

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
MAY 1, 2024
2:00 PM**

Office	Address	City	Meeting
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, arrived at 2:10 pm
Dr. Katherine Dockweiler, Vice President
Tamara Hudson, Board Clerk
Joe Arrascada
Rene Cantu
Tate Else
Tim Hughes
Michael Keyes
Angela Orr
Mike Walker

DEPARTMENT STAFF PRESENT

Jhone M. Ebert, Superintendent of Public Instruction
Ann Marie Dickson, Deputy Superintendent for Student Investment Division
Lisa Ford, Chief Strategy Officer
Christy McGill, Deputy Superintendent for Educator Effectiveness and Family Engagement
Megan Peterson, Deputy Superintendent for Student Investment Division
Joseph Baggs, Administrative Assistant
Julie Bowers, Education Programs Director
Alicia Briancon, Legislative Liaison
Angie Castellanos, Administrative Assistant
Jenn Fisk,
Mandy Leytham,
Anna Reynolds,
Andrew Snyder,
Craig Statucki, Director, Office of Career Readiness, Adult Learning, and Education Options

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

Patricia Haddad Bennett, Clark County School District
Sherri Roos, Community Member
Richard Meyer, President-Read Between the Lions
Chris Turner, Washoe County School District
Mary Piercynski, Nevada Association of State Superintendents

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

Meeting called to order at 2:03 P.M. by Vice President Katherine Dockweiler. Quorum was established. Vice President Katherine Dockweiler led the Pledge of Allegiance and provided a land acknowledgement.

2. PUBLIC COMMENT #1

- a) Sheri Roos, Community Member provided comment regarding agenda item 7.
- b) Jessica Shearin, President of Nevada Association of School Psychologists, provided comment regarding agenda item 8.
- c) Jordan Wenger, School Psychologist, provided comment regarding agenda item 8.

(A complete copy of the statement is available in Appendix A)

3. APPROVAL OF FLEXIBLE AGENDA

Member Carlton moved to approve a flexible agenda. Member Hudson seconded. Motion passed.

4. PRESIDENT'S REPORT

- Board Member Updates
- Purple Star Schools
- Nevada System of Higher Education (NSHE) Updates

President Felicia Ortiz provided updates on the Nevada Portrait of a Learner team's Future of Learning initiative, with events scheduled for June 3rd and June 5th. Superintendent Ebert confirmed venue details. She also mentioned that fourteen schools in Nevada were named Purple Star Schools for their exceptional support of military children, recognizing April as the Month of the Military Child. President Felicia Ortiz commended their efforts, emphasizing Nevada's commitment to these students.

Member Dockweiler highlighted that May is Mental Health Awareness Month. She emphasized the importance of raising awareness about mental health and behavioral issues, as well as reducing the stigma associated with them.

Member Keyes acknowledged Alexis Jones, the other finalist for the State Board of Education Student Member position. He went on to say that Alexis, a 16-year-old from Southeast Career and Technical Academy, excels academically and athletically with a GPA above 4.0 and active participation in various sports. He also mentioned that she holds leadership roles in the student council, represents her school at events, and is a member of the US Women's National Deaf Soccer Team. Despite being deaf, Alexis has testified before the Nevada legislature and been featured in award-winning documentaries.

Member Carlton mentioned that Member Hudson delivered an outstanding presentation to the Education Committee. She mentioned that one topic raised for future discussion was the requirement of various tests in the state. She went on to state that it was suggested to include a brief presentation on this matter in the next agenda to fulfill the committee's request. Hudson's performance was praised, and gratitude was expressed towards them.

Member Hughes provided updates on the Commission on Innovation and Excellence in Education. Established by Senate Bill 425, he mentioned that the commission aims to examine research from high-performing states and systems worldwide to make recommendations for improving Nevada's education system. He also stated that the commission, with representatives from diverse sectors, has delved into four main topics through subcommittees: proficiency-based approaches, workforce connections, teacher preparation, and accountability metrics. Member Hughes was particularly enthusiastic about their involvement in the accountability subcommittee. He also mentioned that two meetings have taken place, with ongoing work toward final recommendations, and periodic updates will be shared on the progress.

