Implementation Plan. The completed Joint Implementation Plan was approved by the CCSD Board of School Trustees on April 4, 2018. Unfortunately, the plan approved by the School Board has never been fully implemented. The CCSD has not taken the necessary actions to ensure that the teacher and support staff bargaining group contracts become fully compliant with the law. The CCSD also continues to perpetuate the “dance of the lemons,” by making unilateral staff assignments to schools without the required principal consent. As a result, principals often feel that they and the District are not on the same team and that the District is actively working against them in their efforts to improve schools and student achievement.

Such a strong case can be made that CCSD is dragging its feet and purposely obstructing full implementation of the law that, after attempting to work with the CCSD to achieve legal compliance for over 3 years, CCASAPE filed suit in District Court on October 8, 2020 seeking the court’s assistance to direct the CCSD to comply with the law. In light of CCSD’s failure to implement the provisions of AB 469, CCASAPE is pleased that the State Board of Education is inquiring into these matters.

In the November 12, 2020 State Board of Education meeting, you will hear public input from CCSD principals regarding the great value they attach to the various autonomies that have been provided to schools and school organizational teams through this legislation. The ultimate benefit of AB 469 is its creation of the necessary conditions to do better on behalf of kids. It places the needs of students above those of adults, and therein lies the major obstacle to full implementation of the law with fidelity.

At the conclusion of the AB 469 presentation, I anticipate there will be board member discussion regarding the identification of next steps. CCASAPE respectfully requests that, as part of the State Board’s information gathering process, additional input and comments from CCSD principals be sought.

Respectfully,

Stephen Augspurger, Executive Director
Clark County Association of School Administrators and Professional-technical Employees

Item A11, Anthony Nunez

Re: Positive Impact of NRS 388G on Schools President Wynn and Board Members:

I'm writing to you as a private citizen who serves as principal of a diverse urban community in Clark County about the positive impact that AB469, now NRS 388G, has had on my personal ability to lead a school. This is my 4th year at my current assignment. For the first time since I have served this community I am pleased to report that we are fully staffed in all teaching positions. This is also the first time that we have retained our staff through October. During the three previous school years we have started the school year with vacancies and experienced transiency during the months of September and October, so this is quite an achievement for our community. An achievement that took 4 years to meet.

The autonomies and responsibilities granted to me as a principal through NRS 388G have allowed me to enact two processes that led to the development of the team I work with today. First NRS 388G provided me with the ability to allocate funding to develop comprehensive systems of support for both students and staff. Over the past several years I have conducted exit interviews, consulted our site leadership team and School Organizational Team, and reviewed comprehensive staff surveys which have allowed me to better understand the needs of our teachers. NRS 388G ensured that funding could be allocated to create effective responses to the identified needs of teachers and students, which directly impacted my capacity to retain effective instructional talent.

Secondly, and perhaps most importantly, NRS 388G has allowed me to establish a collaborative means by which to attract instructional talent to the school I serve. I involve both administrators and teachers in the interviewing and onboarding process in order to ensure that interviews are grounded in the specific context of the school and so that current staff are able to have a voice in building their grade level and department teams. Just as it is critical for me to listen to the recommendations of current staff when making a recommendation to hire, so too is it that I am assured that I have the authority to determine who works at the school I serve. NRS 388G has provided me with that authority, which has ensured that I have been able to build a staff of invested, culturally competent, and effective teachers, support staff, and administrators.

While vacancies and mid-year separations have resulted in attrition funds being returned to the school I serve, if you asked me whether I would have preferred to attract and/or retain an effective teacher during the previous school year, or have the funding to spend during the current school year, I would answer in support of the former. It has been made very clear to me that my responsibility is to allocate funding to increase student achievement during the school year said funding has been allocated. Furthermore, it has been my personal experience over the past 6 years I have served as a principal that student achievement is highest when your staff is at its fullest. There is absolutely no benefit to students nor to the view of my own professional capacity by those who supervise me to prevent effective, qualified staff from working at the school I serve.

That being said, I am deeply appreciative that those attrition dollars have consistently been returned to the community they were intended to serve, especially this year. Those dollars have ensured that the staff and structures that I made a commitment to the School Organizational Team and school community to implement, were able to be implemented as planned, even though we experienced variability in enrollment. Additionally, because we were able to keep our staff in place, I was able to strategically focus a wide variety of individuals on the development of our site reopening and distance education plan, thereby allowing teachers to focus on and be supported through the challenge of modifying their instructional delivery for this year.

Thank you for considering my personal experience as it relates to NRS 388G.

Anthony M. Nunez
Nunezant_honym82@gmail.com
702-306-3076

Item A12, Romona Esparza

Dear Madame President Elaine Wynn and Nevada Board of Education Representatives:

First and foremost I would like to personally thank you for your dedication and diligence in serving as elected representatives for the State Board of Education to ensure that equity and academic excellence for all students is at the forefront of your decisions.

