

**NEVADA DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION MEETING  
OCTOBER 8, 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  
Cathy McAdoo  
Felicia Ortiz  
Katherine Dockweiler  
Kevin Melcher  
Mark Newburn  
Robert Blakely  
Wayne Workman

**DEPARTMENT STAFF PRESENT**

Jhone Ebert, Superintendent of Public Instruction  
Dr. Jonathan Moore, Deputy Superintendent of Student Achievement  
Heidi Haartz, Deputy Superintendent of Business and Support Services  
Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement  
Jessica Todtman, Chief Strategy Officer  
Dave Brancamp, Director, Office of Standards and Instructional Support  
Craig Statucki, Director, Office of Career Readiness, Adult Learning & Education Options  
Peter Zutz, Administrator, Office of Assessment, Data, and Accountability Management  
Dr. Patrick Bell, Education Programs Supervisor, Office of Assessment, Data, and Accountability Management  
Melissa Scott, Education Programs Supervisor, Office of Career Readiness, Adult Learning & Education Options  
Karl Wilson, Education Programs Supervisor, Office of Student and School Support  
Beau Bennett, Management Analyst IV, Business and Support Services  
Denise Burton, Education Programs Professional, Office of Career Readiness, Adult Learning & Education Options  
Blakely Hume, Education Programs Professional, Office of Student and School Support  
Andrew Snyder, Education Programs Professional, Office of Standards and Instructional Support  
Jennah Fiedler, Program Officer, Office for a Safe and Respectful Learning Environment

**LEGAL STAFF PRESENT**

**Via Videoconference**

David Gardner, Senior Deputy Attorney General

**PRESENTERS IN ATTENDANCE**

**Via Videoconference**

Keith Lewis, Superintendent, Douglas County School District  
Russell Klein, Superintendent, Lander County School District  
Tate Else, Superintendent, Eureka County School District  
Bonnie Preston, Middle School Health Teacher, Carson City School District

Lorna James Cervantes, Chair-Elect, English Mastery Council  
Rebecca Garcia, President, Nevada Parent Teacher Association  
Shannon La Neve, Director of Humanities, Clark County School District  
Dr. Sharolyn Pollard-Durodola, Chair, English Mastery Council

**AUDIENCE IN ATTENDANCE**  
**Via Livestream**

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

Meeting called to order at 9:00 A.M. by Vice President Mark Newburn. Quorum was established. Vice President Newburn led the Pledge of Allegiance.

## **2: PUBLIC COMMENT #1**

Mendy Henry submitted public comment regarding distance learning and its impact on students. *(A complete copy of the statement is available in Appendix A)*

John Vellardita, Clark County Education Association submitted public comment regarding Assembly Bill 469 (2017). *(A complete copy of the statement is available in Appendix A)*

Olivia Yamamoto submitted public comment regarding agenda item 9 and Senate Bill 108 (2017). *(A complete copy of the statement is available in Appendix A)*

## **3: APPROVAL OF FLEXIBLE AGENDA**

**Member Kevin Melcher moved to approve a flexible agenda. Member Robert Blakely seconded. Motion passed.**

## **4: PRESIDENT'S REPORT**

Vice President Newburn congratulated Juliana Urtubey, the 2021 Nevada State Teacher of the Year, who was notified of her award during a surprise virtual ceremony attended by Governor Steve Sisolak, Superintendent Jhone Ebert, State Board of Education members, and other elected officials and community members on September 23, 2020. Ms. Urtubey is a National Board Certified Teacher and fourth and fifth grade special education teacher at Kermit R. Booker, Sr. Innovative Elementary School in Clark County School District. Vice President Newburn also congratulated four outstanding finalists for the 2021 Nevada Teacher of the Year Award: Perryn Hale of Roy Martin Middle School, Clark County School District; Shelly Nee of Pershing County High School, Pershing County School District; Christina Bourne of Mark Twain Elementary School, Carson City School District; and Lynn Jeka of Yerington Elementary School, Lyon County School District.

## **5: SUPERINTENDENT'S REPORT**

Superintendent Ebert reported that, thanks to the support of the Governor's COVID-19 Task Force and philanthropic partners, 12 of 17 districts are "green," meaning that all students participating in distance learning have the device and internet connectivity they need. 98.8% of Nevada students are currently connected and progress is continuing to be made by ConnectingKidsNV.org and the Family Support Center which supports students and families throughout Nevada.