Member Dockweiler reported on a recent special board meeting held two days ago, focusing on the Read by Grade Three. She mentioned that several board members discussed the next steps for this, identifying seven key areas for the Department of Education's Read by Grade Three team to address. She went on to state these areas include researching other states' approaches to similar laws, examining the retention component outlined in AB400, exploring alternative and uniform assessments, clarifying components of the current law (AB291), investigating good cause exemptions, defining literacy specialists' roles in intervention services, and analyzing instruction and intervention components affecting students' reading abilities.

President Ortiz requested Angie to include the information in the board documents, as she expressed interest in delving deeper into the topic.

Member Arrascada announced Dr. Amber Denelli's appointment as interim president at Great Basin College. He went on to say that moving forward, proposed revisions aim to increase access to higher education through dual and concurrent enrollment programs. He also stated that these programs offer affordable options, with concurrent enrollment courses priced at \$75 per course and dual enrollment courses varying based on technology fees. He continued to say that the dual and concurrent enrollment programs provide a cost-effective pathway for students to pursue higher education.

5. SUPERINTENDENT'S REPORT

- Milken Educator Award
- Nevada Department of Education Updates

Jhone Ebert, Superintendent of Public Instruction, reported that she would like to highlight the Milken Awards. She mentioned that Nevada has once again secured two awardees, a remarkable feat considering it's not guaranteed each state receives even one award. She noted this year's recipients, Miss Lopez, a kindergarten teacher at Alice M Maxwell Elementary School in the north, and Mr. Kellsminsky, a special education teacher at Foothill High School in the Clark County School District.

She went on to say that she recently participated in the inaugural meeting of the Interim Finance Committee on Education Accountability. She stated that discussion happened around our accountability system, school district supports, the Governor's office audit report on Read by Grade Three, Competency-Based Learning, the Future of Learning Network, and early Innovative grants under Dr. Oya's office. The fruitful two-hour discussion showcased the Department of Education's collaborative efforts with school districts and addressed inquiries from legislators gearing up for the next legislative session.

Superintendent Ebert also mentioned that yesterday, she attended the Student Council Annual Luncheon held at the Northwest Technical Academy.

Superintendent Ebert highlighted their focus on competency-based education, the Carnegie unit, and the Portrait of a Learner. She stated that collaboration with the Carnegie Foundation and ETS happened to innovate measurement of students' performance, including traits like perseverance and communication. Partnering with Rhode Island and Indiana, they shared insights on diploma processes to enhance education practices. Additionally, she mentioned that the Department is preparing budget requests for the next biennium and finalizing federal grants with school districts while celebrating the end of the school year.

6. CONSENT AGENDA

Member Hughes raised a question regarding updates on educator licensure, particularly regarding seat time requirements. Superintendent Ebert emphasized the need to move away from the Carnegie unit system, yet our regulations seem to still emphasize seat time over outcomes. Director Brisky provided insight into the

Commission on Professional Standards' progress in this area. Deputy Attorney Gardner will further investigate the alignment of these viewpoints.

Member Angela Orr had a question for Director Briske regarding emergency substitute licenses, specifically about their requirements for rural versus metropolitan areas.

President Ortiz clarified that items that are not on the agenda and would be addressed with the Commission on Professional Standards in a future agenda item.

Member Angela Orr asked Director Briske for clarification on Regulation 088-23, specifically related to section 6B. She inquired about the requirement of at least 90 clock hours and its implications for teachers obtaining professional learning during contract time. Director Brisky explained that the regulation updates existing requirements, allowing teachers to fulfill professional development hours at any time during their licensure period. He added that this change aims to address challenges faced by teachers in meeting previous yearly hour quotas. Additionally, Director Briske stated that the regulation updates the approval process for professional development providers to align with Nevada's education standards.