My name is Ramona Esparza, I am the Proud Principal of a Victory School, Valley High School. Valley HS is 100% Free-Reduced Lunch, serving over 2,800 students, one of the highest homeless student populations and is a minority-majority school. Six years ago, Valley HS was designated as an underperforming, transformational site, with one of the highest expulsion/suspension rates in the Clark County School District. I want to attest to the importance and effectiveness of NRS 388G.610 that has afforded me the autonomy as a transformational leader to provide equity and close achievement gaps for all students that attend Valley High School.

Each local school precinct must operate using site-based decision-making in which certain authority to carry out responsibilities is transferred from the large school district to the local school precinct as set forth in NRS 388G.610.

NRS 388G.610 has afforded the ability to implement the following: 1) to sustain effective leadership, teachers, and support staff in good standing, 2) focus on teaching the “whole child” with the first established on-site Wellness Center providing mental health counseling and medical care, 3) most important retention of highly effective educators that align with the same “high expectations” and values of our school’s mission and vision, 4) implementation of research-based rigorous curriculum, and 5) decisions made collaborative with our School Organizational Team to improve school operations, culture/climate, and student achievement.

Results of NRS 388G.610:

1. Graduation rate to 87% above the District average
2. Flagship for the Multi-Tiered Systems of Support (MTSS) reducing significantly the expulsion/suspension rates and by implementing restorative practices (MTSS/PBIS) school-wide
3. Reduction of chronic absenteeism by 3% in the 2019-2020 school year
4. ELL proficiency growth rates increasing progressively each year prior to covid-19 pandemic
5. .5 away from 3 star ranking for the 2018-2019 SY on the Nevada School Performance Framework

NRS 388G.610 has changed the trajectory for our “structurally impoverished,” schools that are demonstrating results. It has allowed site administrators and SOT teams to have a seat at the table in future budget decisions that are best for their school communities. Please help to sustain effective systems and best practices that can be replicated. These site-based decisions for funding and personnel are imperative to decrease opportunity gaps in equity, and all gains made would be reversed for our most underserved communities.

Ramona Esparza, Principal

Item A13, Dana Roseman

President Wynn and Members of the State Board of Education,

AB469 has afforded me at Scott ES with the opportunity to be able to run my school with our students' best interests at the forefront. We face many challenges daily in education, but who we can hire and how to spend the available funds should not be two obstacles. Having the autonomy to select my own staff has been integral in moving the student achievement and school climate needles at Scott ES. To put a person who just needs a job because they've been guaranteed one into an open position is a disservice to all students. It has greatly affected student achievement, climate, and culture. Historically, Scott ES has been a school that has been tough to staff for myriad reasons. One main reason was because some of the staff were administratively placed here and did not have the correct mindset to support our students' diverse needs. We have also historically been understaffed which left us open to receiving administrative placements. I've been at Scott 9 years and have had at count 8 or more collective (administrative, licensed, and support) placements. There is only 1 of the 8 staffers who is still with us and serves as an asset to our campus. The others have either sought other employment outside of CCSD or were moved to other locations. These efforts take a toll on the administrative workload and some of these people were not good for students or just didn't want to be here. AB469 provides some safeguards for us that need to be protected so that the focus remains on student achievement and not staffing issues.

Another benefit of AB469 is that I am able to use my school attrition funds as needed and approved by our School Organizational Team (SOT). This is our first year having access to the attrition funds due to 10 licensed openings last year. Since we tend to attract alternative licensure teachers and brand-new-to-the-profession practitioners, I have streamlined my focus on ensuring that our students have the best staff in front of them; although there just are not enough qualified candidates in the available pool. Sometimes that fund distribution means having to use additional funding to provide extended professional learning or parental interactions that require staff. Our SOT team approved adding an additional attrition-funded teacher to lower the class size in 5th grade this year. I've never had extra funding to add extra staff (and reduce class sizes) as the need presents itself until this year. Our numbers exceed the outlined ratios in 4th and 5th, so adding an additional licensed teacher helps share the work load and provides greater access for our students.

Since this 2020 – 2021 school year has been the first year that there has been extra funding thanks to the available attrition dollars, I have been able to provide prep buyouts and extra duty monies for my staff. Being able to build the teaching capabilities of those who support our students is paramount, but it all comes with a price. Thankfully, this year, the money is there without some of the extra restrictions that accompanies grant money. I can pay my people for their time and efforts. I have also the ability to provide extended professional learning (like site based mini-grants for tuition to National Board sessions) for those who have demonstrated their loyalty and longevity to our students by choosing to remain at Scott.

Thanks to AB469, I am able to hire staff who can relate to our students and want to be here to promote our initiatives, provide additional funding for professional learning and for lowering class sizes, and support those who make the choice to invest in our students. Please consider retaining the staffing autonomy bill to so we can put our students first. Thank you for your consideration of my concerns.

Dana Roseman Principal

Item A14, John Anzalone

Dear President Elaine Wynn and Nevada Board of Education Representatives:

On behalf of the students, staff, and families in which I serve, it is with sincere gratitude that I write this message.

My name is John Anzalone, and I am the proud principal of a large, urban high school in CCSD. To the surprise of many, over 57% of my 2800 students receive Free-Reduced Lunch, while residing in one of the most diverse communities in Las Vegas. Six years ago, my school was underperforming in academics, lacked the competitive career-tech programs that our kids deserved, and was truly a site that provided valuable opportunities to some, while leaving others behind.

