

**NEVADA DEPARTMENT OF EDUCATION
REGULATION WORKSHOP
JUNE 5, 2020
11:00 A.M.**

Meeting Location

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

SUMMARY MINUTES OF THE WORKSHOP

DEPARTMENT STAFF PRESENT

Jonathan Moore, Deputy Superintendent of Student Achievement
Christy McGill, Director of the Office for a Safe and Respectful Learning Environment
Peter Zutz, Director of Assessment, Data, and Accountability Management
Sarah Nick, Management Analyst III
Alberto Quintero, Education Programs Professional
Glenn Meyer, IT Manager I

AUDIENCE IN ATTENDANCE

Via Livestream

1: CALL TO ORDER

Meeting called to order at 11:03 A.M. by Dr. Jonathan Moore, Deputy Superintendent of Student Achievement.

The workshop was initially posted to take place in-person at the Carson City and Las Vegas Nevada Department of Education locations. However, Governor Steve Sisolak's Emergency Directive 021 extended Emergency Directive 006 through June 30, 2020, and the Workshop notice was amended May 28, 2020 to take place virtually in accordance. All postings were updated to reflect the change in location. In the event members of the public arrived at the Department's physical locations to participate, notices were posted on the doors, and the workshop held a 15-minute delay in proceedings to accommodate those members of the public to connect via livestream.

2: PUBLIC COMMENT #1

Public comment was submitted via email and read into the record by the Secretary to the Board.

No public comment.

3: WORKSHOP TO SOLICIT COMMENTS ON PROPOSED AMENDMENTS TO NAC CHAPTER 387.100 – REGARDING CALENDAR DAYS; NAC CHAPTER 387.163 – RECORDING ENROLLMENT AND ATTENDANCE; NAC CHAPTER 387.171 – MASTER REGISTER OF ENROLLMENT AND ATTENDANCE; NAC CHAPTER 387.175 – MAINTENANCE OF RECORDS OF ENROLLMENT AND ATTENDANCE; NAC CHAPTER 387.185 – RECORDING ATTENDANCE; NAC CHAPTER 387.200 – REGARDING ENROLLMENT, TRANSFERS, AND WITHDRAWALS; NAC CHAPTER 387.215 – REGARDING THE REASON FOR WITHDRAWAL OF A PUPIL; NAC CHAPTER 387.283 – REGARDING PUPILS PLACED IN A DETENTION HOME OR ALTERNATIVE PROGRAM; AND NAC CHAPTER 387.306 – REGARDING PUPILS IN PROGRAMS WHICH COMBINE WORK AND STUDY; ALL OF WHICH UPDATE THE ENROLLMENT AND ATTENDANCE INFORMATION REQUIRED IN THE STATEWIDE STUDENT INFORMATION SYSTEM.

[Workshop called to order at 11:22 A.M.]

[Presentation]

Peter Zutz, Director of Assessment, Data & Accountability Management; Christy McGill, Director of the Office for a Safe and Respectful Learning Environment; Alberto Quintero, Education Programs Professional, Parental Involvement and Family Engagement outlined the Nevada Administrative Code chapters for proposed amendment.

NAC Chapter 387.100 will shift language to align with current reporting practices and define an instructional day. NAC 387.163 will clarify the requirements of this regulation, including ways of recording and reporting attendance. NAC 387.171 will see the addition of charter schools. NAC 387.175 will include current reporting categories and student groups. Further changes highlight the student information system prescribed by the Superintendent of Public Instruction. NAC 387.185 will align with the current definition and business rules the state has adopted around attendance and included in the reporting system. NAC 387.200 will include the addition of 20 consecutive business days and clarify current business rules, and whether a parent or legal guardian has notified the school district of withdrawal. NAC 387.215 will align the regulation with current business rules. NAC 387.283 will add required language. NAC 387.306 will shift from 2/3 to 50% to align with current business practices and business rules.

[Public Comment]

Washoe County School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Humboldt County School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Clark County School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Lander County School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Futuro Academy Charter School submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Douglas County School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Imagine Schools at Mountain View submitted public comment with questions regarding changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Nevada State High School submitted public comment with questions regarding changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

American Preparatory Academy Las Vegas submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Carson City School District submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

Nevada Virtual Academy submitted public comment in support of changes to the Nevada Administrative Code. *(A complete copy of the statement is available in Appendix A)*

[Workshop adjourned at 11:48 A.M.]

13: PUBLIC COMMENT #2

No public comment.

14: ADJOURNMENT

Meeting adjourned at 11:48 A.M.