To address the issue of access to Praxis testing and better support pre-service and in-service educators, emergency regulations were drafted, and a Praxis Testing at-Home option has been made available. Since May, over 20,000 Praxis tests have been taken via the at-Home option in Nevada.

The Governor allocated over \$6 million to school districts for personal protective equipment (PPE), including masks, gloves, cleaning supplies, etc. Ordering and delivery of the supplies is in process. TIES, the Taskforce Initiative for Educator Safety and Screening, was approved at the Interim Finance Committee in September, and is currently in process for implementation.

The Commission on School Funding update will be provided by Deputy Superintendent Haartz during her At-Risk presentation.

Regarding various waivers, Superintendent Ebert reported that the U.S. Department of Education sent a letter to all chief state school officers communicating that no waivers would be provided for summative assessments for the 2020-21 school year, and they should be administered per federal law.

On Saturday, September 26, the Department hosted its inaugural Digital Learning Symposium. Over 210 educators attended, and topics included the Canvas Learning Management System and the Discovery Education

Experience, as well as family engagement practices, and digital learning strategies and tools. Superintendent Ebert commended Cindi Chang and Jayne Malorni from the Office of Standards and Instructional Support and Kim Loomis from i3DigitalPD for their work in leading the Symposium.

Superintendent Ebert shared the Spring 2020 Quality Rating and Improvement System (QRIS) report. Early childhood education providers who participate in Q-RIS receive star ratings between one and five stars every two years. In 2020, 51.5% of all participating programs achieved “quality” status – a rating of three stars or greater.

In partnership with myON and the State Library, the READ Nevada program has tracked that Nevada students have logged over 3 million minutes of reading since May. Since students returned to school, over 1 million books have been accessed, over 8 million minutes have been read, and since August, the number of books completed has increased from 149,000 to over 400,000.

Finally, the Department received a federal grant award for school-based mental health. Member Katherine Dockweiler, who assisted in the grant application, reported that the Department received \$10 million to be distributed over five years; the intent of the grant is to build sustainable capacity for the number of school psychologists, counselors, and social workers, to improve the outcomes of Nevada students. This grant will support recruitment, retention, training, and specialization for school-based mental health professionals.

Member Felicia Ortiz asked where a parent would look for information regarding preschools and early care programs, as the QRIS report was not geared towards families. Dr. Jonathan Moore, Deputy Superintendent of Student Achievement, responded that parents could look to their school district or a range of community partners, including United Way and the Children’s Cabinet. Member Ortiz asked for a display for qualifying programs to note the star rating they have received. Deputy Superintendent Moore noted that families could also look for star ratings and qualified programs at [www.nvsilverstatestars.org](http://www.nvsilverstatestars.org)

Member Ortiz asked how this program would continue given recent budget cuts. Deputy Superintendent Moore responded that the Department was looking for innovative budget solutions to continue the QRIS program, including the coaching components.

#### **6: APPROVAL OF CONSENT AGENDA**

Member Ortiz asked to pull the Washoe County School District’s Revised Work-Based Learning Program and the Nevada School Bus Out of Service Criteria from the consent agenda for discussion. **Member Ortiz moved to approve the remaining items on the consent agenda. Member Blakely seconded. Motion passed.**

Regarding Washoe’s Work-Based Learning Program, Member Ortiz noted that there were issues of accessibility, including access to transportation and devices, and a criterion for qualification includes “no behavior incidents.” Member Ortiz said that because discipline data is highly disproportionate and an equity issue, this requirement propagates additional inequities. Melissa Scott, Education Programs Supervisor, Office of Career Readiness, Adult Learning & Educational Options, noted that pending approval for Washoe is a revision to a temporary plan that was approved by the Board in the spring.

Regarding the School Bus Out of Service Criteria, Member Ortiz noted that there were no COVID-19 or contagion guidelines in the criteria. Felicia Gonzales, Deputy Superintendent of Educator Effectiveness and Family Engagement, reported that districts have a specific protocol in place regarding busses and bus drivers should there be an illness or contagion event. These protocols are part of their reopening plans, which are flexible and regularly revised in consultation with State and local public health officials.