I want to stress the importance of AB 469/NRS 388G, which has afforded my team and me the autonomy to provide equitable opportunities and close achievement gaps for all students that attend my school. AB 469/NRS 388G has also afforded me the ability to hire and retain effective leadership, high quality teachers, and caring support professionals, place a focus on increasing ACT scores for all student groups, hire staff who value the social and emotional well-being of children, and make collaborative decisions with our School Organizational Team to improve student achievement and the overall school experience for all students.

I would like to highlight some of our school successes, directly related to the implementation of NRS 388G:

1. Graduation rate increase to 94%, well above the District average;
2. Reduction of suicide protocols from 123 (2017) to 18 (2019);
3. Development of a Black Student Union, offering The African American Experience course, and the creation of a Multicultural Committee, which focuses on opening the hearts and minds of staff, students, and community members who serve our diverse student population.

NRS 388G has changed the way we do business and has allowed our team to hire, develop, and retain the type of educator we need for the specific and unique needs of our students. Please do all you can to protect this law. Though no law, regulation, or policy is perfect, the foundation and merits of AB 469/NRS 388G is simply what is best for kids.

Thank you,
John Anzalone, Principal

Item A15, John Vellardita

Re: Emergent Issues Regarding the Reorganization of the Clark County School District
President Wynn and Board Members:

On October 8, 2020 I submitted public comment related to two emergent issues with the implementation of the reorganization of the Clark County School District under AB469 passed in the 2017 Nevada Legislative Session. Today the Board is taking up that matter. I would like to point out that CCEA is requesting that the Board of Education under its authority to look into this matter and issue regulations where needed.

As I stated on October 8, 2020, CCEA supported AB469 and helped work on the ultimate language of the bill. I was a primary participant in drafting this legislation. We believe in a decentralized delivery system with autonomy and control at the school level. We believe in the School Organization Teams made up of parents, teachers, support staff, the principal, and members of the community. We believe 85% of all unrestricted dollars must go to the school and follow the student into the classroom. We also believe any unused funds in a school's budget not used in a year must be retained by that school and used for student instruction in the following year. Finally, we strongly believe that every school should have qualified, licensed and effective educators. However there are two emergent issues that have developed in the last two years that do not reflect what the meaning and intent of what the law is.

To be clear, we are not asking the Superintendent of Public Instruction to exercise their compliance authority to look into this matter. We do not believe this is an issue of compliance. We believe this is an issue of how legislation implemented has created two emergent issues that the law was not intended to happen.

The first is the issue of carryover dollars. Under NRS 388G.650 paragraph 3 states, "each local school precincts must carry forward its year-end balance to the next school year for use by the local school precinct. " This year there will be \$142 million; last year they were \$67 million - that is a 300% increase. This is not what the law was intended to become. This money should be spent on student instruction and support. The major source of carryover dollars is salary savings (i.e. attrition). This occurs when funded fulltime positions are not filled by educators but by substitutes.

The second issue is the failure to place licensed and qualified teachers in vacant classrooms. Last year, we had close to 500 vacancies year round. Currently, there are close to 400 vacancies. Yet last spring and continuing today as we speak, we have principals refusing to place licensed and qualified educators into these vacancies. They are citing their right to hire staff under NRS388G.610 paragraph 2 and they are using an opinion written by Attorney General Laxalt as their justification. Yet, in many cases, these positions are being filled by substitutes or more disturbing principals are 'holding' these positions. This is a violation of NRS 388G.610 paragraph 4 that prohibits the hiring of a substitute if there is a licensed and qualified educator available.

As a result of this activity, CCEA has found that there is an employment practice emerging that discriminates against older qualified licensed educators and, in some cases, minority educators.

Both of these issues have two things in common. Language under AB469 that address principal's authority. We believe this is the area of focus that the Board of Education should review and make regulatory changes. As primary participants in advocating and drafting the reorganization legislation, we believe this practice that principals 'bank' carry over dollars and refuse to hire qualified licensed educators is not what the reorganization of the school district was intended to be when it gave school precincts autonomy.

Under NRS 388G.590 the "State Board shall adopt such regulations as it deems necessary and appropriate to carry out the provisions of NRS 388G.500 to 388G810." Accordingly, we are asking the Board to look into these two issues.

John Vellardita, Executive Director CCEA

Item A16, Jan Giles

The Education Support Employees Association (ESEA) represents over 11,000 education support professionals (ESPs) in the Clark County School District. We are submitting public comment regarding item #10 on today's agenda related to the reorganization of CCSD under AB469.

Previously, the surplus process in the Clark County School District allowed the district to balance staffing with decreasing student enrollment. ESPs with the lowest seniority in their position went through the surplus process when schools could no longer afford their position. This process had nothing to do with job performance. The process was often stressful for the employee, as they could end up in a position with different hours, months and grade, but nearly everyone was placed in a new position at the end of the day. ESEA promoted the process as a positive for the district and the employees.