Appendix A: Statements Given During Public Comment

1. Washoe County School District, Agenda Item 3
2. Humboldt County School District, Agenda Item 3
3. Clark County School District, Agenda Item 3
4. Lander County School District, Agenda Item 3
5. Futuro Academy Charter School, Agenda Item 3
6. Douglas County School District, Agenda Item 3
7. Imagine Schools at Mountain View, Agenda Item 3
8. Nevada State High School, Agenda Item 3
9. American Preparatory Academy Las Vegas, Agenda Item 3
10. Carson City School District, Agenda Item 3
11. Nevada Virtual Academy, Agenda Item 3

Item A1, Washoe County School District

Dear Superintendent Ebert:

On behalf of the Washoe County School District, I am writing to provide for the proposed Changes to Nevada Administrative Code (NAC) as they relate to attendance and enrollment. I would also like to take the opportunity to thank Glenn Meyer and his staff for his inclusive approach to make these necessary changes which update the enrollment and attendance information required in the statewide student information system with the inception of collecting average daily enrollment for apportionment. We strongly support these regulatory proposals:

- NAC Chapter 387.100 –Regarding Calendar Days;
 - Moving in 2015 to average daily attendance for apportionment, tracking of enrollment and attendance moved away from monthly to quarterly. Tracking of enrollment and attendance changed to mid-quarter and end-of-quarter dates. These do not fall nicely into months, so a need to change to instructional days became evident.
- NAC Chapter 387.163 –Recording Enrollment and Attendance;
 - The proposed change allows districts to use attendance codes mapped to the state list of codes established August 2018. Previously districts asked for state superintendent approval for a list of codes and each district could have the same code with different meaning. This change allows for continuity across Nevada, so that all absences are treated equally.
- NAC Chapter 387.171 –Master Register of Enrollment and Attendance;
 - Due to the implementation of a statewide student information system, the language of this section needs to be updated. The race and ethnicity identifiers were changed at the federal level and will be brought up to date with this revision.
- NAC Chapter 387.175 –Maintenance of Records of Enrollment and Attendance;
 - The proposed change was to note that the records would be kept electronically and are no longer needed on paper. Washoe County School District, through a pilot program, has been keeping these records electronically since 2009, allowing for a savings calculated at \$150,000 over 10 years ago.
- NAC Chapter 387.185 –Recording Attendance;
 - In 2018, Nevada implemented the federal guidelines for chronic absenteeism; these changes are necessary to align with the guidelines.
- NAC Chapter 387.200 –Regarding Enrollment, Transfers, and Withdrawals;
 - Due to the move in 2015 to average daily attendance for apportionment, tracking of enrollment and attendance moved away from monthly to quarterly. End-of-quarter tracking dates did not match with the requirement of a student to attend in a statistical month; it became evident the requirement should be 20 instructional days.
- NAC Chapter 387.215 –Regarding the Reason for Withdrawal of a Pupil;
 - With the well-placed emphasis on every student graduating, the implied permission granted to withdraw for pregnancy, apprenticeship, self-support, marriage, employment, or incarceration is outdated. This NAC has been streamlined to use the withdrawal tracking to match the cohort report, tracking students who withdraw to diploma granting programs and those who did not.
- NAC Chapter 387.283 –Regarding Pupils placed in a Detention Home or Alternative Program;
 - This NAC was updated to include charter schools.
- NAC Chapter 387.306 –Regarding Pupils in Programs which combine Work and Study;
 - In 2018, Nevada implemented the federal guidelines of chronic absenteeism, these changes are necessary to align with the guidelines.

It is my intention to support these changes at the meeting on June, 5, 2020, current social distancing requirements permitting, at which time I would be happy to answer any questions regarding either the collaborative process involving all 17 districts and the State Charter School Authority or the changes being requested.

Sincerely, Dr. Bryn Lapenta, Senior Director

Item A2, Humboldt County School District

To Whom It May Concern:

This letter is to provide notice that Humboldt County School District is in support of the language changes specific to item #3 on the Nevada Department of Education Regulation workshop to be held on June 5, 2020 at 11:00 am.

Sincerely,

Dawn Hagness
HCSD Assistant Superintendent

Item A3, Clark County School District

Dear Superintendent Ebert:

On behalf of the Clark County School District, I am writing to provide support for the proposed changes to Nevada Administrative Code (NAC) as they relate to attendance and enrollment. These revisions were made possible due to the inclusive approach taken by Glenn Meyer and his staff, and for that we are grateful. These changes are necessary to align the district instances of the student information system and collection at the state level of enrollment and attendance data.