**Member Blakely moved to approve the School Bus Out of Service Criteria. Member Ortiz seconded. Motion passed.**

#### **7: INFORMATION AND DISCUSSION REGARDING DISTRICT AND SCHOOL REOPENING PLANS**

District leaders and parent representatives provided an update to the Board regarding the implementation and status of their school reopening plans.

- **Douglas County School District**

Keith Lewis, Superintendent of Douglas County School District conducted a PowerPoint presentation regarding the status of school reopening in [Douglas County School District](#).

Responding to Vice President Newburn's question regarding best practices, Superintendent Lewis noted that expanding the distance learning platform to be responsive to students' needs was crucial, especially as a model for the long term. Member Ortiz asked when Superintendent Lewis believed they would reach competency-based education. Superintendent Lewis noted that the shift is a four-to-five-year process, but taking the time would be worth the long-term benefits.

- **Eureka County School District**

Tate Else, Superintendent of Eureka County School District conducted a PowerPoint presentation regarding the status of school reopening in [Eureka County School District](#).

In response to a question, Superintendent Else clarified that Eureka County School District does not receive Title I funds and was not eligible for allocated CARES Act ESSER (Elementary and Secondary School Emergency Relief) funds; however, they did apply for the competitive 10% ESSER set-aside and received \$60,000, as well as \$16,000 of Assembly Bill (AB) 3 funds. Superintendent Else noted that this was proportional funding, and Eureka was able to receive PPE through collaboration with the Department and the State. He noted that the most expensive element has been cleaning, and students have adapted well to schedule adjustments to accommodate. Without school activities, student engagement has suffered, but overall many students have been happy to return to school.

- **Lander County School District**

Russell Klein, Superintendent of Lander County School district, conducted a PowerPoint presentation regarding the status of school reopening in [Lander County School District](#).

Superintendent Klein reported that 110 chromebooks had gone missing in shipment, and Lander County School District was in the process of trying to track it down and manage learning in the interim. Lander is currently focusing on mastery-based education and training teachers to be facilitators of learning.

- **Nevada Parent Teacher Association**

Rebecca Garcia, President of the [Nevada Parent Teacher Association](#), conducted a PowerPoint presentation regarding family experiences with school reopening's across the state.

Member Dockweiler asked what could be done to better support parents and families during this time. President Garcia noted that families are not always aware of what services are available at a personal level, including school counselors or school psychologists, or how they can reach out or ask for help. Distance learning has provided supports for students, but feedback is showing that parents are highly stressed by the model and need further supports. Responding to Member Melcher, President Garcia noted that research shows that when families are engaged, students succeed; many agencies have increased collaboration to better support families.

Member Ortiz asked how many students may be falling behind when transferred to homeschooling, which may be seen as a solution to distance learning. President Garcia believed that many families that switched to homeschooling may have had greater family supports, and families in distance learning lacking family support may be more likely to have students fall behind.

[Convenience Break]

## **8: INFORMATION AND DISCUSSION REGARDING THE ENGLISH MASTERY COUNCIL**

Dr. Sharolyn Pollard-Durodola, Chair of the English Mastery Council and Professor of Early Childhood, Multilingual, and Special Education, University of Nevada, Las Vegas; Lorna James-Cervantes, Chair-Elect of the English Mastery Council, School Associate Superintendent, Clark County School District; and Karl Wilson,

Education Programs Supervisor, Office of Student and School Supports, Nevada Department of Education, conducted a PowerPoint regarding Updates from the [English Mastery Council](#).

Vice President Newburn clarified that the recommendations of the English Mastery Council were not for action before the Board; follow-up would later be provided on these items to include possible action.

Member Dockweiler supported the development of statewide English Learner materials and resources, and bilingual school psychologists. Responding to Member Dockweiler, Chair Pollard-Durodola noted that all districts had English Learner plans in place, and the English Mastery Council assesses them each year.

### **9: INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE PROPOSED 2020 NEVADA ACADEMIC CONTENT STANDARDS FOR HEALTH**

Dave Brancamp, Director of the Office of Standards and Instructional Support (SIS), Nevada Department of Education; Andrew Snyder, Education Programs Professional, SIS; Shannon La Neve, Director of Humanities, Clark County School District; and Bonnie Preston, Vice President of SHAPE Nevada, conducted a PowerPoint presentation regarding the [2020 Nevada Academic Content Standards for Health](#).

