

**NEVADA STATE BOARD OF EDUCATION
NEVADA STATE BOARD FOR CAREER AND TECHNICAL EDUCATION**

REGULAR MEETING

May 4 and 5, 2007

Department of Education, State Board Conference Room
700 East Fifth Street, Carson City, Nevada

MINUTES

BOARD MEMBERS PRESENT:

Dr. Cliff Ferry, President
Jan Biggerstaff, Member
Sharon Frederick, Member
Dr. John Gwaltney, Member
Greg Nance, Member
Cindy Reid, Member
Anthony Ruggiero, Member
Madisen McGrath, NASC, out going Student Representative – May 4
Corey Paris, NASC, in coming Student Representative

BOARD MEMBER ABSENT:

Marcia Washington, Vice President – excused
Barbara Myers, Clerk – excused
Dr. Merv Iverson, Member – excused

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
James Wells, Deputy Superintendent, Administrative and Fiscal Services
Doris Arnold, Assistant to the Board
William F. Arensdorf, Director, Office of Fiscal Accountability
Frankie McCabe, Director, Special Education, ESEA and School Improvement
Tom McCormack, Consultant
Bill Strader, Consultant
Charlotte Curtis, Nevada Department of Education Consultant

LEGAL STAFF PRESENT:

James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

May 4, 2007

Judy Kroshus, Administrator for Team A
Jeff Blanck, Attorney for Team A
Dotty Merrill, Nevada Association of School Boards
Jim Endres, Virtual Academy
Kathleen Condyby, Virtual Academy
Edie Grub, Silver State High School
Steve Knight, Silver State High School
Craig Kadlub, Director of Public Affairs for Clark County School District

Hilarie Robison, Nevada Public Education Foundation
Vaughna Bendickson, Nevada Public Education Foundation
Dr. Eugene T. Paslov

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Dr. Craig Kadlub, Director of Public Affairs for Clark County School District
Jamie Castle, Nevada Connections Academy
Kirsten Mitchell, Nevada Connections Academy
Laura Granier, Attorney for Nevada Connections Academy
Carrie J. Ross, Nevada Connections Academy
Kathleen Condy Virtual Academy
Karen Taycher, SEAC

May 4, 2007

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Ferry called the Nevada State Board of Education/Nevada State Board for Career and Technical Education to order at 3:50 P.M. with roll call reflected above. The pledge of allegiance was led by President Ferry.

Dr. Gwaltney moved to approve a flexible agenda, seconded by Member Reid. The motion passed unanimously.

1. PRESIDENT'S REPORT

President Ferry welcomed and introduced the new student representative, Corey Paris, a student at Shadow Ridge in Las Vegas, has served as Class President since his freshman year, will be current Junior Class President and has a passion for politics.

President Ferry presented Ms. McGrath with a gift on behalf of the Board and thanked her for her year of service.

President Ferry shared information from the last meeting of the West Ed Board Director's meeting. Robert Johannson was a speaker, during the meeting, from the Institute for the Future, non-profit organization, to provoke the thinking of individuals. Mr. Johannson's presentation focused on the age of the population and that youth drives cultural production and education. There was discussion regarding the trends and direction of change.

2. SUPERINTENDENT'S REPORT

Dr. Keith Rheault, Superintendent, stated that in regard to the Growth Model proposal to designate adequate yearly progress, a response was received from the U.S. Department of Education rejecting Nevada's Growth Model. Dr. Rheault stated that the Department staff will continue to use the model for testing this year, although not approved to show the results and will resubmit to the U.S. Department of Education next year.

Dr. Rheault stated that currently the Department is recruiting for the Board Secretary. A state list should be forthcoming shortly. The Department continues to recruit for the Information Technology position.

Ms. Dopf stated that the Mega Conference is an annual meeting that was held at Lake Tahoe and the Department partnered with the International Center for Leadership and Education. There were over 325 participants and in addition had a best practice presentation by Dr. Daggett framing the what, why, and how component of what to do to improve schools and improve student performance. There was a recognition ceremony which recognized sites which had received Distinguished School status for Title I schools and National Merit Schools. There were ten school sites that were selected to present their Best Practices as part of the conference and recognized for exemplary and high performance.

Dr. Gwaltney complimented the Staff on the success of the Mega Conference and recommended that Board Members read the “The World is Flat Book”. Dr. Gwaltney stated that one of the honored schools for high achievement, Coral Academy, is a charter school.