We strongly support these regulatory proposals:

- NAC Chapter 387.100 –Regarding Calendar Days; With the move in 2015 to average daily enrollment for apportionment, tracking of enrollment and attendance moved away from monthly to quarterly. Tracking of enrollment and attendance changed to fiscal mid-quarter and fiscal end-of-quarter dates. These do not fall nicely into months, so a need to change to instructional days became evident.
- NAC Chapter 387.163 –Recording Enrollment and Attendance; This change allows districts to use attendance codes mapped to the state list of codes established August 2018. Previously districts asked for state superintendent approval for a list of codes and each district could have the same code with different meaning. This change allows for continuity across Nevada, so that all absences are treated equally and flexibility in how the LEA communicates the codes to their unique community.
- NAC Chapter 387.171 –Master Register of Enrollment and Attendance; With the implementation of a statewide student information system, the language of this section needed to be updated. The race and ethnicity identifiers were changed at the federal level and will be brought up to date with this revision.
- NAC Chapter 387.175 –Maintenance of Records of Enrollment and Attendance; This change was to note that the records would be kept electronically and are no longer needed on paper. Clark County School District has been keeping these records electronically since on a pilot, allowing for a cost savings and relief of the paper burden.
- NAC Chapter 387.185 –Recording Attendance; In 2018, Nevada implemented the federal guidelines of chronic absenteeism, these changes are necessary to align with the guidelines.
- NAC Chapter 387.200 –regarding Enrollment, Transfers, and Withdrawals; With the move in 2015 to average daily enrollment for apportionment, tracking of enrollment and attendance moved away from monthly to quarterly. End-of-quarter tracking dates did not match with the requirement of a student to attend in a statistical month; it became evident the requirement should be 20 instructional days.
- NAC Chapter 387.215 –regarding the Reason for Withdrawal of a Pupil; With the well-placed emphasis on every student graduating, the implied permission granted to withdraw for pregnancy, apprenticeship, self-support, marriage, employment, or incarceration is outdated. This NAC has been streamlined to use the withdrawal tracking to match the cohort report, tracking students who withdraw to diploma granting programs and those who did not.
- NAC Chapter 387.283 –regarding Pupils placed in a Detention Home or Alternative Program; This NAC was updated to include charter schools.
- NAC Chapter 387.306 –regarding Pupils in Programs which combine Work and Study; In 2018, Nevada implemented the federal guidelines of chronic absenteeism, these changes are necessary to align with the guidelines.

Sincerely,

Greg Manzi
Director, Student Record Services
Technology and Information Systems Services Division (TISS)
Clark County School District

Item A4, Lander County School District

To the Members of the Regulation Meeting Workshop,

Lander County School District is in full support of the proposed changes to NAC by SATN IT Department at the Nevada Department of Education. The department and LEA' s spent a great amount of time over the past years to make policy and procedures accurate as some NAC conflict with NRS and Federal statutes. The proposed changes will align all statutes and give everyone a better understanding of what guidelines need to be followed in order to better serve our students.

Thank you for your time,

Rebecca Killeen
Lander County School District
Student Information System Administrator

Item A5, Futuro Academy Charter School

Dear esteemed members of the Nevada Department of Education Workshop,

We submit for the record our support of the proposed regulation changes presented on June 5, 2020 for your consideration.

In our review of the proposed changes, we find that these changes reflect strong business rules and standardized operating procedures to reconcile the current status quo of having a consolidated statewide Student Information System (SIS), the necessity of standardization across all district and public charter schools for the smooth operation of attendance and enrollment procedures, and the realities of maintaining digital records.

This support is qualified by the suggestion that there be a systematic and statewide approach, with individualized support options, for any major changes that require changes in the district instances of the SIS (currently Infinite Campus) similar to times past around the initial launch and adaptation of a statewide SIS.

Respectfully submitted,

Ignacio Prado
Executive Director - Futuro Academy Charter School

Item A6, Douglas County School District

Nevada State Board of Education Regulation Workshop, June 5, 2020

Dear State Board Members,

Thank you very much for considering the proposed changes to Nevada Administrative Code (NAC) relating to the enrollment and attendance of students. These changes will provide us with increased efficiencies and accuracy with data.

Douglas supports the changes. Sincerely,

Brian Frazier
Executive Director, Area 2
Douglas County School District

Item A7, Imagine Schools at Mountain View

Under NAC 387.185 Recording Attendance, #2. Is that 50% or more or more than 50% is correct?

2. Except as otherwise provided in NAC 387.193, 387.286, 387.291 and 387.306:

A full day of attendance must be recorded for a pupil if he or she is in attendance for *more than 50%* of the required number of minutes in the daily session for the pupil's grade or department

I am a bit confused about this part under NAC 387.200, #3, e and f: why "f" if per "e" they would be withdrawn after 10 consecutive --unknown whereabouts days?

(e) Does not attend school for 10 consecutive *instructional* days and the whereabouts of the pupil are unknown, the effective date of withdrawal is the 10th consecutive *instructional* day that the pupil failed to attend school.

(f) *Has not attended school for 20 consecutive instructional days. The effective date of withdrawal is the 20th consecutive instructional day that the pupil failed to attend school.*

Thank you!
Daniela Christensen
Registrar
Imagine Schools at Mountain View

Item A8, Nevada State High School

NAC 387.100 "School [month] Instructional day" defined.