Member Ortiz noted that, per public comment submitted by Ms. Yamamoto, Senate Bill (SB) 108 (2017) formed a subcommittee of the Board of Education to develop recommendations for how criminal law could be implemented into Nevada Academic Content Standards. Member Ortiz said that the recommendation of the subcommittee was for elements of criminal law to be incorporated into the Health Standards, and asked why they were not clearly integrated in the proposed standards. Member Ortiz noted that the subcommittee received feedback that there was not room or time in the Social Studies curriculum for additional standards.

Deputy Superintendent Moore responded that SB 108 (2017) required that criminal law be implemented into the Social Studies Standards. Director Brancamp noted that some elements were incorporated into the Health Standards regarding prevention, but the legal requirements of SB 108 were for placement in Social Studies. Deputy Attorney General David Gardner noted that per SB 108 (2017) criminal law must go into the Social Studies Standards, regardless of the recommendation of the subcommittee. Vice President Newburn asked if the content could be added to both Social Studies and Health; Director Brancamp noted that it may be confusing if included in both standards, as it may lead to the content not being taught under the assumption that it is being taught elsewhere.

Member Workman noted that he was previously a health educator and throughout his career has noted that whenever the Legislature does not know where to put new standards, they get put into the Health curriculum. He added his belief that any group of educators, if asked, would say that there was not room for additional content in their standards. Member Workman further shared that the Health Standards do address aspects of SB 108, such as consent and human trafficking.

The content from SB 108 has not yet been incorporated into Social Studies Standards; the Board directed the Department to return with further information regarding implementation of SB 108 at its next meeting.

Member Dockweiler asked if data were available regarding how many parents provide consent each year for students to receive elements of health education; Mr. Snyder noted that the Department does not currently have that data, but they will collaborate with other stakeholders to support student participation. Ms. La Neve reported that 96% of secondary students return permission slips in Clark County School District, with the 4% remaining including no responses and negative responses. Member Dockweiler appreciated that the Standards included education in the elementary grades; Member Melcher supported the revisions.

**Member Dockweiler moved to approve the 2020 Nevada Academic Content Standards for Health. Member Blakely seconded. Motion passed.**

## **10: INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE COMMISSION ON SCHOOL FUNDING AND THE DEFINITION OF AT-RISK**

Heidi Haartz, Deputy Superintendent of Business and Support Services, and Beau Bennett, Management Analyst IV, Business and Support Services, provided an update regarding the work of the Commission on School Funding and conducted a PowerPoint regarding an alternative [definition for At-Risk](#).

Vice President Newburn asked what the impact of changing the definition of At-Risk would be. Deputy Superintendent Haartz noted that the Pupil-Centered Funding Plan distributes funds across five tier levels. The fifth tier is weighted funding, consisting of At-Risk, English learner, and Gifted and Talented students. Changing this definition would impact how many and which students would be identified as At-Risk and the funding that would be allocated based the At-Risk status.

Member Melcher noted that academic and attendance factors are clear, but behavior, situational, and home and enrollment stability factors are difficult to evaluate equitably. Deputy Superintendent Haartz responded that those factors were categories, and there were in fact 75 specific factors that the artificial intelligence of the Infinite Campus model analyzes to determine whether a student was At-Risk.

Member Dockweiler agreed with Member Melcher that how schools input disciplinary or behavioral data differs across schools. She further asked who sets the factors and how often they are evaluated; Deputy Superintendent Haartz responded that it was developed by Infinite Campus, and the artificial intelligence is consistently analyzing those factors. Superintendent Ebert added that it's unusual for a State to have a single Student Information System. Through that system, an enormous amount of data has been gathered and assessed. While it does rely on the adults entering the information to do so correctly and equitably, the underlying data available provides a greater picture than the single factor of eligibility for free-or-reduced-priced lunch.