President Ferry stated that Dr. Rheault, Mr. Vineyard and he attended an awards ceremony at Coral Academy and it is a very good school and deserved the recognition.

Member Nance requested that the Board send a letter to Roy Martin Middle School recognizing their efforts as a national merit school, as this school has overcome a number of obstacles to reach and exceed their goals. President Ferry stated that he will send the recognition.

Ms. Dopf stated that in reference to the Title I report, Washoe and Clark County School District reports were good and the following areas will need to be addressed at the school district level first with a verbal notice and then a written notice to follow to include compliance regarding parental notice, supplemental services, and choice.

Dr. Rheault asked Deputy Superintendent James Wells to present a budget update. Mr. Wells stated that 16 of the 20 Department of Education budgets were closed at the Subcommittee level at the Governor’s recommended budget. The Department will receive two new licensure staff in Las Vegas; one new position for personnel and three new IT positions for the coming biennium. The IT manager was a very controversial position and that position has been converted to a staff position, and currently in recruiting for that position.

There are four Department budgets that remain open, with the largest being the DSA budget and that hearing has been rescheduled to next week due to issues relating to property tax revenue. The budgets will be closed next Wednesday. Mr. Wells will provide a budget update at the next Board meeting.

Dr. Rheault provided a legislative bill packet and provided the following legislative update:

- AB 212 – high school reform and grading scale. Dr. Rheault stated that this bill has been amended once and would require the State Board of Education to prescribe a uniform grading policy for all public high schools including a uniform grading scale for advanced placement and honor courses. Dr. Rheault requested direction from the State Board with regard to Section 4. Member Myers would like the Board to make a decision regarding the issue of the grading scale decisions to remain with the individual school districts, as they best know the needs of their students. Student Representatives McGrath and Paris provided their input that the grading scale policy should remain with the individual school districts and their local boards.

Following discussion, Member Nance moved for the Board to take a position in accordance with the student representative’s position to keep the grading scale policy with the local school districts, in opposition to AB 212 - Section 4, seconded by Member Biggerstaff. Following an open discussion by Board Members, President Ferry called for a vote on the motion. The motion failed.

- AB 333 – interim study and two subcommittees of the Legislative Committee on Education be formed to review autonomy schools and charter schools. Dr. Rheault stated that Section 1(b) of the bill adds a review of the system of public education for kindergarten through grade 12 to ensure that the structure of governance is organized in a manner that provides for efficient operation which meets the educational needs of the state. This language was specifically added in to address the requests of the State Board of Education as part of Senate Resolution 14 requesting an interim study of the governance structure.
- AB 334 – Governance of charter schools bill worked on with Department Staff and Assemblywoman Debbie Smith. Dr. Rheault stated there are a number of issues to be clarified for charter schools including the designation that the State Board would serve as the Board of Trustees, for federal funding purposes, and clarifies that the administrator of the charter school would be responsible for closing the school. This bill does include a cap on the salary of the administrator of a charter school; this was added by Assemblywoman Smith. Member Ruggiero stated that he supports AB 334.

- AB 250 – is a bill draft of the Board of Education and clarifies some of the private elementary and secondary school provisions within Nevada. It has already passed out of the Assembly and is working its way through the Senate. Dr. Rheault stated that it looks positive for this bill to pass.
- SB 184 – governs education. Dr. Rheault stated that Section 20 designated specific courses for graduation and the latest amendment would allow a student to opt out of the mandated course requirement for graduation with a parent’s approval.

Member Biggerstaff expressed a concern with 8th graders not passing and specifically in Clark County there are “old” 8th graders that are causing problems in those schools. Member Biggerstaff suggested that this is an issue that the Board could discuss after the legislative session of what to do with older 8th graders. Section 21 of this bill allows the State Board of Education to object to the Standards approved by the Academics Standards Council.

Dr. Gwaltney moved to support portions of SB 184 Section 21, Items 3 and 4, and authorize the Superintendent to testify this before the Legislature, seconded by Member Ruggiero. The motion passed unanimously.

- SB 239 – P-16 Advisory Council. Dr. Rheault stated that there have been modifications since the first reprint: revised the introduction; modifies the make up of the Council Members; adds a representative for early childhood education; and may appoint the Chancellor of Education and the Superintendent of Public Instruction to be a member of the Council. The third amendment changes the administrative support from the Legislative Council Bureau to the Governor’s Office and the Department of Education shall provide technical assistance as needed.