- Clarifying Question: Are PD days going to be on the calendar as instructional days in the future? How Will PD days be coded?

NAC 387.185 Recording attendance. (NRS 385.080, 387.123)

- Clarifying Question: What is the expectation of dual enrollment classes taught at the colleges? For students enrolled completely in dual enrollment through their high schools, would the school be denied funding and the student never be in attendance?

NAC 387.215 Reason for withdrawal of pupil. (NRS 385.080, 387.123) The reason listed in the master register of enrollment and attendance for the withdrawal of a pupil must be stated as one of the following:

- (a) Enroll in an educational program for adults or other program which offers a diploma at any time during the students fourth year of high school regardless of age or through any approved exemptions without being counted as a drop out.**
 1. For a pupil who will receive educational services from a source other than the school district or charter school, withdrawal of the pupil to transfer and:
 - 1. Enroll in an educational program for adults or other program which offers a diploma at any time during the students fourth year of high school regardless of age or through any approved exemptions without being counted as a drop out.**

Response: There must be a provision for students under the age of 18 who enroll into an adult education program. Over the years, these adult education schools have been taking students under 18 into their diploma program and they are counting as dropouts for the previous school. This is not right when students are earning a diploma. Now that they have been exposed for this, they are simply routing the underage students to the High School Equivalency test and are still counted as dropouts. This is harmful to these students. This is occurring even if the student is one week away from being 18. Students should not be limited on getting his/her diploma based on age, but by years in high school. Any regulation regarding adult education should allow students to enroll in an adult diploma program at any time during their 4th year of high school. If students are in their 1st, 2nd or 3rd year of high school, special permission should be granted if the student, parent, Governing Board of a District/ Charter designee of the receiving school and the Governing Board of a District/Charter designee of the previous school all grant permission. If we want to do what is right for kids and improve the graduation rate without lowering standards, this must be changed. Stop punishing the students and previous schools when the Adult Program is the one violation the regulation. If this were changed, there would be no violation and more students would graduate. This is the goal, policies should encourage it.

Item A9, American Preparatory Academy Las Vegas

We at American Preparatory Academy Las Vegas support the changes proposed for the attendance/enrollment changes in the NAC. Thank you.

Rachelle E. Hulet

Item A10, Carson City School District

Good morning,

I am writing this email in support of the proposed revisions to the Nevada Administrative Code that will be discussed at today's Nevada Department of Education Regulation Workshop.

Carson City School District worked with the Infinite Campus Governing Board on development of the proposed regulations and believe that the proposed regulations will better serve the needs of students, staff, our District, and the State of Nevada. We had full input in drafting the proposed regulations and are in full support of passage of the proposed regulations.

I apologize for not being able to attend in person to provide public but feel free to contact me if you have any questions. Thank you and Happy Friday,

Ricky Medina, Ph.D.
Director of Accountability and Assessment
Carson City School District

Item A11, Nevada Virtual Academy

To Whom it May Concern:

My name is Megan Bernardo and I am a Director of Operations and Compliance for Nevada Virtual Academy, a State Public Charter School.

This letter is to show support for upcoming changes to NAC as we move forward in the digital era. Digital transformation is much more than platforms and data. To achieve digital transformation, laws and legislation must engage in change that involves collaboration, new skills, and a more holistic approach to problem solving. I believe that these proposed changes allow Nevada keep pace with the ever-accelerating change in education and ways we hold students accountable. As a distance education charter school, I ask that you accept these changes and engage in constant improvement of our NAC.

Sincerely,

Megan Bernardo
Director of Operations and Compliance

Appendix B: Comments Submitted After the Workshop

1. Nye County School District, Agenda Item 3
2. Nye County School District, Agenda Item 3

Item B1, Nye County School District

Dear Superintendent Ebert,

I am writing to voice my support for the changes being proposed by NDE with regard to enrollment and attendance policies on June 5th, 2020, at 11:00 AM.

Districts and charter organizations across the state have been working in close collaboration with the Nevada Department of Education over the last several years, to standardize enrollment and attendance processes and procedures.

This has allowed for greater collaboration and streamlining of report creation and submission for these processes. These changes are needed to bring the policies up to date with these newer improved processes.

Eldon Ward
Student Information System Administrator
Infinite Campus Governance Board Member
Nye County School District

Item B2, Nye County School District

Superintendent Ebert,

I am writing to let you know that the Nye County School District fully supports the NDE's proposed changes regarding the enrollment and attendance policies for which public comment is being collected on June 5, 2020.

Our data team has reviewed the new language and participated in the Infinite Campus Governance Board meetings where these proposals were workshopped, so we have actively participated in the creation process.

If you have any questions, please contact me at rwilliams@nyeschools.org or through my mobile, 702-496-9456.

Sincerely,

Robert Williams
Director of Technology & Information
Nye County School District