AB469 states that each local school precinct shall have the authority to select other staff who work under the direct supervision of the principal. ESEA maintains this definition and the legislative intent of AB469 does not apply to ESPs. This issue is currently in front of the Employee Management Relations Board.

Through a misapplication of AB469, CCSD is requiring education support professionals to also interview with school principals as a part of the surplus process. Now ESPs can get rejected even for a lateral position through no fault of their own, at a principal's discretion. On October 20th, over 50 ESPs went through this new surplus process in the Clark County School District. One of these workers raises a serious question of possible racial bias in this new process—

I was asked to leave through no fault of mine. I am a 15-year employee, looking to be placed in a lateral position. After going through the process, I was required to interview which was extremely uncomfortable. I felt like the principal and team were discriminating based on my race and dreadlocks. They did not tell me I had the lateral position when I left. I have already passed probation and have proved myself in the district, yet because my current site cannot afford me, I have to interview all over again? I got rejected twice. Why should I stay a Special Education Aide if this is how I will be treated?

ESEA is very concerned this surplus process will lead to widespread discrimination and set the district back in its diversity goals. In addition, inconsistent application of the surplus process across the District is causing significant employee confusion on District work practices.

Thank you,

Jan Giles, President
Education Support Employees Association

Item A17, Nevada State Education Association

The Nevada State Education Association has been the voice of Nevada educators for over 100 years. This public comment is in reference to item #12 regarding school operations and education during COVID-19.

In our history, there have been few more challenging times than the one we find ourselves in right now, with the global COVID-19 pandemic. After school buildings were closed last spring, NSEA has been actively engaged in the discussion of safely reopening school buildings and many of our local affiliates have been active in the process of returning to full in-person or hybrid education models.

This summer, we lauded the work of NDE in developing “Nevada’s Path Forward: A Framework for a Safe, Efficient, and Equitable Return to School Buildings”. We felt if this framework was followed by school districts, in consultation with local health districts, it would help facilitate a safe reopening of school buildings this fall. However, NSEA also raised concerns that districts may lack the resources or feel pressured not to follow important recommendations. It turns out our concerns were valid.

The key to safely reopen and operate school buildings is to lower community transmission of coronavirus. Unfortunately, the decision to resume in-person learning in Washoe County was made while community transmission of COVID was still very high. This decision went against guidance issued by the CDC and even the Washoe County Health District. We know that Washoe County has experienced elevated COVID-19 cases ever since, including their highest reported case numbers this week. The Washoe County Health District reported experiencing a spike in number of cases over the past month associated with K-12 students and school district staff. This is exactly what NSEA, WEA, and educators across the state have been warning about. We fear that any effort to reopen school buildings with high community transmission rates, like the one currently contemplated in Clark County, will only lead to the same, devastating result.

NSEA is further concerned that current policy on student assessments, teacher evaluations, and school star ratings is unfair during the COVID-19 pandemic, with some districts operating fully in-person, others with hybrid models, and still others in full distance learning. NSEA has previously expressed our concern that existing policy on student assessments, teacher evaluations, and school star ratings compromises the safe operation of schools during the COVID-19 crisis. These mechanisms have failed to foster the improvements in either achievement, or student engagement they were intended to deliver. With a continued reliance on these old schemes, students and educators have counter-incentives to come to school when sick; to teach to tests instead of teaching and reinforcing health and safety; and to maximize numbers and time in classrooms, even when that may be outside of the guidelines. Suspension of elaborate sorting and rating mechanisms, including federal, state, and district mandated assessments, use of SLO/SLG’s in teacher evaluations, and school star ratings during the COVID-19 public health emergency is the right thing to do.

Item A18, Nevada State Education Association

The Nevada State Education Association has been the voice of Nevada educators for over 100 years. Since the early days of the COVID-19 pandemic, NSEA sounded the alarm about the deleterious impact this crisis is having on public education and the state budget. In a letter to the Commission on School Funding in April, we warned the economic impacts of this crisis would be devastating and long-lasting. We wrote:

While NSEA believes the school funding plan should be updated to reflect the changing needs of Nevada, it would be completely irresponsible to implement this radical shift during these already turbulent times. While NSEA's previous concerns with the new funding plan remain, the new economic realities not only undermine school funding generally but also the work of the Funding Commission specifically. The main charge of the Funding Commission is to model the new funding plan, running it alongside the Nevada Plan in the current fiscal year and to make recommendations based on these numbers. However, data from this fiscal year likely will need to be discarded, as Nevada's economy came to a screeching halt toward the end of the third quarter. Even after stay at home orders are lifted and businesses begin to reopen, we know that the economy will take time to return to anything that resembles normal, and that normal may very well resemble the last Nevada recession.

Our concerns proved wholly prescient, as numbers in modeling at the Funding Commission varied wildly from month to month over the summer, projecting new winners and new losers at three consecutive meetings. Meanwhile, Nevada's budget hit a wall resulting in \$156M in painful cuts to K-12 education including total elimination of weighted funding for at-risk students and English learners—the very basis for the new funding formula. And with COVID-19 cases hitting record highs this week, the crisis and the related economic impacts are far from over. Before this week's meeting of the Economic Forum, the Governor requested 12% reduction proposals from all departments, including NDE, for the next biennium.