Dr. Ferry suspended discussion on the Legislative Items, as the presenters of Item 4 had a prior commitment.

4. PRESENTATION ON RECENT ACTIVITIES OF THE NEVADA PUBLIC EDUCATION FOUNDATION, INCLUDING THE HALL OF FAME EVENT AND READY FOR LIFE INITIATIVE

Hilarie Robison, Executive Director for the Nevada Public Education Foundation introduced Vaughna Bendickson as the Chair to the Nevada Public Education Foundation. Ms. Bendickson thanked Dr. Rheault and the Department staff for all of their support. Ms. Bendickson thanked Member Frederickson for serving as the State Board of Education representative and welcomed Dr. Gwaltney and Dr. Ferry as State Board of Education representatives.

Ms. Robison presented a power point presentation and stated that the mission of the Nevada Public Education Foundation is to secure and sustain resources that will assist, support, and promote excellence in public education programs in Nevada. The Nevada Public Education Foundation, as a statewide intermediary organization, connects schools, communities, government agencies, workplace partners, non-profits and youth organizations to improve outcomes for youth; convenes local, regional, and statewide organizations doing similar work to maximize resources and effort; seeks to consistently measure and improve programs and services; and organizes public and private support to sustain the work and ensure young people receive the education and resources they need to become productive, contributing members of society. The Foundation also convenes and facilitates **Ready for Life**, a collaborative effort to improve Nevada’s success at engaging and graduating “ready for life” students and re-engaging those who prematurely left school; they provide grant funds to support education and youth development activities throughout the state; honors deserving individuals and organizations through the Nevada Education Hall of Fame; and participates in national networks to apply current research and practice in Nevada. NPEF replicates and disseminates best practices that have been successful elsewhere, and coordinates research to help organizations more effectively serve youth. Ms. Robison stated that Nevada ranks LAST in the percentage of:

- 18-24 years olds who hare high school graduates;
- 16-19 year olds who are enrolled in school and/or working; and
- 18-24 year olds who have an associate or bachelor degree.

Ms. Robison stated that the following individuals were inducted in the 2007 Nevada Education Hall of Fame:

- Leader: Raymond D. Rawson;
- Contributors: Station Casinos, Fred Boyd, and Thalia Dondero;
- Educator: Gwen Anne Thacker;
- Unsung Heroes: Dean Becker, Valerie P. Cooke, and Margaret Clancy.

“Ready for Life” is a major priority of the Foundation and the theory for action for “Ready for Life” is a community stakeholder agencies and organizations collaborate in the belief that as they partner together to understand and address, in a holistic way, the academic, social, emotional and physical needs of youth and families, students will be more likely to complete high school and gain appropriate post-secondary education or training to become productive, contributing members of society.

A break was granted at 5:38 P.M.
The meeting reconvened at 5:45 P.M.

5. NOTICE OF INTENT TO REVOKE CHARTER OF TEAM A CHARTER SCHOOL

Mr. William Arensdorf stated this is an information item and wanted the Board to be aware of the Notice of Intent to Revoke the charter of Team A Charter School. The reason for revocation of the written charter is that Team A has failed to comply with generally accepted standards of accounting and fiscal management with the following deficiencies:

1. The school has failed to follow generally accepted accounting principles in a) maintaining adequate books of record to document the financial position and activities of the school; b) being unable to document a detailed listing of all assets, liabilities, revenues and expenses, including but not limited to a schedule of current accounts receivable and accounts payable; and c) causing a CPA-prepared certified financial audit to be submitted late.
2. The school has failed to follow all terms of the written charter approved by the State Board of Education to comply with generally accepted standards of accounting and fiscal management.
3. The school has failed to comply with statutes and regulations related to student record maintenance.

Mr. Arensdorf, on the recommendation of Mr. Irvin, Deputy Attorney General, recommended that the Board Members read the Notice of Intent, as this is only a notice of intent and there is no need to provide details at this time, the details will be provided during the Hearing of Notice.

Mr. Irvin stated that a Hearing of Notice has been set for June 8, 2007 beginning at 9:30 A.M.

Jeff Blanck, Attorney for Team A Academy, stated that the Notice of Intent are allegations and Team A will be responding to all of the allegations at the Notice of Hearing and will be complying with all of requirements.

