

**Nevada Department of Education
Nevada State Board of Education
February 25, 2026
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 City	Board Room
Department of Education	Virtual/Livestream	Virtual	YouTube Link

Summary Minutes of the Board Meeting

Board Members Present:

Member Tamara Hudson

Member Tricia Braxton

Member Amy Carvalho

Member Angela Orr

Member Dawson Owens

Member Susan Neal

Member Tate Else

Superintendent Wakefield

Board Members Absent / Excused:

President Katherine Dockweiler

Vice President Tim Hughes

Member Danielle Ford

Member Lan

1. CALL TO ORDER

The regulations hearing of the State Board of Education was called to order at 2:01 p.m. on Wednesday, February 25, 2026, by the presiding Chair.

2. PUBLIC COMMENT #1

The first period of public comment was opened to apply to any item appearing on the agenda, with a request that comments specific to the listed regulatory workshops be held until those

items were individually opened.

- **Carson City:** No public comment was present.
- **Las Vegas:** No public comment was present.
- **Written Submissions:** No written public comments were received online.

3. 2:00 P.M. REGULATION HEARING ON PROPOSED CHANGES TO NAC 387 REGARDING THE DEFINITION OF HISTORICALLY UNDERSERVED (For possible action) The Nevada Department of Education will hold a regulation hearing on proposed changes to NAC 387 regarding the definition of historically underserved pursuant to funding priorities under Nevada Ready! PreK pursuant to SB460.

The hearing on possible changes to Chapter 387 of the Nevada Administrative Code (NAC) regarding the definition of "historically underserved" was opened at **2:04 p.m.**

- **Dr. Michael Mitchell** (Director of the Early Learning and Development Office) presented the proposed regulations. He stated that Senate Bill (SB) 460 of the 83rd Nevada Legislative Session amended state law to expand eligibility criteria for the Nevada Ready! Pre-K program to include children from vulnerable and historically underserved populations. Because the baseline statute lacked an explicit definition, this regulation establishes one consistent statewide standard to prevent inconsistent local applications across education agencies. The proposed LCB criteria and their specific statutory numbers read out by the presenter include:
 1. **Rural and Tribal Lands Baseline:** Children living in a geographic area designated by the United States Department of Agriculture as rural, designated by the United States Department of Agriculture as a frontier and remote area, or located on qualified tribal land as defined in **NRS 387.3289**.
 2. **Foster and Out-of-Home Care Placement:** Children residing in a foster home, or children residing in a household with a relative or fictive kin as defined in **NRS 432B.0657** in which no parent of the children resides.
 3. **Parental Incarceration Status:** Children with an incarcerated parent or guardian.
 4. **Homelessness and Housing Instability:** Homeless children and youth as defined in the McKinney-Vento Homeless Assistance Act, 42 U.S.C. § 11434a(2).
 5. **Low-Performing School Zones:** Children residing in a zone of attendance as defined in **NRS 385B.045** in which are located only elementary schools rated one star or two stars under the statewide system of accountability for public schools, without consideration of unrated schools.
 6. **Asylum and Refugee Classifications:** Children and families with asylum or refugee status as designated by the United States Citizenship and Immigration Services of the Department of Homeland Security.
 7. **Single-Parent Household Structures:** Children residing in a household with a parent or guardian who is raising a child or children without a spouse or partner to assist in the upbringing of the children.

Dr. Michael Mitchell noted that prior to submitting this definition, they held a public workshop for public comment and surveyed all existing subgrantees currently serving Nevada Ready! Pre-K students to collect the feedback used to produce this definition.

Public Comment specific to Item 3:

Following the presentation, **Member Hudson** opened the floor for public testimony specific to the proposed definition of historically underserved populations under Chapter 387 of the Nevada Administrative Code before moving to Board deliberation.

- **Carson City:** No public comment was present.
- **Las Vegas:** No public comment was present.
- **Written Submissions:** No written public comments were received.

