

**NEVADA DEPARTMENT OF EDUCATION  
NEVADA STATE BOARD OF EDUCATION  
MARCH 27, 2024  
2:00 PM**

<b>Office</b>	<b>Address</b>	<b>City</b>	<b>Meeting</b>
Department of Education	2080 E. Flamingo	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson	Board Room
Department of Education	Virtual/Livestream	Virtual	Virtual

**DRAFT SUMMARY MINUTES OF THE BOARD MEETING**

**BOARD MEMBERS PRESENT**

Felicia Ortiz, President  
 Dr. Katherine Dockweiler, Vice President  
 Tamara Hudson, Board Clerk, arrived at 2:10 p.m.  
 Joe Arrascada  
 Rene Cantu, departed at 3:46 p.m.  
 Tate Else  
 Tim Hughes  
 Michael Keyes  
 Angela Orr, departed at 5:36 p.m.  
 Mike Walker

**BOARD MEMBERS ABSENT EXCUSED**

Maggie Carlton

**DEPARTMENT STAFF PRESENT**

Jhone M. Ebert, Superintendent of Public Instruction  
 Ann Marie Dickson, Deputy Superintendent for Student Achievement Division  
 Lisa Ford, Chief Strategy Office  
 Christy McGill, Deputy Superintendent for Educator Effectiveness and Family Engagement  
 Babara Bidell, Education Programs Professional  
 Alicia Briancon, Legislative Liaison  
 Angie Castellanos, Administrative Assistant  
 Cindi Chang, Education Programs Director  
 Heather Crawford-Ferre, Education Programs Professional  
 Felicia Gonzales, Consultant  
 Huda Hassan, Education Programs Professional  
 Kristofer Huffman, Strategic Initiatives Consultant  
 Sandy Julian, Administrative Assistant  
 Mandy Leytham, Education Programs Professional  
 Mike Mosqueda, Education Programs Professional  
 Anna Reynolds, Education Programs Supervisor  
 Tannaz Rezai, Education Programs Professional  
 Amelia Thibault, Management Analyst  
 Julie Wootton-Greener, Public Information Officer

**LEGAL STAFF PRESENT**

David Gardner, Senior Deputy Attorney General  
 Greg Ott, Chief Deputy Attorney General

## **AUDIENCE IN ATTENDANCE**

Jerrad Barczynsyn, Assistant Director, Southern Nevada Regional Professional Development Program  
Matt Buehler, Community Member  
Jeff Church, Community Member  
Patricia Haddad Bennett, Government Relations Director, Clark County School District  
Shannon Brown, Executive Director of Education Services, Douglas County School District  
Ben Dickson, Director, Northwest Nevada Regional Professional Development Program  
Annie Hicks, Director, Northeastern Nevada Regional Professional Development Program  
Katherine Lee, Professor of School Psychology, University of Las Vegas, Nevada  
Mary Pierczynski, Nevada Association of School Superintendent  
Samantha King Powell, General Counsel, State Public Charter School Authority  
Melissa Mackedon, Executive Director, State Public Charter School Authority  
Chelli Smith, Director, Southern Nevada Regional Professional Development Program

### **1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE**

Meeting called to order at 2:01 P.M. by President Felicia Ortiz. Quorum was established. President Ortiz led the Pledge of Allegiance and provided a land acknowledgement.

### **2. PUBLIC COMMENT #1(A complete copy of the statement is available in Appendix A)**

- a. Matthew Buehler provided public comment regarding agenda item 11.
- b. Jeff Church provided public comment regarding agenda item 11.
- c. Mary Pierczynski provided public comment regarding agenda item 7.
- d. Katherine Lee provided a comment regarding agenda item 8.

The following are public comments submitted via email.

- e. Patricia Haddad Bennett provided a written comment regarding agenda item 7.
- f. Nevada State Education Association provided a written statement regarding agenda item 11.

### **3. APPROVAL OF FLEXIBLE AGENDA**

**Vice President Katherine Dockweiler moved to approve a flexible agenda. Member Tim Hughes seconded. Motion passed.**

### **4. PRESIDENT'S REPORT**

#### **• Board Member Updates**

President Ortiz mentioned that she would like to take a moment to recognize an Equity Warrior in our community who recently has passed away. She went on and mentioned that Dr. Tom Rodriguez was a phenomenal leader and he had served our community for several decades. There was moment of silence for his passing. Member Keyes provided the Board with an update on the student advisory group. He went on to say that this advisory group is named Nevada Student Advisory Group for Education (SAGE). He also mentioned that the first meeting is scheduled for March 28<sup>th</sup> and about fifteen students have signed up for it.