Member Maggie Carlton moved to approve the consent agenda. Member Tamara Hudson seconded. Motion passed.

7. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE HIGH SCHOOL START TIME (*Information, Discussion, and Possible Action*)

The Board received a [Power Point](#) presentation regarding the high school start time survey and implementation by Lisa Ford, Chief Strategy Officer, Nevada Department of Education.

Chief Strategy Officer, Lisa Ford explained that the survey questions were reviewed by the Departments leadership and their partners at Thoughts Exchange. She continued and mentioned that the survey's purpose will be introduced to participants, setting the intention for the information gathered. She went through the survey questions with the Board.

The Board requested changes to the survey questions and asked the Department to provide a follow-up to the upcoming Board meeting.

8. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING NAC 388.430 AGE REQUIREMENTS (*Information, Discussion, and Possible Action*)

Julie Bowers, Education Programs Director, provided a [PowerPoint](#) presentation regarding NAC 388.430 to the Board.

Director Julie Bowers, speaking today, expresses gratitude to President Ortiz and the board for the opportunity to discuss the eligibility criteria under the Individuals with Disabilities Education Act (IDEA). She aims to provide insights into the status of disability eligibility in Nevada, specifically addressing the rationale behind the age limit for developmental delay. Director Bowers emphasizes IDEA's provision for states to determine eligibility categories and set age parameters, with Nevada currently restricting developmental delay identification to children under six. She highlights potential changes to eligibility team composition should the age criteria be revised. Director Bowers outlined the evaluation process for determining developmental delay eligibility and the subsequent provision of specialized instruction and services based on individual student needs. Lastly, she presents data indicating an increase in IDEA counts for students with disabilities in Nevada.

Director Julie Bowers stated some potential changes needed: Teacher preparation should address the specific learning needs of children up to grade 3, including foundational literacy and math skills. Eligibility

forms must undergo a thorough review, focusing on potential modifications and new considerations. Evaluations should shift from solely assessing developmental delays to a multifaceted approach considering developmental levels and academic readiness for grade-level curriculum beyond kindergarten. Increased investment is necessary to recruit and retain qualified teachers, special education professionals, and support staff for providing special education services. Develop and implement more comprehensive assessments for students potentially ineligible for special education services at age 6, with a clear pathway for re-evaluation before age 9.

Member Katherine Dockweiler moved to approve, and Member Tamara Hudson seconded. Motion passed.

9. INFORMATION AND DISCUSSION REGARDING ARTIFICIAL INTELLIGENCE IN SCHOOLS (*Information and Discussion*)

The Board will hear a presentation from the Deputy Superintendent for Student Achievement regarding the ethics statement and guidance around the use of artificial intelligence for educational purposes.

This item was moved to June 12, 2024, board meeting.

10. 4:00 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R065-24 AMENDING NAC 390.135 RELATING TO THE PRESCRIBED ASSESSMENTS, MINIMUM PASSING SCORES, AND HIGH SCHOOL EQUIVALENCY (*Information, Discussion, and Possible Action*)

The Board will consider the proposed regulation removal of language prescribed minimum passing scores for high school equivalency assessments.

This item was pulled from the agenda.

11. 4:02 P.M. PUBLIC HEARING TO SOLICIT COMMENTS ON PROPOSED REGULATION R064-24 AMENDING NAC 389.555 RELATING TO EMPLOYABILITY SKILLS FOR CAREER READINESS (*Information, Discussion, and Possible Action*)

The Board will consider the proposed regulation removal of all language from NAC 389.555.

This item was pulled from the agenda.