Board Discussion:

- **Member Orr** inquired how schools would obtain tracking data for student applications regarding incarcerated parents or single-parent households noting these items are typically not systematically tracked in standard school databases.
- **Dr. Michael Mitchell** responded that single-parent households are self-reported via divorce/separation agreements or tax records. He committed to researching the precise legal verification mechanism used for incarcerated parents and getting back to the board.
- **Member Braxton** asked which specific organizations were consulted regarding the incarcerated parent designation.
- **Dr. Michael Mitchell** clarified that the department consulted school districts, non-profits, Higher Education programs, and Head Starts, as well as student services divisions internally within NDE. He added that information sharing between these entities and NDE is viable.
- **Member Orr** asked a follow-up clarifying question, stating that she did not want to belabor the point, but asked how schools would know if they have students in these categories to write for the grant in the first place unless they are asking for personal information from every student's family that they don't currently request.
- **Dr. Michael Mitchell** clarified that Nevada Ready! Pre-K operates differently than K-12 because it is grant-funded and separate from the pupil-centered funding plan. Applying families must self-select eligibility criteria (such as income, home language, IEP, or this new fourth category). The programs collect this personal data privately, and NDE conducts annual child-file audits to verify eligibility using self-reported records or public conviction details.
- **Member Braxton** followed up to ask if unintended or negative consequences had been considered when parents self-report, and questioned what the incentives would be for a parent who has served their time and is trying to move forward.
- **Dr. Michael Mitchell** clarified that the criteria specifically applies to a *currently* incarcerated parent rather than a formerly incarcerated individual. He explained that it serves as an alternative pathway to secure Pre-K access for a child if they do not otherwise qualify under the other income or single-parent criteria.
- **Member Carvalho** asked whether this application criteria is safeguarded and confidential.
- **Dr. Michael Mitchell** responded that all schools receiving Nevada Ready! Pre-K funding are required to follow all confidentiality laws and requirements. Where personal information is housed—whether tax forms or court separation records—all of those must be kept confidential.
- **Member Carvalho** asked a follow-up question, noting that the presenter had previously mentioned income as being a criterion, but pointed out that it was not listed on the document, and asked if it was listed in another area.

- **Dr. Michael Mitchell** explained that there are actually four criteria listed in SB 460: one being income, one being a home language other than English (which is also self-reported), the third being a child with an IEP, and the fourth being those from a vulnerable and historically underserved population. He clarified that this list of definitions is specifically to define what constitutes a vulnerable and historically underserved population under that fourth category.
- **Superintendent Wakefield** added further clarification, noting that on the introductory page, there are items one, two, three, and four. This regulation only pertains to number four; numbers one, two, and three are already in place, and this regulation is better defining just point number four.

Action Taken: Member Orr moved to approve the proposed changes to NAC 387. Member Braxton seconded. The motion passed unanimously. The hearing for this item was officially closed at 2:17 p.m.

4. 2:01 P.M. REGULATION HEARING ON PROPOSED CHANGES TO NAC 387 REGARDING SCHOOL CALENDARS (For possible action) The Nevada Department of Education will hold regulation hearing on proposed changes to NAC 387 regarding school calendars, to include clarifying definitions, reporting, and submission requirements.

The public hearing was opened at 2:17 p.m. by **Member Hudson**.

- **Amelia Thibault** (Legislative Liaison) presented the proposed regulations. She provided context and background, noting that she was carrying this regulation specific to her prior role as the Director of the Division of Compliance, which oversees the school calendar process. She explained that this lengthy set of regulations looks to address problems of practice discussed with a working group from the fall of 2023 to the spring of 2024 called the Calendar of Instructional Time Collaborative, which included engagement from several school districts and charter schools. Additional cleanup relates to SB 460 from the legislative session. She noted that she would walk through the major areas of the regulation, intent, and background, and called out that there are two specific inflection points for Board consideration, pausing at the first one:
 - **Sections 2 & 3 (Instructional Minutes and High-Impact Tutoring):** Clarifies what does and does not qualify as instructional minutes to ensure alignment with NRS and NAC total instructional time requirements. Section 3 explicitly mandates that the following activities **do not** qualify as instructional minutes: lunch or other breaks for nutrition, open periods or unassigned periods, extracurricular or athletic activities, and study halls that do not provide at least Tier 1 instruction or high-impact tutoring. Because of the study hall restriction, Section 2 adds a standard definition for high-impact tutoring, adds definitions regarding Tier 1 instruction, and defines "minimum daily period" for contextual reference later in the regulation.