#### **• Nevada System of Higher Education (NSHE) Updates**

Member Arrascada mentioned that the Board of Regents took the following actions during the quarterly meeting. He went on to say that Dr. Jason Getty received a posthumous distinguished Nevadan award, and the Rising Researcher award was named in his honor. He also mentioned that seven additional distinguished Nevadans were nominated and fully approved and provided the Board with the names. He also mentioned that NSHE approved employee contracts for two presidents. He went on to say that three new academic programs were approved. He mentioned the Board of Regents in NSHE received updates from the University of Las Vegas-Nevada, Rebel recovery week and the University of Nevada-Reno, Nevada fit program.

## 5. SUPERINTENDENT’S REPORT

- **Introduction of New Staff Member**

Jhone Ebert, Superintendent of Public Instruction, introduced the new Public Information Officer, Julie Wooten-Greener, and provided the Board with her background.

- **Nevada Reading Week**

Superintendent Ebert continued with Nevada Reading Week and provided the Board with some of the activities that were available. Like the Author Live Event, which included the opportunity for Pre-K through 12<sup>th</sup> grade students to participate and interact with National and Local authors. She also thanked the Board members for going into classrooms and reading with the students. She continued and mentioned that on Saturday, April 27<sup>th</sup> the Department and the City of North Las Vegas will be collaborating with more reading events.

- **Every Student Succeeds Act – Accountability System Revision**

Superintendent Ebert mentioned that the Department’s leaderships team has been meeting monthly with the Nevada Association of School Superintendents. She continued to inform the Board that conversations with NASS have been ongoing about the accountability system and assessment system. She also mentioned that she had the opportunity last week to go to Washington DC and talked with the Federal Delegation as well as the US Department of Education.

- **Application for Charter School Authorizers**

Jhone Ebert, Superintendent of Public Instruction, reported that Lisa Ford, the Department’s Chief Strategy Officer held the Department’s information meeting for cities and counties. She mentioned that under AB400, it expanded the Department's authority to have entities apply to become sponsors of Charter schools. She also mentioned that applications will be reviewed in May and final approval will be on June 1<sup>st</sup>.

Member Hughes requested clarification on the criteria and where the information can be found. Superintendent Ebert mentioned that the information is available on the Department’s website.

Member Keyes inquired about Community College of Southern Nevada being a participant since they already have a High School program. Superintendent Ebert clarified that Community College of Southern Nevada High School is a Clark County School District school with partnership with CSN.

Superintendent Ebert continued and mentioned that the 35<sup>th</sup> Silver State Awards honorees which included President Ortiz who will be receiving the Elaine Wynn Trail Blazer Award.

## 6. CONSENT AGENDA

Member Orr requested consent agenda items c and d to be pulled for discussion with the Department. Member Hughes also requested consent agenda items c, d, and p for discussion.

**Member Dockweiler mentioned that she would be recusing herself from item o.**

Discussion started with item c and d. Member Hughes provided the Board with a summary of his questions and mentioned that a copy of all Board questions and the Departments answers are posted online, he also mentioned his follow-up questions.

Director Cindi Chang with the Office of Teaching and Learning mentioned that the Math specialists are in Carson City and are available to answer the questions. Mike Mosqueda, Education Programs Professional with the Department mentioned that Mathnasium is a name to the platform and has been developed by Accelerate Learning. He went on to mention that the core materials are based on illustrative mathematics.

Superintendent Ebert provided clarification for Mike Mosqueda regarding Member Hughes' question about the disparity between supplemental materials and the core content proposed for approval.

Member Hughes stated that he was unsure if the approval pertained solely to the illustrative math program or included additional tools and resources. He mentioned that the ambiguity stemming from his initial question about the approach to reviewing resources versus core materials, indicating a need for clarification on the distinction.

Mike Mosqueda mentioned that Math Nation was not merely a label, but rather a comprehensive core program and that assessments were made based on this understanding, considering all associated components for approval.

Member Orr requested more clarification on the understanding that Math Nation does not identify itself as a core program but rather emphasizes alignment with another core program, Illustrative Mathematics. She inquired if it was accurate that despite Math Nation's stance, the committee still classified it as a core program. Mike Mosqueda clarified that math core is a label, to the encompassing components and the core program is Illustrative Math. Member Orr asked to adopt Math Nation the districts would have to adopt Illustrative Math as the core program. Mike Mosqueda answered that is correct.

Member Hughes also asked what legally can be done if the districts and/or the State choose something that is not on the State approved list. Director Chang mentioned that there are two ways the materials are sent to the State RFP via the state purchasing site or the districts have recommended something they would like to see reviewed. Director Chang went through the scoring guidelines and the process with the Board. Member Ortiz stated that in case it seems the districts and/or schools don't have to. Director Chang mentioned that she would defer to Deputy Attorney General, David Gardner regarding the legal opinion.