3. APPROVAL OF CONSENT AGENDA

- A. Approval of Board Minutes for December 1-2, 2006 and January 26-27, 2007 Regular Meetings
- B. Approval of upcoming State Board Member Travel / Gregory Nance to attend NASBE’s new board member orientation, July 20-22, 2007, Arlington, Virginia at the Marriott Hotel
- C. Approval of 2007-2014 Elementary and Secondary textbook adoption lists for the Adoption period May 7, 2007 to June 30, 2014
- D. Approval of the appointment of Kelley Radow to the Northern Nevada Home school Advisory Council and Donna Thompson-Harris to the Southern Nevada Home school Advisory Council and accept the resignation of Janice Keith from the Northern Nevada Home school Advisory Council
- E. Approval of the appointment of Cheryl Moss as a member of the Board of Trustees for the Nevada Public Education Foundation Amendments to Chapter 388, Nevada Administrative Code
- F. Approval of re-licensing of the Lake Tahoe Private School (located in Incline Village) for four years
- G. Approval of the State Review Team for Teacher Education (National University)

- H. Approval of awarding 2.15 gifted and talented discretionary units to the Washoe County School District
- I. Approval of awarding a .50 special education discretionary unit to the Carson City School District for Extended School

Member Biggerstaff moved to approve the Consent Agenda, seconded by Member Gwaltney. The motion passed, with Member Nance abstaining due to his travel request in Item B.

2. SUPERINTENDENT'S REPORT

President Ferry returned to the Superintendent's Report.

Dr. Rheault reviewed the following legislative bills:

- SB 312 – changes to education. Dr. Rheault stated that Section 4 would require the State Board to adopt regulations for alternative criteria for a high school diploma.

Upon questioning by Member Biggerstaff, Dr. Dotty Merrill responded that the Nevada Association of School Boards has not taken a position on this bill, as this bill was introduced after the Executive Committee for the School Boards had met but they will be meeting tomorrow and will be taking positions on various bills. Dr. Merrill stated that there are differences between the school districts and there are various positions among the school districts in support and not in support of SB 312.

Craig Kadlub, Clark County School District, stated that Clark County currently supports SB 312.

Member Ruggiero stated that the Board does set standards for graduation and diploma and objectives can be reached without comprising the graduation requirements.

Dr. Rheault stated that there is a fiscal cost to implementing an alternative program. This bill has been approved by the Senate Human Resources Committee and is now in the Assembly Education Committee. It was discussed that a student would have three attempts to pass before an alternative diploma would be awarded. Dr. Rheault stated that the age limit would be 17, but with a waiver for a student at the age of 16.

Member Ruggiero moved that the State Board through the Superintendent Rheault indicate the Board's support of SB 312 with the understanding that Superintendent Rheault will seek other models and possibly amend section 3 to include those models or replace the ones on record, seconded by Member Biggerstaff. The motion passed unanimously.

- SB 398 – provides for a pilot program of English immersion in certain public schools. Dr. Rheault stated that this bill has passed in the Senate and is now in the Assembly. There is no funding provided for in this bill and Districts would have to use existing funding to fulfill the bill's requirements.
- SB 404 – Provisions governing home schooled children. Dr. Rheault stated that he has testified in opposition to this bill as it would require all parents of home schooled students to apply for the exemption through the Department of Education and eliminates any Nevada Administrative Code that applies to home school students. The only thing a parent would have to submit would be a request for exemption form, with no proof of curriculum or documentation.

Board members expressed concern for students that do not have a good home school situation and that a notarized exemption form should be required.

- SB 535 – clarifies provisions for distance, alternative, and adult education. This was a State Board of Education bill draft and will be heard in the Assembly Education Committee on May 7th.

- SB 540 – Dr. Rheault stated that this bill makes provisions governing the system of public education in Nevada and Section 15 would require that the Superintendent of Public Instruction to be appointed by the Governor and change the State Board of Education to a State Commission and the Superintendent of Public Instruction would have the oversight of the State Commission and various other educational commissions.