Member Ortiz asked about the quality of data from Infinite Campus. Superintendent Ebert responded that there are varying components, such as teachers entering attendance, school counselors entering data, etc. While data collection has remained stable, districts and parents have requested greater functionality in its reporting to students regarding coursework, etc. Superintendent Ebert noted that the Commission on School Funding made the recommendation to adopt this definition for At-Risk, but statutorily the Board of Education owns the definition.

Deputy Superintendent Haartz noted that there are other sections of Nevada Revised Statutes that define At-Risk alternatively, providing a broad definition and clarifying factors; the recommended shift in the definition would align with this practice. The proposed definition of At-Risk would not be the Infinite Campus factors, Infinite Campus is just able to report on the recommended factors of At-Risk.

Member Melcher expressed concern with consistent data entry. Member Blakely was supportive of the alternative definition. Responding to Vice President Newburn, Deputy Superintendent Haartz reported that Infinite Campus had presented to members of the Commission on School Funding three times, including using "real" Nevada data in a testing scenario. Member Dockweiler was concerned with the definition seemingly determining the measure of the definition.

**Member Blakely moved to approve the recommended definition and expended definition of At-Risk. Member Melcher seconded. The motion was not brought to vote.**

Member Workman noted that the Commission on School Funding worked with the Nevada Association of School Superintendents during their discussion regarding a changed definition of At-Risk, and that their discussions followed along many of the same concerns expressed by the Board, but still arrived at many of the same conclusions as the Commission. Ultimately, the Nevada Association of School Superintendents supported the definition of At-Risk currently before the Board.

Member Ortiz asked that the definition be more specifically defined for entry to the Nevada Revised Statutes (NRS). **Member Blakely moved to approve the recommended definition. There was no second.**



The Board asked the Department to return with a more specific proposed definition of At-Risk.

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

Member Ortiz provided an update regarding the September 17, 2020 meeting of the Diversity, Equity, and Inclusion (DEI) Workgroup. The Department of Education provided a presentation regarding restorative justice and school discipline data. Member Ortiz noted that school discipline data for children of color in particular was highly disproportionate. However, training in restorative justice is a path forward to equity-driven discipline.

**12: INFORMATION AND DISCUSSION REGARDING UPDATES AND CHANGES TO THE ACCOUNTABILITY PORTAL**

Peter Zutz, Administrator of the Office of Assessment, Data, and Accountability Management conducted a PowerPoint regarding updates and changes to the [Nevada Accountability Portal](#).

The Board had no questions nor discussion.

**13: FUTURE AGENDA ITEMS**

Member Dockweiler asked to receive a presentation regarding MAP performance, and a comparison between anticipated scores and current scores to understand the current state of need.

Member Ortiz asked for a presentation regarding Senate Bill 108.

Member Ortiz asked for updates from students regarding their perspectives on education amidst the COVID-19 pandemic.

Superintendent Ebert noted that the next meeting would include additional district reopening reports from superintendents and notified the Board that the December meeting would also include an opportunity to hear from district superintendents, stakeholders, and constituents per NRS 385.040. The November meeting would also include three public hearings.

**14: PUBLIC COMMENT #2**

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

Sylvia Lazos, Nevada Immigrant Coalition submitted public comment regarding the identification of English Learners. *(A complete copy of the statement is available in Appendix A)*

**15: ADJOURNMENT**

Meeting adjourned at 3:05 P.M.



*Appendix A: Statements Given During Public Comment*

1. Mendy Hendry submitted public comment regarding distance learning and its impact on students.
2. Clark County Education Association submitted public comment regarding Assembly Bill 469 (2017).
3. Olivia Yamamoto submitted public comment regarding agenda item 9 and Senate Bill 108 (2017).
4. Nevada State Education Association submitted public comment regarding Assembly Joint Resolution 1 (31<sup>st</sup> Special Session, 2020).
5. Nevada Immigrant Coalition submitted public comment regarding the identification of English Learners.

**Item A1, Mendy Henry**

Good morning President Wynn, Vice President Newburn, Superintendent Ebert, and members of the board. My name is Mendy Henry and I am a parent with children in the Clark County School District. I would like to speak to you today regarding Agenda Item 11 and equity of student work during distance learning.