President Ortiz asked if Deputy Attorney General, David Gardner if the school districts and charter schools required by law to choose curriculum from the approved list of curricula that is put out by the State.

Deputy Attorney General, David Gardner stated that the standards are set by the Board, and this is required for everybody to comply with the continued and mentioned that there are also courses of studies, the courses are approved by the Board. Third textbooks are also adopted by the Board. He mentioned that school districts and charter schools would need to comply, under NRS 389.880 and NRS 389.003. He elaborated that he would need to do additional research if the Board would want to move forward with enforcement.

Member Orr requested that she like additional clarification regarding charter school's requirement on using adopted curriculum.

President Ortiz requested additional researching into what ramifications are there if the districts don't.

Superintendent Ebert mentioned that as part as the Governor's Acing Accountability, the Department is auditing with the districts on the materials that they're using and if they're on the adoptive list.

President Ortiz requested that once the auditing list is complete if the Department could provide a copy to the Board and with collaboration with Deputy Attorney General, David Gardner work on the next steps.

Member Hughes also asked about the non-recommendation of Eureka Squared, he mentioned that it looked like there was some discrepancy in the rubric and inquired on what the Department thinks about the discrepancy. President Ortiz wanted to add to Member Hughes questions and asked how the raters are

representative of the student body and have had cultural competency training.

Director Chang referred the question to Dr. Heather Crawford. Dr. Heather Crawford-Ferre mentioned in the case for Eureka Squared was not recommended due to rubric two around social justice. She mentioned to the Board that she has a member of the review committee if the Board would like to hear from her. She also provided the Board with a brief breakdown of the review committee and the application process.

Member Dockweiler asked about the individuals on the review committee trained on interrater reliability. Director Chang will follow up with the Board about this question. Superintendent Ebert clarified that this is a new piece of that has been required by the law.

Member Orr asked if a member of the review committee could speak regarding Eureka Math and what about did the committee find objectionable and wanted to know why the elementary group choose not to come to consensus on materials, but the secondary group did. Dr. Heather Crawford-Ferre mentioned that various committees had already started the consensus process and wanted to stay transparent and was intended to promote transparency. Dr. Heather Crawford-Ferre introduced a member of the review committee, Denise Trakas.

Denise Trakas mentioned that the process in the elementary K-5 some reviewers reviewed one set of materials and the other reviewers a different set. She also mentioned that she was not part of the group that reviewed Eureka Math. She also explained the process of the rubric and how they came to a consensus or not.

Member Hughes asked about the process of the rubric and how they were determined. Denise Trakas mentioned that the review committee did a lot of research, and the committee also had the right to email Dr. Heather Crawford-Ferre any questions they had.

Superintendent Ebert mentioned that a few Board members had inquired about other entities or materials being adopted by other states and cautioned regarding some of the materials being adopted nationally.

Member Orr clarified that one of the most important factors is having high quality instructional materials to get the students back on track and grow each year.

**President Ortiz, started the discussion for the next item that was pulled for discussion, item p.**

Member Hughes needed clarification about item p and the requirement of the endorsements. Director Jeff Briske mentioned that there's academic coursework and subject area coursework and what the correction will be is for the initial license requirement of coursework not just an exam will be needed and if they are already licensed and they wish to add a middle or secondary endorsement they could do either the subject area coursework or the exam. He also referenced page four, the wording was changed because it would be a contradiction to NAC 391.036, and it is correct to the secondary regulation in page six.

Member Keyes requested item l to be pulled for discussion as well and requested clarification. He read his initial question and the answer that was given to the Board.

President Ortiz asked Member Arrascada if reciprocity does exist within course offering in NSHE. Member Arrascada mentioned that he knows that there is reciprocity within NSHE, but he wanted to follow-up with Member Keyes and make sure he provides him with the correct information.

President Ortiz asked how a district determines what credit a class receives and does comparison happen

within the State. Director Shannon Brown clarified that he is currently researching and making the course list more comparable. He also mentioned that he believes that part of the inconsistency is that all the districts turn in their own list to be approved.

President Ortiz asked Superintendent Ebert if the Department can help with creating the list and setting the amount of credit they're receiving. Superintendent Ebert stated that she has a meeting with the State superintendents and will gather some ideas.

Member Orr mentioned that infinite campus has aligned description across the State and mentioned this might be a helpful tool to the Board. President Ortiz mentioned that data will be pulled and working towards making it consistent across districts.