Dr. Gwaltney stated that the State Board began this discussion with SCR 14, and when originally discussed was for an interim study to take place between legislative sessions to assess the organizational structure of public education, as it now exists. Dr. Gwaltney stated that he has met with at least six groups in relation to SB 540 and SCR 14. Dr. Gwaltney stated that he has learned two important things about SB 540: 1) the stature of this Board has improved over the past few years and 2) the tide is running against this Board. Dr. Gwaltney summarized SB 540 to state that the Superintendent of Public Instruction would be selected by the Governor and the State Board of Education would be an advisory board to the Superintendent. Dr. Gwaltney stated that compromises are currently being discussed to 1) eliminate the advisory capacity of the Board to maintain current authority of the Board; 2) some of the compromised capacities remove the autonomous nature of commission and organizations that exist and require that they report to Superintendent and for the Superintendent to then report to Board. Dr. Gwaltney stated that when discussions began he had three criteria: 1) preserve the Board's relationship with the Superintendent as much as possible; 2) keep the Board as autonomous as possible and keep the regulatory authority; and 3) to continue to have the commissions and organizations report to the Superintendent and then through the Superintendent to the Board. The negative affects are: 1) the selection of the Superintendent by a committee; 2) Governor participation to be able to place items on agenda; 3) Governor power to veto item and the Board could override the veto; 4) remain at ten elected officials at large, but the Governor would appoint a non-voting chair; 5) incorporate regulatory groups into Board responsibilities; and 6) Regional Development Center authority would be removed from the Board. Dr. Gwaltney stated that the bottom line is that the Board that existed in the 80's and 90's is not to return and the future will involve the Governor's office, and that the Board should wrap itself around the Legislature and the Governor and for the Governor and Legislature to wrap around the Board; and through this process there will be an evaluation of the Board's credibility and increased respect of the Board.

Dr. Gwaltney and President Ferry discussed two communications that were sent to Senator Raggio, from President Ferry, regarding SB 540. Mr. Irvin recommended that copies of the two communications be a part of the record of this meeting, for public access.

President Ferry thanked Dr. Gwaltney for all of his hard work with the legislature and his continued work with the legislature on the issues affecting the State Board.

Following discussion, President Ferry requested that all Board Members think about the previous discussion and SB 540 and what action to take for discussion at the May 5th meeting.

6. DISCUSSION AND POSSIBLE RECOMMENDATION ON REQUIREMENTS FOR EMERITUS STATUS OF THE NEVADA STATE BOARD OF EDUCATION

Member Biggerstaff stated that the emeritus status for past Board Members would make them honorary members of the board and would have no obligation to attend meeting and no voting rights. Member Biggerstaff recommended that this begin with Past Member Yvonne Shaw's membership forward.

Member Nance moved to accept the Emeritus Status as amended for past Board Members, seconded by Member Frederick. Dr. Gwaltney made a friendly amendment to the Emeritus Status that individuals may be nominated and voted on by the sitting Board members one year following their retirement. The motion passed unanimously.

PUBLIC COMMENT

Dotty Merrill, Executive Director of Nevada Association of School Boards, thanked the Department of Education staff for helping collect the Board Member's information for the Nevada Association of School Board's Directory and requested that Board Members to submit their photo if not previously submitted. Ms. Merrill stated that NASB will be meeting tomorrow and she will share the legislative issues with the NASB board.

Ms. Merrill thanked Dr. Rheault for the work that he does on behalf of education throughout the State with the Legislature.

The meeting was recessed at 7:30 P.M.

May 5, 2007:

RECALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

President Ferry recalled the regular meeting to order at 8:35 A.M., with roll call reflected above. President Ferry led the pledge of allegiance.

7. DISCUSSION ON REGULATIONS ON STATE BOARD CHARTER SCHOOL SPONSORSHIP

Dr. Rheault stated that this was placed on the agenda for discussion with regard to developing regulations for charter school sponsorships. This item is for discussion only and the Board can direct staff to begin drafting regulations in this area.

Mr. Irvin stated that this would be the opportunity for the Board to include in the administrative regulations, the process for due process hearings and he would assist staff in the drafting of those regulations.

Dr. Rheault stated that the staff will move forward to develop charter school sponsorship regulations. Member Reid requested, as the Chair of the Subcommittee on Charter Schools, to be involved in the drafting of the regulations.