NSEA maintains it is completely irresponsible to effectuate a radical shift in the state's education funding formula in the middle of a global pandemic, as devastating cuts are being made to our schools. The only responsible course of action for the state is to delay the implementation of SB543 until after the pandemic, while education stakeholders are able to develop a revenue plan to get us out of the current economic crisis and on our way to optimal funding.

To this end, NSEA is again asking the Nevada State Board of Education to take additional leadership in fighting for the resources for our schools and adopt a formal position in support of AJR1 from the 32nd Special Session. AJR1 would amend the Constitution to increase the mining tax from 5% of net proceeds to 7.75% of gross proceeds. This would generate \$485 million in new revenue. Included in AJR1 is a provision that dedicates 25% of revenues that could be spent for educational purposes.

While our schools and other vital state services are suffering, we know there is another side of this economic crisis, with billionaires amassing significant new wealth. Nevada is the world's 5th largest producer of gold. Large mining companies have been making record profits with gold selling near record highs of \$1900/oz, yet the mining industry pays very little in state taxes. AJR1 is the mining tax proposal that would deliver the most resources to K-12 public education. A half-billion dollars in new revenue for Nevada is the right-sized treatment of an industry that has enjoyed a sweetheart deal since Nevada's beginnings. The proposal is also significant enough to move the needle on the chronic underfunding of Nevada schools and other vital services families depend upon. If passed during the 2021 Legislative Session, AJR1 would go before Nevada voters in 2022.

NSEA has been working to address the chronic underfunding of public education in Nevada for decades. While AJR1 is only a part of what is needed to deliver a high-quality public education to every Nevada student, it is a most critical next step.

Item A19, Malcolm Gillard

Dear Members of the Nevada State Board of Education:

I am in my 19th year as an educator in Clark County public schools. I have taught Gifted and Talented Education (GATE) for the majority of my career. A portion of my time is spent identifying students with gifted characteristics. GATE specialists often rely on teacher recommendations, student academic achievement, and test scores.

I am concerned about the use of normative-reference testing, such as the Measurement of Academic Progress (MAP) test in our schools. The MAP test is a partial, and often flawed, indicator of student learning, yet we use it to make a number of decisions about instruction, student academic performance, and enrollment in programs like GATE. We often use MAP test scores to help identify students for the GATE program in the absence of other academic measures as early as the second grade. The problem with this is that some of these young students have no experience with standardized or computer-based assessments, and as a result, the tests do not accurately reflect the readiness of our low income and students of color who often do not have access to enriching technology programs at home.

When students are enrolled in GATE, I work closely with their grade-level teacher to build an enriching and challenging curriculum. We have access to student MAP scores, but those scores are often unhelpful in the GATE classroom. First, the scores are reported on what is called a RIT scale. This scale means little to classroom teachers who are trying to ensure that students are achieving grade level standards. I have also found the RIT score to mean little to me about what students know. Sometimes students score well on the MAP test, but in the classroom, they cannot perform the skills the test says they know. In other cases, students are performing well beyond the content measured on the test. I no longer rely on MAP scores.

When we do not have a reliable indicator, like a test, to identify students for GATE or other services, we rely more on teacher recommendations, and research proves that reliance on a single criteria, such as a teacher recommendation, disproportionately disadvantaged students of color and low income students in our schools. This is reflected in the lack of diversity within the GATE program across Clark County Public Schools.

I strongly encourage the Board to reconsider the use of the MAP test in our schools. We need a criterion-referenced or individualized assessment that is fully aligned to our state academic standards that provides understandable and reliable scores.

Sincerely,

Malcolm Gillard, Ed.D

Appendix B: Statements Given During Public Hearing Comment Periods

1. Humboldt County School District submitted public comment regarding Regulation #R064-20.
2. Washoe County School District submitted public comment regarding Regulation #R064-20.
3. Victor Salcido, Executive Director of the Charter School Association of Nevada submitted public comment regarding Regulation #R064-20.
4. Clark County School District submitted public comment regarding Regulation #R064-20.
5. Carson City School District submitted public comment regarding Regulation #R064-20.
6. Lyon County School District submitted public comment regarding Regulation #R064-20.
7. Pershing County School District submitted public comment regarding Regulation #R064-20.
8. Churchill County School District submitted public comment regarding Regulation #R064-20.
9. Elko County School District submitted public comment regarding Regulation #R064-20.
10. Lincoln County School District submitted public comment regarding Regulation #R064-20.
11. Douglas County School District submitted public comment regarding Regulation #R064-20.
12. Power2Parent submitted public comment regarding Regulation #R064-20.

Item B1, Humboldt County School District

Re: Regulation #R064-20

Esteemed Members of the State Board of Education:

In reviewing the proposed regulations under consideration by the State Board of Education on November 12, 2020, Humboldt County School District would like to express our concern with regulation #R064-20 as proposed. Without question, various social factors have a significant impact on the students that we have the privilege to serve, and the information being requested likely has value in considering how to best support said students. However, to designate the collection of such information by the Board of Trustees places an undue burden on a governing body that does not have access to the majority of the proposed information.