**Vice President Dockweiler moved to approve the consent agenda, recused on item o. Member Tamara Hudson seconded. Motion passed.**

**Member Tamara Hudson moved to approve consent agenda item o. Member Tim Hughes seconded. Vice President Katherine Dockweiler abstained. Motion passed.**

## **7. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE HIGH SCHOOL START TIME REGULATION**

*(Information, Discussion, and Possible Action)*

The Board held a discussion to revise the proposed regulatory language and discuss the development of a statewide survey to gauge stakeholder interest around the adjustment to high school start times.

Senior Deputy Attorney General, David Gardner stated that an informal conversation did take place with LCB legal and has not received formal approval. He also stated that there could be two options. He continued to state the first option NRS 388.090 and NAC 387.125 which is the alternative calendar schedule. He also mentioned for the first option, the school district would need to apply and then receive approval from the Superintendent and mentioned that using this option would allow more flexibility. He went on to say the second option to the Board. He mentioned that the Board could create a requirement that to obtain credit for a class it must start after 8:00 a.m. and he mentioned that it would not allow any flexibility.

Member Keyes stated that he would like to support the first idea and he asked how it would affect Clark County School District and Washoe County School District. He also mentioned combining both options together. Member Hudson also stated that combining both options seems like the best solution and providing the school and students with the option of taking core subjects early.

President Ortiz stated that the Board is looking for students to have options and be able to take classes in the morning and mid-morning.

Member Hughes requested clarification from Deputy Attorney General, David Gardner, regarding option number one. DAG Gardner mentioned to participate in the alternative schedule school districts already have to be approved by the Superintendent because of this process the Board can create additional requirements and add extra restrictions. Member Hughes asked if schools would need to opt-into alternative schedules. DAG Gardner stated yes, only for districts that applied except for Clark and Washoe School Districts. Member Hughes asked if the NRS was created for rural school districts. DAG Gardner mentioned that NRS 388.090 is actually fairly limited and the NAC 387.125 is what provides the details and was provided by the Board. Member Hughes asked if it would be the school board who would opt-in. DAG Gardner mentioned yes under NAC 387.125 sub 2 the application would be submitted by the school board.

Member Hudson asked about the possibility of having core classes being offered during the morning and after 10:00 a.m. Member Else stated that in theory it sounds good but there might be unintended consequences. He also asked what the intent is in having this regulation. President Ortiz reiterated the intent to ensure that students are receiving an appropriate amount of sleep for their mental and physical needs.

Member Hughes stated that the Board should do a statewide survey and present the data to the elected representatives and advocate for change through the legislation. Member Walker mentioned that Carson City School District did a study community wide, and the decision was not to pursue it. Member Hudson stated that to make sure the students are able to compete with other states and countries, to make a difference for our children.

Member Dockweiler asked DAG Gardner if it would be possible to have a waiver process using option two. DAG Gardner stated that it would be hard since it would be regarding credits.

President Ortiz mentioned that she prefers that each school decides their schedule that fits the population including the flexibility and options for students.

Member Hughes asked if an update on the statewide survey is available.

Member Arrascada mentioned that stakeholder input should include the superintendents and reiterated that the superintendents are resistant to a statewide uniform start time. He continued to state that the Board needs to make sure that the foundation and infrastructure is ready. President Ortiz clarified that the regulation is not meant to be a statewide uniform start time and it was always flexible. Member Keyes mentioned that both sides need to work on a solution and reiterated that the Board is not looking for a statewide start time.

Superintendent Ebert provided the Board with an update on where we are in the process and mentioned a few of the options available to the survey.

President Ortiz mentioned that she would like to propose to maintain the regulation language as set and then after the survey results and hand the data to every legislator and the Board would stop pursuing it directly.

Member Keyes mentioned that he is worried that once the survey data is received it will be forgotten and lose momentum.

President Ortiz proposed to vote as a Board to continue to pursue this regulation through legislation if necessary.

Member Hughes stated that collecting the data, executing the survey, and if the Board would like to come back it would be a possibility, and if there is enough consensus from the data that the Board would be able to do a bill draft.

Member Else wanted to know what questions are listed on the statewide survey. Superintendent Ebert stated that the draft survey questions are ready for the Board to review.

President Ortiz requested to review and approve questions on the survey and if by the fall, the Board has the feedback needed then the Board would draft a bill.

Member Walker stated that the educational entities are stronger together and mentioned that NASB has not been approached to be part of the conversation. President Ortiz mentioned that the Board is open to present

to NASB in their next meeting.

Member Keyes asked if the Board could submit a bill draft request. President Ortiz stated yes.