- **Section 6:** Formally adopts the use of those defined terms.
- **Section 7 (Calendar Submission Details):** Provides clarification regarding expectations when a school calendar is submitted. It requires delineating details on the Infinite Campus calendar, including short school days in session, minimum days, scheduled days for professional development, parent-teacher conferences, and day schedules for the assessment of pupils in kindergarten. She noted this is not a change in practice, but aligns regulatory language with existing practice.
- **Section 8 (Charter and University Schools Cleanup):** Incorporates explicit cleanup corresponding to SB 81 from the 2025 Legislative Session. It adds explicit language making it clear that charter schools and university schools for profoundly gifted pupils are subject to the calendar submission provision without requiring layers of references to other parts of NAC or NRS. It also specifies that the submission of a school calendar should include all data requested by the Department to ensure complete applications.
- **Section 8, Subsection 4 / Inflection Point 1 (School Closure Thresholds for Contingent Days):** She presented the first decision point for the Board regarding the threshold of school closures required to activate a contingent day due to emergencies (such as snow days or fire evacuations). Under current law, at least 75% of schools in a district must close to activate a contingent day. The proposed regulation reduces this threshold so that a county whose population is less than 100,000 (rurals) would have a 33% threshold, and a county with 100,000 or more (urban rurals/large districts) would have a 50% threshold. She explained the intent is to ensure that when large closures affect large swathes of students, they are provided an opportunity to make up that learning day. The distinction between the population sizes was added because the Calendar of Instructional Time Collaborative recognized that a one-size-fits-all rule does not work when comparing very small districts with only three or four schools to very large districts with schools in the hundreds.

Amelia Thibault recognized that this may not be the most favorable element for everyone and paused her presentation to open the floor for Board discussion and questions regarding whether the Board preferred to move forward with the percentage reductions (33% and 50%) or strike that section and leave the threshold at the current 75% standard in NAC.

Board Discussion

- **Member Hudson** expressed agreement with keeping the thresholds at 33% and 50%, stating it makes sense especially for smaller school districts dealing with snow days.
- **Member Braxton** requested context regarding the 33% formula in Section 4, Item A.

She asked which specific districts or counties the State Board had in mind that would benefit from this change, noting that the focus is often on Clark County and Washoe County.

- **Amelia Thibault** clarified that presently, the only counties with over 100,000 students are Washoe County School District and Clark County School District, which are the two set at 50%. She noted Elko has been growing but is currently under 100,000. She stated that the 33% threshold would apply to smaller and exceptionally rural districts, specifically listing Carson City, Douglas, Storey, Esmeralda, Eureka, Nye, Lander, Lincoln, Lyon, and Elko, noting she couldn't list all 17 on her fingers. She explained the 33% distinction was chosen because exceptionally small districts may operate only three to five schools total.
- **Member Braxton** thanked her for the clarification.
- **Member Orr** inquired how alternative calendars play into this rule, noting that smaller districts or charter schools are often granted minutes-based calendars rather than days-based calendars. She asked whether schools that have longer daily minutes in session and far exceed the necessary statutory minute baseline are still required to follow the rule of activating contingency days.
- **Amelia Thibault** explained that during the 2018–19 school year—when alternative calendars were heavily restricted to specific scenarios—major storms hit, and NDE issued a temporary flexibility guidance memo allowing schools to "burn excess minutes" under an alternative calendar instead of activating a contingent day. This flexibility continued through the COVID-19 pandemic as more schools adopted alternative calendars under 2021 legislative expansions. However, recent legal evaluations with the Deputy Attorney General regarding **NRS 388.095** confirmed that state law explicitly requires all calendars to exhaust their three scheduled contingency days first before utilizing excess minutes. She noted an upcoming guidance memo for the 2026–27 school year will clarify this statutory mandate. She added that schools have flexibility in *how* they choose to activate those days—such as extending scheduled early release days or adding a minimum of 30 minutes to the end of a regular school day for a period of time—meaning they do not have to be full days tacked onto the end of the school year.
- **Member Orr** asked for the specific NRS reference number, which **Amelia Thibault** provided as **NRS 388.095**.
- **Member Braxton** noted it was her first time seeing the phrase "university school for profoundly gifted pupils" and asked where it was located.
- **Member Carvalho** chimed in to clarify that it refers to the Davidson Academy, which is located on the campus of the University of Nevada, Reno (UNR) and is a nationally renowned school for very gifted students.
- **Member Braxton** and **Member Hudson** noted that it was good information to know, and Member Hudson directed Miss Thibault to continue her presentation.