As a result, the Board of Trustees would look to District employees to engage with various community agencies who have access to the requested information. This creates a duplication of effort, and would place an undue burden on districts in order to seek out and compile such information. As a result, the proposed regulation would create economic impact on school districts as additional personnel would be required to meet the reporting requirements as defined.

Humboldt County School District currently uses a variety of social factors in regards to the provision of services for our students. This includes data relative to attendance, free and reduce lunch eligible, homelessness, counseling contacts and transportation. This information, in addition to other data, direct hiring practices across the district in order to meet the needs of our students.

As a district, we support the collection of the data points that are named above, and can affirm that said information guides our district practice. We would formally request that the SBOE not support the exhaustive and not district generated data points outlined in #R064-20.

Thank you for your consideration of these comments and ask that #R064-20 not be supported as presently defined.

Item B2, Washoe County School District

Regulation LCB File #R064-20

Honorable Members of the State Board of Education:

Please accept these comments on behalf of Washoe County School District regarding the proposed LCB File #R064-20.

After reviewing the proposed language, Washoe County School District cannot support this regulation as proposed. While we appreciate the significant impact that social factors have on a student's ability to succeed, the exhaustive list of factors the district would be responsible for compiling would require a tremendous amount of staff time and a duplication of other county community-based efforts.

Based on our analysis, the enabling legislation in Senate Bill 267 does not require a separate report be provided to the Department, but a list of factors we will consider.

In fact, we often use social determinants and risk factors listed here as factors in decision-making regarding staffing of teachers, counselors, school social workers, psychologists, nutrition services staff and more. Conversely, the compilation of this exhaustive list of data points, some of which may not be readily available, will take our current staff away from their current work of supporting these schools. There is not currently capacity within our staff to fulfill this proposed regulation.

We do believe there would be an economic impact to this regulation if approved as written. This could potentially require additional staff or contracting with an outside agency to compile all the data required.

Washoe County School District would support compiling information around attendance, homelessness (children in transition), free and reduced lunch, and school districted provided transportation data and providing an affirmative statement to the State Board of Education that we are regularly using that information in decision-making on allocation of resources.

Thank you for considering these comments and we ask that you amend this language based on the recommendations we have made.

Item B3, Charter School Association of Nevada

Dear State Board of Education:

Public charter schools in Nevada believe strongly that social and environmental factors are crucial for the academic success of a student. To that end, public charter schools host numerous community events, including multiple resource fairs where services such as dental care, free flu shots, groceries and even mammograms are provided. They hire mental health counselors, they coordinate with multiple community outreach entities and they bring these services into the schools. These efforts have proven even more crucial during the current COVID crisis.

There is no dispute that a holistic approach to students is crucial for them to reach their full potential. That is why we can certainly appreciate the spirit and purpose behind these proposed regulations. However, it is crucial to understand that our current COVID crisis has placed enormous additional burdens on all schools, demands that go far beyond simply worrying about classroom instruction. Today, governing boards need to consider logistics including balancing hybrid schedules, room occupancy rates, virtual education delivery, heightened cleaning and sanitation services, and the basic health and safety of both staff and students to a level that would have been unimaginable a year ago. All of this in addition to ensuring that academic performance does not suffer. To say schools are stretched thin would be a gross understatement. And that goes for every level of the school. We are seeing high levels of teacher burn-out, administrator burn-out and overburdened governing boards. Simply put, to impose the additional responsibilities contained in these proposed regulations, especially at this particular time, would not only be onerous but would seem insensitive to the current plight our schools.

We ask so much of our schools. We ask them to wear so many hats. They are social workers, they are caregivers, they are mental health counselors, they are family therapist all on top of being top-level educators. These additional proposed requirements, as written, would require them to also become demographers and economists. There is no argument this data could be useful, but the burden of collecting and presenting it should not fall on our already depleted public schools. We respectfully ask that the proposed regulations not be adopted as written and that we work together to meet the requirements of the statute without further overburdening our public school system.

Yours truly,

Victor Salcido
Executive Director
Charter School Association of Nevada

Item B4, Clark County School District

Regulation LCB File #R064-20

Honorable Members of the State Board of Education:

The Clark County School District is concerned with the proposed regulation outlined in LCB File #R064-20. After reviewing the proposed language, the Clark County School District cannot currently support this regulation. During the 2019 Nevada Legislative Session, the district spoke on the record that while social and environmental factors play a role in a student's ability to succeed, it should not be put on school districts to create a list of external factors. The proposed exhaustive list, put under the responsibility of the district to compile, would require a tremendous amount of staff time and a duplication of other county and state community-based efforts.

As part of the proposed regulation, the Clark County School District would support compiling information related to student attendance, students in transition, free and reduced lunch, and school district transportation data. However, it should not be the district's responsibility to report on items such as affordable housing, the number of grocery stores and food banks, county-wide transportation, and crime and violence rates.