Member Walker suggested that the Board sit down and discuss this topic with the local districts and survey the communities. He continued and mentioned that the Board needs to gather the data, then have the conversations to build together.

**Member Tim Hughes moved to approve seeing the survey questions and giving input, looking into capturing broad stakeholder engagement and then coming back as a Board to see what the data says. Member Tamara Hudson seconded. Motion passed.**

## **8. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING CREATING A SUBCOMMITTEE FOR THE READ BY GRADE 3**

*(Information, Discussion, and Possible Action)*

The Board held a discussion to explore potential action to create a Read by Grade 3 subcommittee to discuss the assessment and suggest the cut score that will require the creation of individual student intervention plans and the set the guardrails for retention in grade 3.

President Ortiz opened it up for volunteers who would like to join the Read by Grade 3 subcommittee. Vice President Dockweiler, Member Hughes, Member Hudson, and Member Orr volunteered.

President Ortiz stated that she would ask the other members who weren't in attendance to see if they're interested. She also stated that they would need to pick a chair of the subcommittee during their first meeting. President Ortiz also opened the subcommittee for participation from the general public.

**President Ortiz moved to approve the creation of a subcommittee for the Read by Grade 3. Vice President Dockweiler seconded. Motion passed.**

## **9. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE ADDENDUM FOR THE STATEWIDE PLAN FOR THE IMPROVEMENT OF PUPILS**

*(Information, Discussion, and Possible Action)*

Lisa Ford, Chief Strategy Officer, Nevada Department of Education and Kristofer Huffman, Strategic Initiatives Consultant, Nevada Department of Education provided a PowerPoint presentation regarding the [Statewide Plan for the Improvement of Pupils \(STIP\)](#). The Board received a report delineating the evidence and data related to the 2020 Statewide Plan for the Improvement of Pupils (STIP) and an update on the development process for the 2025 STIP.

President Ortiz asked about Goal 5, organizations assessed for financial risk and asked how many had financial risk. Superintendent Ebert mentioned that she would have the Department research the information. President Ortiz wanted confirmation about the number and if it was all LEAs. Superintendent Ebert mentioned that it would include any entity who receives grant funding. Kristofer Huffman, Strategic Initiatives Consultant, continued his PowerPoint presentation.

President Ortiz mentioned that the year of 2020 should be removed due, in the physical safety category, and stated she believes it skews the data. Kristofer Huffman, Strategic Initiatives Consultant, continued his PowerPoint presentation.

Member Hughes requested clarification on effective educators and how many students have access to effective educators. Superintendent Ebert stated it changes daily, due to how many changes happen.



Member Dockweiler stated that she would like to see if the goals that the Department and Board have could have the direct connections listed. She also stated that outcome data on the initiatives. President Ortiz also asked if the information on whether the initiatives are ongoing or if it was one time project.

Member Hughes also asked if the presentation for the 2025 process would be presented today. Lisa Ford, Chief Strategy Officer stated that no, not in today's presentation. Member Hughes suggested that for the 2025 process is having a very simple way, what are some root challenges, what is the Board trying to address in the barriers, and how much does it cost and whether or it is working.

Superintendent Ebert stated that before final submission the Department would be taking some of the information and data points that are in PowerPoint and embedding them into the document.

**Member Tamara Hudson moved to approve the addendum for the statewide plan for the improvement of pupils. Vice President Katherine Dockweiler seconded. Motion passed.**

## **10. INFORMATION AND DISCUSSION REGARDING THE SUPPORTS PROVIDED BY THE REGIONAL PROFESSIONAL DEVELOPMENT PROGRAMS**

*(Information/Discussion)*

The Board received PowerPoint presentations from each of the State's Regional Professional Development Programs regarding their 2022-2023 Annual Report related to their regional projects and the support provided to the teachers and administrators in each region from Dr. Chelli Smith, Director of [Southern Nevada Professional Development Program](#), Ben Dickson, Director of [Northwest Nevada Professional Development Program](#), and Annie Hicks, Director of [Northeastern Nevada Professional Development Program](#).

President Ortiz asked how quality and outcomes are measured. Director Annie Hicks mentioned that each year an annual report is compiled and within the report they align their work, outcomes, and establish measurements that make the most sense. She also mentioned that they use multiple measures to determine the effectiveness of the professional learning that is provided. Director Annie Hicks continued her presentation. Vice President Dockweiler asked about the funding structure. Director Annie Hicks stated that all three RPDP's are funded through the legislature.

Member Hughes asked if they could set up a partial fee for services or are there any perimeters that don't allow them. Director Chelli Smith mentioned that gifts and grants are accepted but since RPDP are grant funded entity with the State of Nevada, the offerings are nominal charges or free of charge and mentioned that to compete or to charge would go against the intent of the grant.