The workload distribution that is being implemented at all levels in the district is not equitable. Some students are done with the school day with both synchronous and asynchronous learning by mid- morning, while others are working far into the night to finish a laundry list of assignments and are drowning in the upkeep of those assignments and tasks. There are unrealistic expectations for some students to keep up with an outrageous number of assignments each week while students in the same grade level, at the same school, see a fraction of tasks being assigned. Why are students experiencing such inequities in workload distribution? Some teachers are even assigning homework on top of class work, causing students to feel an immense amount of stress to keep up. Families are having a difficult time justifying the excessive workload given to one student in their home while the other, of the same grade level, and attends the same school, is able to enjoy a school-life balance. The social-emotional health of our students is at stake with the inequities students and families are experiencing in the amount of work that is being assigned. When contacted, teachers reference school policy. When administration is contacted, they reference district policy. Why is it that different schools have different interpretations of how much work should be assigned and how much time should be spent on asynchronous learning? I am asking, specifically for Clark County, to address this issue in order to help all of our children maintain a healthy school-life balance. We know that during this difficult time, students' emotional health should be what guides a school's instructional decisions at a distance. Making work load equitable will help to maintain and support their emotional health.

Thank you for your time in hearing my concerns and considering ways to solve this issue.

## Item A2, Clark County Education Association

Re: Emergent Issues Regarding the Reorganization of the Clark County School District

President Wynn and Board Members:

There are two important issues related to the reorganization of CCSD under the law known as AB469 that CCEA would like to bring to your attention. We have raised these issues with the Superintendent as well.

Before I start I want to remind this board that CCEA supported AB469 and in fact 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 85% of all unrestricted dollars must go to the school and follow the student into the classroom. We believe in the School Organization Teams made up of parents, teachers, support staff, the principal, and members of the community. In short, despite what we are about to share with you today we strongly support AB469 but there are two trends that have developed that are alarming and do not reflect what the intent of the law.

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 200% 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. 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. Principal's authority. We believe the law is clear and that this practice on the part of principals in 'banking' carry over dollars and refusing to hire qualified licensed educators is not what the reorganization of the school district intended when it gave school precincts autonomy.

Why are the carryover dollars as high as they are and in fact doubled from last year? Why are principals not hiring licensed and qualified educators in their classroom and retaining substitutes in lieu of hiring available licensed and qualified educators?

AB469 allows for the Superintendent of Public Instruction to have more oversight authority on the implementation of AB469. Under NRS 3880580 "*the Superintendent of Public Instruction shall take such actions as deemed necessary and appropriate to ensure that each large school district carries out the reorganization of the school district in accordance with NRS 388G500 to 388G810.*" CCEA has asked the Superintendent of Public Instruction to exercise its authority and look into these issues.

Furthermore, 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 this Board to look into this matter as well.

Respectfully,

John Vellardita, Executive Director CCEA

### **Item A3, Olivia Yamamoto**

Good morning everyone. My name is Olivia Yamamoto, a proud 2019 graduate of Coronado High School and former Chair of the Nevada Youth Legislature and Clark County School Board Student Advisory Committee. I am submitting public comment today to strongly urge the board to reconsider the proposed 2020 Nevada Academic Content Standards for health instruction to include the directives from the 2017 Senate Bill 108.

As passed into law in 2017, SB108 “requires a study to determine the manner in which to include certain instruction relating to criminal law in the social studies curriculum for public high schools.” This study was already conducted and the subcommittee on SB108 submitted a report to the State Board of Education requesting the “review and possible revisions of Health standards to include the topics in Senate Bill 108 sections 1.5-3.”

As the original author of SB108, I support the subcommittee’s recommendation and suggest that the Academic Content Standards for health instruction incorporate SB108’s directives in an age-appropriate manner in order to meet the requirements of both the study and the law.

Teaching our students about the issues that impact them and their health is vital, and that is why I and the Youth Legislature as a whole felt so strongly about this bill becoming law. Though not every topic included in SB108 may fit within the health curricula’s parameters, subjects such as sexual consent, substance abuse, and their legal ramifications are imperative for our students to understand.

Thank you for your time and attention. I hope that you will consider revising the health curriculum’s standards to include SB108’s pertinent subject matter.

#### **Item A4, Nevada State Education Association**

The Nevada State Education Association has been the voice of Nevada educators for over 100 years.