12. FUTURE AGENDA ITEMS

- Federal and State Required Assessments
- Teacher Exit Survey
- Emergency Special Education license
- Meeting with Commission on Professional Standards

13. PUBLIC COMMENT #2

- a) Richard Meyer, President-Read Between the Lions provided comment.
(*A summary of the statement is available in Appendix A*)

14. ADJOURNMENT

Meeting was adjourned at 5:09 P.M.

APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT

1. Sheri Roos, Community Member provided comment regarding agenda item 7.
2. Jessica Shearin, President of Nevada Association of School Psychologists, provided comment regarding agenda item 8.
3. Jordan Wenger, School Psychologist, provided comment regarding agenda item 8.
4. Richard Meyer, President-Read Between the Lions provided comment.

APPENDIX A, ITEM 1: SHERI ROOS

Hello, my name is Sheri Roos. I'm a parent, I'm also a former teacher, and I'm a member of the National Organization called start school later. Which works for healthy school hours. First of all, I just want to thank you so much for your attempts to put guard rails around school hours here in Nevada. As you know early start times are harmful to our children. Many people in our community, however, may not be aware of how harmful they are. They may not be aware that early school hours increase the rates of depression, anxiety, and suicidal ideation; or that they increase the rates of teen obesity and diabetes and heart disease. Secondly, they increase dropout rates, chronic absenteeism, school violence, behavior problems, substance abuse, poor academic performance, just to name a few. Obviously, you all understand that. Which is why you're trying to do what you're doing. At the core of this issue is our children's health and wellbeing. This is not an issue of local control; school should not have the ability to create policies which harm our children. As you contemplate doing these community surveys, I just have a copy here. I would ask you to focus on the needs of the children first and foremost, and not the conveniences of the parents or parent preferences. Most importantly, I ask that you survey the teens themselves. A Teen Health and Wellness survey how was this impacting you. So that we know exactly how they're feeling, how they're doing, and what they need. Also, I have noticed in your survey you did have a survey introduction um stating the reason for it um and that's wonderful I just ask that maybe you could do even more to explain the seep the Sleep science and the data and the impact that this has people may not be aware um for instance some people may think that you can simply put a child to bed early and that they'll end up getting the sleep they need they may not understand the circadian rhythms um and that Most teens simply cannot fall asleep before about 11: even if they try um and finally we spend so much money time resources trying to fix the problems that are plaguing our teens um the behavior problems Dropout rates uh Mental Health crisis but all of these things are impacted by early school hours all of them and yet we spend so much money time and resources trying to fix the problem that we have art in creating um so it's the single most cost-effective thing we could do is to have healthy school hours um we need to stop inflicting a wound and then putting Band-Aids on it thank you for your time thank you

APPENDIX A, ITEM 2: JESSICA SHEARIN

Hello, my name is Jessica Shearin and I am the President of the Nevada Association of School Psychologists. Today, I'd like to discuss the crucial topic of Developmental Delay within the realm of special education eligibility. Currently, the age threshold for accessing special education services under this category stands at six years old. However, as we navigate changes in kindergarten start dates, particularly in areas like Clark County, there's an urgent need to reassess the age limit for Developmental Delay eligibility.

In Nevada, the prerequisite for kindergarten entry is reaching the age of five by August 1st of the upcoming school year. This adjustment poses a significant challenge for students in preschool receiving special education services, particularly those with birthdays falling in August or early September. These students face the prospect of needing reevaluation either upon kindergarten entry or during the final months of preschool. Such timing complexities make it challenging to accurately gauge a student's progress towards their educational goals, especially when eligibility hinges on response to interventions and appropriate instruction.

Children develop at diverse rates, and for some, significant delays persist beyond the age of six. Placing an age limit at such a young age risk overlooking ongoing developmental needs and delaying access to crucial support services. Moreover, research underscores the positive impact of Early Intervention on children with developmental delays. However, by aging out at six, some children may miss out on these beneficial services, potentially hindering their developmental trajectory. Transitioning from early childhood programs to elementary school marks a pivotal milestone for many children. However, reaching the age out limit at six may disrupt the continuity of support and services, posing a potential setback to the child's educational journey. Furthermore, the complexity of developmental needs must be acknowledged. Delays in areas such as speech and language,

motor skills, or social-emotional development may necessitate ongoing support beyond the age of six. Setting an age out limit at this young age fails to adequately address the multifaceted nature of these needs.