In reviewing Senate Bill 267 from 2019, the district does not believe the bill requires a separate report be provided to the Department. Instead, the bill requires the district to only identify and consider environmental and social factors when making decisions concerning schools and staffing. Per NRS388G, each school in Clark County utilizes a "School Organizational Team" to help create a site-based budget and decision-making model specific to the needs of that local school precinct.

It is the district's request that the State Board of Education amend the proposed language in #R064-20 based on these recommendations.

Item B5, Carson City School District

Re: Regulation LCB File #R064-20

Dear Members of the State School Board of Education,

The purpose of this letter is to ask for your consideration to revise language in the Proposed LCB File #R064 requiring school districts to gather a significant list of social and economic factors that may affect students' abilities to succeed. By adding this work-effort to the already long list of required reporting and accountability mandates, our district would be required to hire additional staff during an already economically challenged time. Our district works closely with City officials and staff that already record and maintain community information of this type. To require districts to duplicate this effort does not seem an expedient or efficient use of staff time and energy.

As an educational institution, it makes perfect sense for a school district to compile and maintain information relevant to the services we provide. Keeping and maintaining information associated with student attendance, academic performance, special populations, and transportation data are some items that we regularly use in our own internal decision making processes and we have systems established to continue to maintain this information.

At the present time, Carson City School District does not support Regulation LCB File #R064-20 as proposed and asks that school districts not be required to duplicate time and effort to obtain and maintain community information already available through other community sources.

Sincerely,

Richard Stokes,
Superintendent

Item B6, Lyon County School District

Re: Regulation LCB File #R064-20

Honorable Members of the State Board of Education:

I respectfully request that you accept these comments on behalf of the Lyon County School District in regard to proposed LCB File #R064-20.

A thorough review of Senate Bill 267 does not require everything that is being proposed in LCB File #R064-20. For example, there does not appear to be a reporting requirement in the bill, just that a list of factors be considered when making decisions about funding, staffing, etc. of a school. The amount of work and data required by the proposed regulation is extreme and would have a huge financial impact on the Lyon County School District as it would require at least one full time position to satisfy the requirements. This is not acceptable in a time of budget reductions and a global pandemic.

District administration from the Lyon County School District stands ready and willing to work with the Nevada Department of Education to assist in modifying language in the proposed regulation that would more closely align with Senate Bill 267. I respectfully request that school districts be given the opportunity to do so. Please do not accept this regulation as proposed.

Thank you for considering these comments as I'm confident they also reflect those of other school districts in the state.

Sincerely,

Wayne Workman
Superintendent, Lyon County School District

Item B7, Pershing County School District

Re: Regulation LCB File #R064-20

Honorable Members of the State Board of Education:

Please accept these comments on behalf of Pershing County School District regarding the proposed LCB File #R064-20.

After reviewing the proposed language, Pershing County School District cannot support this regulation as proposed. It was our understanding that Senate Bill 267 had no reporting requirement tied to it as it just asked that a list of factors be considered when making decisions about funding, staffing etc. of a school.

While we appreciate the significant impact social factors have on a student's ability to be successful, we do not feel that the tremendous amount of work of compiling the information being requested in this regulation should fall on the school district.

We will continue to use social determinants and risk factors as part of our decision-making processes when prioritizing our staffing levels and services being provided to our students. We simply do not have the staff levels to be able to compile all the data this regulation would request of the school district.

Sincerely,

Russell D. Fecht
Superintendent, Pershing County School District

Item B8, Churchill County School District

Re: Regulation #R064-20

Members of the Nevada State Board of Education:

Churchill County School District would like to express our concern with regulation #R064-20 as proposed. No other time in our educational space have we experienced the number of factors that are impacting and influencing the opportunities brought forward for learners during this pandemic. During this time, we do work tirelessly with our community and county partners to provide supports and services for all of our children and staff from the district. This proposed regulation, however, would be placing the collection of data that already exists in other agencies or that can be collected by other agencies onto the district's Board of Trustees, whose role is not to complete this type of work. We do appreciate the importance of building coalitions and partnerships throughout the communities, but ask that this data be collected from those agencies who already collect it and have it readily available. This is where we get the data already to impact our staffing, our programs, and our supports. If different systems are needed statewide to support the cross-sharing of data among entities, we believe that funds and energies would be well spent on that work.

Churchill County School District does support the consideration of the data points that are being discussed, but we do ask that the State Board of Education not support #R064-20 as currently presented since it creates significant amounts of duplicated work which will be added to already stretched and strapped school districts.

Thank you,

Dr. Summer E. Stephens
Superintendent

Item B9, Elko County School District

Honorable members of the State Board of Education:

Please accept these comments on behalf of the Elko County School District regarding the proposed LCB File #R-064-20.

Elko County School District would like to share our concern about the added reporting requirements created by #R-064-20. We recognize that there are a number of factors that impact student's readiness to learn and work closely with our community partners to address the needs of our students and their families. We identify those risk factors which have a direct impact on student performance in the classroom and school setting. This consideration aides the district in making critical decisions regarding staffing, nutrition services, academic and social emotional programing and more. The exhaustive list of data points identified as required by R-064-20 is onerous and goes far beyond the collection of information that can be most effectively utilized in meeting the needs of our community. Additionally, and importantly, the work of collecting the data will require considerable time and resources that the District does not have available.