**NSEA asks the Nevada Board of Education to take a position in support of AJR1 from the 32nd Special Session. AJR1 would generate critical new revenue for Nevada, by amending 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 for Nevada. Included in AJR1 is a provision that dedicates 25% of revenues that could be spent for educational purposes.**

Governor Sisolak called the 31st Special Session to address the severe state budget impact of the COVID- 19 health crisis. On the first day of that session, hundreds of educators donned red face coverings and lined both sides of the street from the Legislative building to the Capitol with a clear call to Fund Healthy Schools. We chanted “Be Brave. Be Bold. New Revenue’s the Way to Go!”

Educators mobilized for new revenue as the Governor presented hundreds of millions of dollars in painful cuts, including \$156 million in cuts to K-12 public education. Unfortunately, new revenues were not passed by the legislature in either special session. Instead, we have been left with education cuts into the bone, including class size reduction and programs for our most vulnerable students like Read by Grade 3 and weighted funding for English learners and at-risk students. These cuts, especially to weighted funding, make successful implementation of the new funding plan impossible, necessitating the delay of implementation of SB543.

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.

While legislators failed to pass new revenue this summer, they did pass several proposals to amend the Constitution to raise mining taxes. AJR1 is the 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’s schools and other vital services Nevada 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 passage of 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 A5, Nevada Immigrant Coalition**

Dear Superintendent Ebert and members of State Board of Education:

We want to commend the English Mastery Committee on today's presentation. In addition we would like to bring to your attention that in the last two academic years, ELL state student enrollment enrollment has dropped by over 10,000 students, or 15%, per the chart below (data from the Nevada Report Card).

We believe that the drop may be due to how the major districts are identifying English language learners. We note that, due to the Reorganization of CCSD, Superintendent Skorkowsky placed responsibility for identification of ELLs at local school or precinct level; no longer does responsibility for testing ELLs lie with ELL department. At the time we raised the possibility that this change in testing responsibility might result in under-identification of ELL students due to lack of expertise and lack of care by individual schools.

NDE should be aware that change in method of identification of ELL students raises possibility of education civil rights violation under existing case law and EEOC policy.

This is a matter of urgency because the data may be flagging an ongoing EEOC violation. We have raised this issue with CCSD administration and CCSD Trustees at the Sept. 24, 2020 Board of Trustees meeting, and have received no response. NDE is the steward of federal Title III funds and therefore has responsibility to ensure that local districts follow EEOC civil rights guidelines.

Sylvia Lazos,  
Nevada Immigrant Coalition

*Appendix B: Supplemental Documents Submitted during Public Comment*

1. [Senate Bill 108](#) (2017)
2. Senate Bill 108 (2017) Subcommittee Report
3. English Learners in Nevada by Percentage
4. English Learners in Nevada by Number



## **Item B2, Senate Bill 108 (2017) Subcommittee Report**

### **State Board of Education: Senate Bill Subcommittee Report April 1, 2018**

Senate Bill 108 passed in 2017, requires the State Board of Education to create a subcommittee

*Section 1.5: to study the manner in which to include, in one of the three units of credit in social studies required pursuant to NRS 389.018 instruction concerning crimes that frequently involve persons under the age of 18 years. Such instruction must include, without limitation, crimes involving:*

- a) Sexual conduct, including, without limitation, sexual assault, statutory sexual seduction, sex trafficking and sexting;*
- b) Alcohol and controlled substances, including, without limitation, driving under the influence and the possession, use and distribution of alcohol and controlled substances;*
- c) Domestic violence;*
- d) Stalking; and*
- e) Destruction of property.*

*Section 2: The instruction described in subsection 1 must emphasize personal responsibility for understanding and complying with the law and must include, without limitation, instruction on:*

- a) The elements of the various crimes;*
- b) Appropriate conduct necessary to avoid being accused of such crimes, including, without limitation, specific instruction concerning the legal requirements for finding consent with respect to sexual conduct;*
- c) The consequences of engaging in such crimes;*
- d) The rights of a person alleged to have committed any such crime; and*
- e) The criminal justice system.*

*Section 3: The instruction described in subsection 1 must provide information to assist victims and witnesses of such crimes, including, without limitations:*

- a) The rights of victims;*
- b) Resources available to victims;*
- c) The rights and responsibilities of a person who witnesses any such crime; and*
- d) Information concerning how to report such a crimes and where to seek assistance.*

Upon the completion of the study the subcommittee will provide recommendations relating to the above subsections 1.5-3 of Senate Bill 108, in the following areas:

- a) The manner in which to modify the curriculum of the relevant course in social studies to include the instruction.
- b) Any appropriate revision to the requirements for licensure or endorsement that may be necessary or appropriate for a teacher.
- c) The professional development that may be necessary or appropriate for a teacher who provides this instruction.
- d) Consideration of any similar instruction provided in another state or school district.