- **Amelia Thibault** proceeded with the next sections of the regulation, outlining the remaining changes and the second inflection point:
 - **Section 8, Subsection 5 (Professional Development Allocation Restrictions):** Discussed the ability to convene 5 days of professional development (or the equivalent number of minutes) as a day in session where students are not on campus but teachers receive training. She introduced NDE's proposed practice standard stating that a professional development day should not be scheduled within the last 20 school days of the year. The intent is to ensure the current year's students benefit from the enrichment of their educators, noting that PD held in the final four weeks of school often defaults to planning for the *following* school year. However, she raised an amendment for the second inflection point: it should not be scheduled within those final 20 school days *unless approved by the Department as a substitute for an activated contingent day*. This adds useful flexibility since parents frequently plan through the official last day of school but not an unexpected contingent day, making a substitute PD day a good vehicle to avoid high student absenteeism.
 - **Alternative Program Cross-Referencing:** Stated that school calendars for all alternative programs (distance education, adult high school, juvenile detention, independent study) were previously scattered across separate, inconsistent sections of NAC. This regulation cross-references them back to the core calendar section so guidance is housed in one cohesive place.
 - **Section 8, Subsection 7 (Application Streamlining):** Addressed a problem of practice requested by charter schools operating distance education or dual credit programs. Currently, their calendar approval process runs entirely separate from the programmatic application process handled by other offices. NDE is committing to coordinate internally so they can submit both pieces at the same time.
 - **Section 8, Subsection 8 (Calendar Modifications):** Clarified that when there is a change to a school calendar, schools must notify NDE 10 business days before a planned event and 10 business days after an unplanned event so adjustments can be made to the master record.
 - **Section 8, Subsection 9 (Elimination of Burdensome Reporting):** Announced the formal removal of the "Alternative School Calendar Report" previously due on December 31st of each year. This report was created when alternative calendars were restricted and data was needed to see if they were a baseline best practice. Now that years of data have proven 100% that alternative calendars show immense value and flexibility across districts and charter schools, the report has become a burdensome, laborious requirement that NDE is taking off the schools' plates.

- **Section 10, Subsection 5 (Kindergarten Assessment Baseline):** Reflected a multi-year Department practice into a formal regulatory standard, clarifying that kindergarten assessments may count for an instructional day for a maximum of not more than two days, removing local ambiguity.
- **Section 11 & 12:** Provided additional clean up to convey the same historical information in a much clearer fashion.
- **Section 14 & 15 (Assessment Term Alignment):** Responded to a section in SB 460 regarding the use of time for assessments. It provides specific definitions for terms like "class time" to ensure that calculations for reporting match up with the assessment parameters and tie back to how NDE refers to instructional and non-instructional minutes.

Public Comment specific to Item 4:

Following the completion of the presentation, **Member Hudson** called for public comment specific to the proposed changes to the school calendar.

- **Carson City:** There were no public comments in Carson City.
- **Las Vegas:** There were no public comments present in Las Vegas.
- **Written Submissions:** No written public comments were read or noted.

Board Discussion

- **Member Orr** applauded the Department for getting rid of the Alternative School Calendar Report, noting that eliminating redundant reporting requirements that do not provide extra value has been a goal for several years. She expressed appreciation for NDE's honesty, transparency, and willingness to lift administrative burdens off schools.
- **Member Dawson Owens** echoed Member Orr's praise and expressed appreciation for the protection of school minutes, emphasizing that the state cannot afford to have children missing vital instructional and learning time.
- **Member Braxton** commended the item as an excellent example of proactive collaboration and thorough background research between the State Board and NDE to resolve problems of practice and clean up regulatory language.
- **Member Hudson** echoed her colleagues' statements, offering her personal kudos and appreciation for the work performed by NDE.

Action Taken: Member Hudson called for a motion to approve the changes to NAC 387. Member Dawson Owens moved to approve the changes. Member Carvalho seconded the motion. Member Hudson called for a vote, and the motion passed unanimously with no opposition or abstentions. The regulation hearing for this item was officially closed at 2:47 p.m.

5. PUBLIC COMMENT #2

At 2:47 p.m., following the vote on Agenda Item 4, Member Hudson opened the final period of public comment, noting that it could be used for any item on the agenda or any matter within the jurisdiction, control, or advisory power of the Department.

- **Carson City:** There were no public comments in Carson City.
- **Las Vegas:** There were no public comments present in Las Vegas.

6. ADJOURNMENT

Member Hudson officially adjourned the meeting at 2:48 p.m.