Member Orr asked if more funding was possible how would RPDP recruit the teachers that typically don't take additional course work but might need it the most. Director Smith mentioned that they are currently doing internal course work, looking at the years that the teachers are in. She also mentioned that all three RPDPs are working together to gather information by calling schools. Director Hicks also mentioned that another area that they are working on is building relationships between school staff.

Member Hughes asked about RPDPs data infrastructure and what would they need the State to invest in. Director Smith mentioned that match case studies have been done. She mentioned that getting student achievement measures are often difficult and stated that those studies do not happen because they are costly.

Member Hughes had a follow-up question if there would be an example of one-time investment the Department provided that would be helpful. Superintendent Ebert asked if there was a specific tool Member

Hughes had in mind. Member Hughes clarified that he was looking to improve. Director Hicks mentioned that they have been very cautious about the data they are using are valid data sources such as SBAC or national assessments.

Vice President Katherine Dockweiler asked about the reporting requirements, and she mentioned is there a way to streamline the reporting. Director Smith mentioned in collaboration with the Department the reports have been streamlined and will continue to streamline the reports. Director Hicks also stated that one way they are addressing this concern is by changing the template and going to a more visual graphically pleasing platform.

## **11. INFORMATION AND DISCUSSION REGARDING STATE SPONSORED CHARTER SCHOOL** *(Information/Discussion)*

The Board received a PowerPoint presentation from the [State Public Charter School Authority \(SPSCA\)](#) regarding the data that drove their Nevada School Performance Framework Rating and the current state of schools within the SPCSA's portfolio by Melissa Mackedon, Executive Director, State Public Charter School Authority.

Member Hughes asked what the growth of the Charter School is. Melissa Mackedon stated that she believes it was a 4-5% increase. She mentioned that she would email the Board the requested information from Member Hughes. Member Hughes also requested to have the number of schools in addition to enrollment in the terms of growth. He also asked about the breakdown of proficiency levels by demographics.

President Ortiz asked about enrollment and if there is a cap on classroom size. Melissa Mackedon stated that within the charter contract the schools have an allocated amount.

Member Hughes asked if the data that was collected included the low performance school that had been closed. Melissa Mackedon stated that it has been many years since a school had been closed for academic concerns.

## **12. FUTURE AGENDA ITEMS**

- History of the State Board of Education
  - Why people serve, representatives.
  - New structure of SBE been successfully overtime.
  - What is next.
- Policy for Artificial Intelligence
  - Set high level guardrails to help districts set their own policies.
- Mechanism for rural support, collaborate with smaller districts.
  - Heavy burden on rural schools.
  - Create mechanisms to collaborate in supporting smaller districts.
- NAC 388.430, Age requirement
  - Make changes around age requirements.
- Commission on School Funding Tracking
  - Periodically tracking the CSF work.

### *(Recurring Agenda Items)*

- Teachers and Leaders Council Recommendations
- NRS 388.1342, Bullying Training
- Teach Nevada and Nevada Teacher Advancement Scholarship Awards

President Ortiz asked the Board if there are any additional asks for future agenda items. Member Keyes mentioned that he would like to hear more information regarding dual enrollment. Member Hughes

requested two items: curriculum adoption and if they could be discussion items and not consent. He also mentioned to look into the ELA Framework to help inform the curriculum selection. Member Keyes mentioned that he would also like to request an item for a Student Member on the Charter School Authority Board. Member Arrascada mentioned that NSHE would like to present to the Board regarding dual enrollment programs.

**13. PUBLIC COMMENT #2**

No public comments

**14. ADJOURNMENT**

The meeting was adjourned at 6:39 P.M.

DRAFT

**APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT**

1. Matthew Bueller, community member provided public comment regarding agenda item 11.
2. Jeff Church, community member provided public comment regarding agenda item 11.
3. Mary Pierczynski, Nevada Association of School Superintendent provided comment regarding agenda item 7.
4. Katherine Lee, Professor of School Psychology at UNLV provided comment regarding agenda item 8.
5. Patricia Haddad Bennett, Government Relations Director provided comment regarding agenda item 7.
6. Nevada State Education Association provided comment regarding agenda item 11.

DRAFT

## **APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT**

### **APPENDIX A, ITEM 1: Matthew Bueller**

Good afternoon, for the record, I am Matthew Buehler of Reno, NV. I respectfully request that my comments be entered into the record. I am a retired 22-year veteran of the US Air Force and 28-year legal resident of the Great State of Nevada. I am running for the Nevada State Board of Education, District 2. I am running for this position because I strongly believe that Nevada can be better than 43<sup>rd</sup> in the Nation in its public-school ranking, and that I have the tools and motivation to help effect change for the better!