Across the country, the age out of Developmental Delay is variable. Seven states have the age out limit at five years old, eight states have the limit at six years old, six states have the limit at age seven, seven states are set at age eight, 16 states age out at nine years old, and four states age out at 10. There is no research to guide which age limit would be the most appropriate in Nevada. However, it is clear that a higher age limit is necessary to best support our students with developmental delays as they transition from early intervention into elementary school.

APPENDIX A, ITEM 3: JESSICA SHEARIN

Good afternoon, State Board of Education Members,

My name is Jordan Wenger, and I am a school psychologist in Clark County School District. I wanted to write to you regarding Agenda Item 8 – Developmental Delay Eligibility. I would ask that the board consider revising the age of Developmental Delay.

I have worked with CCSD's Child Find Project for the past seven years. During that time, the needs of our students have only increased -- particularly with students' communication and social skills, especially in this post-COVID era.

As it stands, the current guidelines in NAC may lead to premature exiting of students who continue to demonstrate with developmental delays past the age of six. Although they continue to demonstrate a need for services, their delay profile does not suggest a suspicion of another school-aged eligibility, like a Learning Disability. There is also an urgency to consider the language of DD in CCSD because they recently revised the cut-off date for kindergarten students to turn five by August 1 of the upcoming school year. Unfortunately, this means that some of our students with identified delays require a reevaluation while they are still in prekindergarten. It is extremely difficult to assess whether a student may have a learning disability at this young age.

I know that the presentation today highlighted many considerations of the impact of increasing the age of Developmental Delay. But I would like to pose a slight adjustment to the language in NAC. I believe that adjusting the language to specify the cut-off of a developmental delay to be at the end of kindergarten, rather than by the child's 6th birthday. This revision would provide students with identified developmental delays an opportunity to receive services through the end of their kindergarten year when academic standards become more rigorous for students.

Another suggestion would be to increase the age cut off to 7 years of age, again allowing more time for students with persistent delays to continue to receive services.

If the board were to increase the cut-off age for DD, you may also consider creating a cut off age for a student to be initially evaluated for DD, as there are states who have this guideline as well.

Overall, these changes would allow school teams time to gather data and monitor the students' progress to better understand their deficit patterns and whether there is a suspicion of another disability.

I appreciate your time and consideration.

APPENDIX A, ITEM 4: RICHARD MEYER

My name is Dr. Richard Meyer. I'm a behavioral optometrist, retired behavioral optometrist from Reno, Nevada. I worked extensively over my 36 years in practice with kids that had visual related learning disabilities. During my practice I treated thousands and thousands of patients, I had this problem. But in the early 2000s, I was concerned that I'd never be able to treat all these patients. So, these kids can't track, 20% of your kids 100,000 kids in the state of Nevada, can't track. What to do? I've done many meetings and talked to many educators' leaders. And they go what kids can't track? So, what we want to do is address it. That I gave my program when I retired to the Lions Club, it's a free program. I listened to the interim legislative committee this morning and they were talking about hundreds of thousands of dollars for education. But this was a free program. So, what I'd like to do is to treat these kids. That the lion club can help out to identify them and also treat them. So, these kids can't track, so we've done studies, and shown that these kids in Washoe County 38% another one was 35%, 26%. So, they're just floundering and can't do anything. So, I want to teach teachers, I want to do a program for kindergarteners. So, they can track better when they reach kindergarten. So, I have these programs here for you. I have research showing that if you would like to have that information, I will give it to you, if you like. Any questions for me? Okay, can I give this to Joe there so we can pass it to the board.