We ask that the State Board of Education not support #R064-20 as currently presented. Thank you for your consideration.

Sincerely,

Michele Robinson, Ed.D
Superintendent, Elko County School District

Item B10, Lincoln County School District

RE: REGULATION LCB FILE #R064-20

HONORABLE MEMBERS OF THE STATE BOARD OF EDUCATION:

LINCOLN COUNTY SCHOOL DISTRICT RESPECTFULLY REQUEST THAT YOU ACCEPT THESE COMMENTS IN REGARD TO PROPOSED LCB FILE #R064-20.

IN REVIEWING THE SENATE BILL 267, IT DOES NOT REQUIRE EVERYTHING THAT IS BEING PROPOSED IN LCB FILE #R064-20. FOR EXAMPLE, THERE DOES NOT APPEAR TO BE A REPORTING REQUIREMENT IN THE BILL, JUST THAT A LIST OF FACTORS BE CONSIDERED WHEN MAKING DECISIONS ABOUT FUNDING, STAFFING, ETC. OF A SCHOOL. THE AMOUNT OF WORK AND DATA REQUIRED BY THE PROPOSED REGULATION IS EXTREME AND WOULD HAVE A HUGE FINANCIAL IMPACT ON THE LINCOLN COUNTY SCHOOL DISTRICT, AS WE DO NOT HAVE CURRENT STAFF WHO COULD ASSIST TO SATISFY THE REQUIREMENTS. THIS IS NOT ACCEPTABLE IN A TIME OF BUDGET REDUCTIONS.

DISTRICT ADMINISTRATION FROM THE LINCOLN COUNTY SCHOOL DISTRICT IS WILLING TO WORK WITH THE NEVADA DEPARTMENT OF EDUCATION TO ASSIST IN MODIFYING LANGUAGE IN THE PROPOSED REGULATION THAT WOULD MORE CLOSELY ALIGN WITH SENATE BILL 267. WE ARE REQUESTING THAT SCHOOL DISTRICTS BE GIVEN THE OPPORTUNITY TO DO SO. PLEASE DO NOT ACCEPT THIS REGULATION AS PROPOSED.

SINCERELY,

PAM TEEL
SUPERINTENDENT
LINCOLN COUNTY SCHOOL DISTRICT

Item B11, Douglas County School District

Re: Regulation LCB File #R064-20

Dear Members of the State Board of Education:

Please accept this letter as public comment on behalf of Douglas County School District regarding the proposed LCB File #R064-20.

After a thorough review of the language which has been proposed, Douglas County School District cannot support this regulation. We believe the proposed language extends well beyond the original intent of Senate Bill 267 and places an economic cost on DCSD. As a rural district with limited resources, we do not have the staff to compile all the data that would be required of our district, nor should our limited funding be used to contract with an outside agency to accomplish this task.

As any school district should, Douglas County School District continually uses data and considers social factors impacting our students when making decisions that impact student learning. Everything we do as a district is with the goal to provide all of our students the best education possible, and it's important that we be allowed to utilize our staff for that mission, not collecting an endless list of data that will be extremely time intensive, and in some cases, may not even be available.

As noted previously, we do believe strongly that we need to do everything possible to level the field for all students when accessing their education. We support providing data around school attendance, free and reduced lunch, transportation data, and students in transition (homelessness).

Thank you for your consideration of this input from Douglas County School District, and I hope you will use this input to make the appropriate changes related to LCB File #R064-20.

Sincerely,

Keith Lewis
Superintendent

Item B12, Power2Parent

Please note that all 7 board members of Power2Parent to include Erin Phillips, Deborah Earl, Charlie Melvin, Suzette Miranda, Kris Marquez, Rebecca Rasmussen and Brooke DeVoge, do oppose the amendments set forth to Chapter 388 of the Nevada Administrative Code (NAC), pursuant to Senate Bill 267 from the 2019 Legislative Session, regarding the Social and Environmental Factors that effect a student's education experience. We oppose based on the fact that it places burden on the school board of trustees and charter school boards to collect and provide data that is otherwise more appropriately managed by municipalities which then in turn can be requested by the NDE to obtain that info. This will require burdensome time and manpower to collect and create reports not in the purview of trustees. Further, charter boards must maintain their right to determine if such information is necessary for them to operate independently of the full public education model and they should not be mandated to fulfill these requirements. Administrators in schools, public and charter, are well aware of the needs of their students and the communities in which they reside. The proper role of administrators is to provide their expertise and insight to the board through public comment to influence the board of trustees during open meetings. Other channels also exist in which they must exercise their authority to provide that information when THEY deem necessary.

To require a yearly report to the NDE is an overreach and creates unnecessary bureaucracy. It is not the job of trustees to collect data on housing, etc. What would the NDE then do with this data is our question? This is not the job of public, nor public charter or private charter organizations.

Please continue to focus on legislation or creating regulations that will change/strengthen the education of our children.

Thank you,

Charlie Nicole Melvin
Director of Public Relations
702-286-6945
www.power2parent.org