My academic background includes:

- A BSE in Bioengineering from ASU in 1992
- An MBA in Information Systems from UNLV in 2004
- A MS in Biology and Developmental Neuroscience from UNR in 2009

During my career, I served as an analyst, engineer, scientist, program manager and educator in seven different assignments spanning Florida; Nevada; Washington, DC; Colorado and California

My two assignments in education were as a Deputy Department Head and Assistant Professor at the US Air Force Academy, and as the Commander and Chair of Aerospace Studies at Fresno State University. I have extensive experience in course and curriculum development. After retiring from the Air Force in 2014, I taught as a long-term math and science sub at both North Valleys and Damonte Ranch High Schools. Subsequent to that, I administered the ASVAB exam at Northern NV high schools from 2015 through 2019. I also want to give my brief opinion on today's Agenda Item 11: State-Sponsored Charter Schools:

- First, this is a GREAT idea!
- I support them, as there is **NO** one-size-fits-all when it comes to education.
- And I think that giving parents a choice in their child's education is a wonderful idea.

Thank you!

### **APPENDIX A, ITEM 2: Jeff Church**

Good afternoon. I am Jeff Church, I'm a Washoe County School District trustee. I'm a candidate for re-election and I run a website Watchdogjef.com. I'm here in my private capacity and opinions expressed are mine. I want to quote a Mark Twain quote to "Lodge all power in one party and keep it there is to ensure bad government." I think that's quite true. I consider myself the loyal opposition and I politely address you on some different issues. Nevada ranks last or near last in almost every category in every study. I first of all I believe that restorative discipline needs to be reevaluated. I believe that restorative credit is a failure AKA Credit Recovery. The comments we often hear from kids is D for diploma, because of that restorative credit, I think that explains why we have chronic absenteeism above 30%. We need to take divisive action to improve the quality of education and then segueing that into item number 11. I'm a big believer in charter schools, be they state sponsored or locally sponsored. I'm a big believer in parental choice. So, I want to put that on the record. I do appreciate your time and listening to me. Thank you very much.

### **APPENDIX A, ITEM 3: Mary Pierczynski**

Thank you, Madam president and members of the State Board. My name is Mary Pierczynski, and I am here representing the Nevada Association of School Superintendents, an organization that is composed of all 17 superintendents throughout our state and also representatives from the Charter School Authority. I'm here to address item number seven. NASS has stated on several occasions both verbally and in writing the opposition to the State Board being involved in school start times. School start times are a prerogative of the local school districts and as you well know our districts are so different it everyone should be able, or each district should be able to make that decision. This is not a prerogative of the State Board, and we still hold that position, thank

you.

#### **APPENDIX A, ITEM 4: Katherine Lee**

My name is Katherine Lee, and I am an Associate Professor in Residence at UNLV. I am here today to give a public comment about agenda item 8: AB400.

- I have taught in the School Psychology program for 8 years
- I have practiced as a licensed school psychologist here in Nevada for over 10 years
- and I serve on the executive Board of our state's professional Association of School Psychologists.

Specifically, I teach assessment courses that train future school psychologists about statistics like percentile ranks and the normal curve, and how to make special education determination decisions about learning disabilities, Autism, and other categories - AND our program prides itself on training future school psychologists to be social justice advocates - I teach our cultural competency course (which actually starts in less than 2 hours) which highlights the gross injustices white Americans have placed on minoritized individuals in America for hundreds of years. And most importantly, our roles as mental health professionals working in the K-12 school setting.

- to speak out against continued injustices,
- to advocate for underprivileged youth and families, and
- to collaborate with stakeholders to promote equity, and ultimately,
- to finally start righting the wrongs inflicted on non-white Americans for hundreds of years: These would be our Black, Latino, Native American Indigenous, and Asian and Asian Pacific Islander... People of Color.

I am here to voice my strong dissent, disgust, and disdain for the consideration of reinstating the Read by 3 law - AB400. Not only does the literature strongly support how grade retention has negative impacts on the psychological, emotional, and behavioral well-being of these children, retention is also strongly linked to high school dropout rates.

As a social justice advocate, I want you to consider how knowingly implementing any law that disproportionately negatively impacts marginalized populations is essentially engaging in racism, perpetuating white supremacy, and I would argue potentially even a form of child abuse.

- Who are the children who will most likely be retained?
- Who will most likely not make the cut?
- The already disadvantaged, disempowered, poor marginalized students of color – your black and brown students in Title 1 schools and those with limited English proficiency. They're not going to be your white, middle-class students being raised in 2-parent homes.