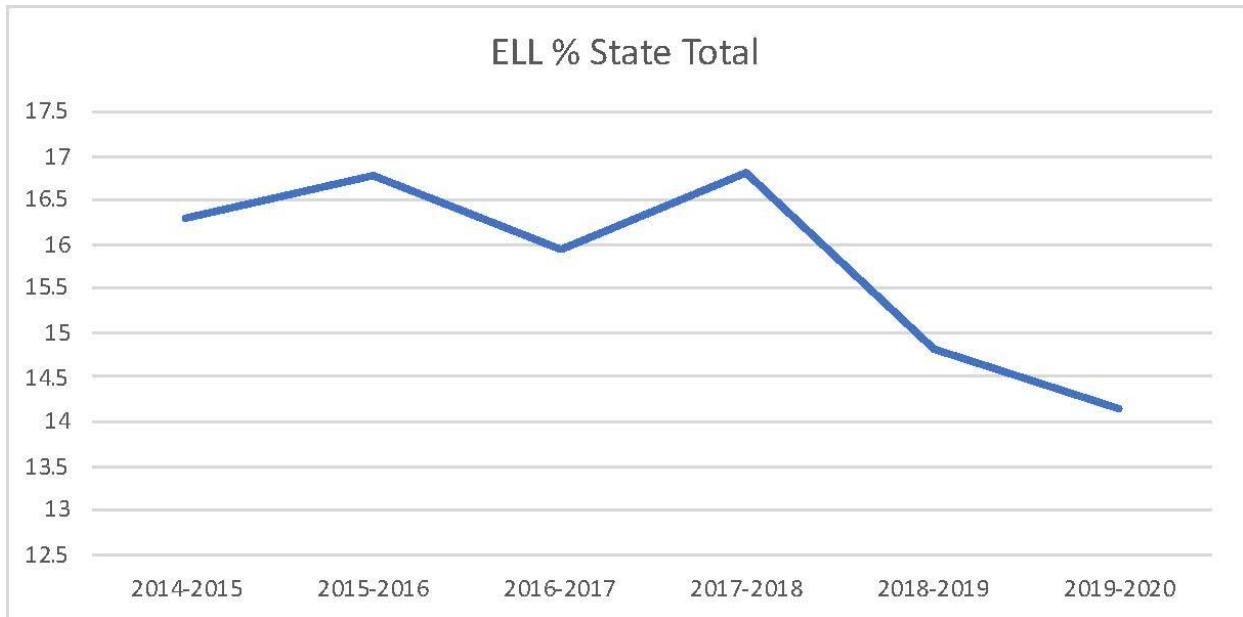
Recommendations:

In relation to Section 1.5 of Senate Bill 108, the subcommittee recommends the following:

- The chair of the SB 108 subcommittee will submit a letter to the Council to Establish Academic Standards requesting review and possible revisions of Health standards to include the topics in Senate Bill 108 sections 1.5-3.
- Letter to Commission on Professional Standards to request a review of licensing and endorsement in light of Senate Bill 108 and a report to the State Board of Education with their findings.
- Require the Nevada Department of Education to curate a list of high quality instruction materials and Community Partners who deliver content aligned to the parameters of Senate Bill 108 for teachers.
- Engaging with community partners and districts for professional development in a train the trainer model and consideration in expanding the motion to include intersection between social workers, students and multi-disciplinary teams in schools.

If there are any questions, please contact Mary Holsclaw at [mholsclaw@doe.nv.gov](mailto:mholsclaw@doe.nv.gov) or 775-687-593

**Item B3, English Learners in Nevada by Percentage**



**Item B4, English Learners in Nevada by Number**