This law feels synonymous to the War on Drugs during the Nixon era which deliberately criminalized possession of drugs, throwing black and brown citizens into jail at alarmingly high rates. Now, instead, AB400 would be like Nevada trying to criminalize children (3rd graders - 8 year olds!) through the school system - which already is an uphill battle for these populations who have spent decades trying to overcome the negative effects of segregation in schools. Fast forward 5-10 years from now, this policy could create greater social, economic, and racial divides, increase the mental health crisis and violence in youth, and exacerbate the school to prison pipeline problem that already disproportionately affects our children of color. I accept that the reinstatement of the Read by 3 policy is happening regardless. So, I am here to voice vehement opposition to the 40th percentile cut-off proposed for retaining students. Our program at UNLV and the State Association of School Psychologists both have supported me in this opposition. Setting a cut-off at anything above the 16th percentile would mean having perfectly typically developing children (honestly, it would be your own children likely) be retained and needlessly suffer all those negative impacts I previously discussed.

What do I propose then? I don't want to just be overstating a problem: I want to offer a few solutions.

1. Lower the cut-off score (if you insist on even having one) - Lower it to the 1st percentile - the 2nd percentile at the highest! 99% of your population will fall above the 2nd percentile.
  2. We need to also have a clear process in place for these students who fall below the 1st or 2nd percentiles.
- This process must comprehensively examine and consider the cultural and ecological factors that may be

affecting the student’s performance on testing - there needs to still be room for assessing if the benefits of retention would outweigh the costs of retention for that particular student before a final decision is made.

3. Focus resources on growing and improving the RTI/MTSS programs at elementary schools, especially Title 1 schools. Research shows that Response to Intervention and Multi-tiered Systems of Support, when implemented with fidelity...work. You CAN get children into the Average range with targeted evidence-based interventions. We need to provide schools with qualified personnel and resources they need to create these programs and make these programs effective. And we need to give students with environmental and social disadvantages time to benefit from these programs.

4. Include faculty from UNLV and school psychologists on the Board’s subcommittee - These professionals can help provide critical input on social justice impacts, sound statistical knowledge, and expertise on learning, educational outcomes, and psychological development of youth. Thank you for your time, attention, patience, and consideration today. I am willing to take questions and participate in further discussions about this issue. Please email me through my UNLV email (katherine.lee@unlv.edu). Thank you!

#### **APPENDIX A, ITEM 5: Patricia Haddad Bennett**

Good afternoon, President Ortiz, Vice-President Dockweiler, and board members. My name is Patricia Haddad Bennett, Director of Government Relations for the Clark County School District. My comments today are regarding agenda item seven, “Information, discussion, and possible action regarding the high school start time regulation.” First, I’d like to thank each of you for the many offline discussions about the issue of high school start times. As the board continues its deliberations today, we respectfully reiterate that high school start times are the responsibility of local districts, best positioned to tailor schedules to meet the unique needs of the students in their area. Additionally, moving forward a regulation to limit school start times will create a costly, unfunded mandate for the district. We welcome further conversation to discuss the implications of imposed bell times. Thank you for your attention and consideration.

#### **APPENDIX A, ITEM 6: Nevada State Education Association**

The Nevada State Education Association has been the voice of Nevada educators for 125 years. We are commenting on Item 11 on state sponsored charter schools. Since 2017, NSEA has been asking for greater controls and oversight of charter schools, especially given the separate and unequal dynamics between charter schools and neighborhood public schools. In 2019, NSEA proposed a moratorium on new charter schools in Nevada, until all accountability issues had been addressed. In a political compromise, the legislature required the Charter School Authority to develop and implement a growth management plan. However, since its passage we have witnessed supercharged growth of charter schools with only minimal improvements on charter school accountability.

In terms of charter operations, especially related to serving Nevada’s most disadvantaged students, charter schools have only made incremental improvements. There remains a stark difference in student demographics, especially related to low-income students. Currently, 81% of Nevada students qualify for free and reduced lunch. Charters only enroll 51%. Even the disclaimer provided by the Charter School Authority regarding Community Eligibility Provisions highlights this contrast. More than 60% of Nevada schools qualify for these provisions, while only about 20% of charters are CEP eligible. Meanwhile, harmful gaps remain in students with disabilities and English learners.

For years, NSEA has expressed concern about the disparities charter student demographics and their practice of cherry-picking students. These differences skew academic performance data that show charters outperforming neighborhood public schools. However, when corrected for demographic differences, neighborhood public schools outperform charters. Please keep in mind during the presentation that academic performance comparisons presented do not correct for demographic differences and are thus apples and oranges.