8. APPROVAL OF THE CONVERSION OF THE SUBSECTION 6 CHARTER TO A FULL CHARTER FOR NEVADA CONNECTIONS ACADEMY CHARTER SCHOOL

Bill Arensdorf reviewed that in March 2007, a Subsection 6 Charter was awarded to Nevada Connections with a one year time limit for conversion to a full charter. Mr. Arensdorf stated that Nevada Connections would like to begin as a full charter in August 2007 and have complied with all of the requirements, as they have an adequate facility to be used as a school site in Reno. Mr. Arensdorf reviewed the conditions that were placed on Nevada Connections at the March 2007 meeting. Mr. Arensdorf stated that the lease for the building has been obtained, occupancy permit is adequate, fire inspection completed as of April 30, 2007, insurance affidavit has been provided, and all of the codes for safety, health, and sanitation have been met. Mr. Arensdorf stated that Nevada Connections has met all of the conditions of the Subsection 6 and that a conversion to a full charter is appropriate.

Member Nance moved to approve Nevada Connections for a full charter. There was no second to this motion, as there were additional comments.

Upon questioning by Member Reid, Mr. Arensdorf responded that distance education laws do not require that the entire school meet together and indicated that the building is 4,000 square feet with offices with view windows for counselors, offices, and a large meeting room. The site could hold up to fifteen students at one time.

Jamie Castle, Chair of the Governing Board for Nevada Connections Academy and Kirsten Mitchell, Treasurer of the Governing Board, and Laura Grainer were present representing Nevada Connections.

Laura Grainer, Nevada Connections Academy, stated that Nevada Connection has strictly complied and satisfied the conditions of the Subsection 6 charter requirements for conversion to a full charter.

Upon questioning by Member Ruggiero, Ms. Mitchell stated that Governing Board Officers for Nevada Connections were elected at the first meeting held in April.

There was no further public comment.

Member Nance moved that Nevada Connections be presented with a full charter to the extent that it is qualified with the understanding that in the future that if there is a problem, that the Board may review that problem. There was no second to this motion.

Member Nance moved that the Board acknowledges that the facts presented are true, seconded by Member Frederick.

Member Reid indicated that as this is a conversion to a full charter and stated for the record, “I still have serious concerns, as I spoke to in the Subcommittee meeting last month, to understanding their teacher/pupil ratio, which I still don’t understand how that works with this charter, their per pupil spending and I want to get it on the record that I have serious concerns about that during this conversion process.”

Upon questioning by Member Ruggiero, Mr. Arensdorf responded that Nevada Connections cannot enroll students with a Subsection 6 Charter. Mr. Arensdorf stated that Nevada Connections has met all of the requirements of the Subsection 6 Charter for conversion to a full charter.

Upon questioning by Student Representative Paris, Ms. Mitchell responded that a student’s curriculum is personalized with programs based on state requirements and everyone works together to make the program happen.

Member Reid disclosed that her husband is a lawyer with the law firm that represents Nevada Connections, but does not feel that there is a conflict of interest and expressed concern regarding the fact that profits from Nevada Connections may have been used to hire the best law firm in Nevada to represent Nevada Connections Academy.

Carrie Ross, State Development Manager with Nevada Connections, stated that this law firm was highly recommended and was hired by Nevada Connections Academy, as they wanted a law firm that would represent Nevada Connections well and ensure that the application was complete. It was discussed that there are fifty students per teacher and the students are required to check in with the teacher three to four times a week.

Upon questioning by Member Ruggiero, Mr. Arensdorf stated that after a full charter is approved, the Department staff continues to monitor the school, review enrollment numbers and attendance records, monitor how federal funds are being used and the school is monitored by school visits, discussions with the Governing Board and the school administration. Next spring the Department will conduct the annual compliance review of the school with a review of financial records, student records, and special education requirements. Mr. Arensdorf stated that as a State Board sponsored Charter, the Department will present this report to the Board next summer for a review and then the Board could discuss any issues and non-compliance.

President Ferry reiterated the motion on the floor, Member Nance moved to accept the evidence presented for the findings of fact that the conditions of the Subsection 6 charter have been met, seconded by Member Frederick. The motion passed by a vote of 6 to 1, with Member Reid in opposition.

Member Nance moved for a conclusion of law that a full charter should be granted as per the evidence presented, seconded by Member Frederick. The motion did not pass by a vote of five in favor and two in opposition.

Mr. Irvin explained that a vote on the finding of fact was affirmative and the application of that is the conclusion of law and if the finding of law is correct then the conclusion of law is correct, as a final decision of an administrative body and entitled to a petition of judiciary review. The relevant issue before this Board is if the conditions of Subsection 6 have been met for conversion to a full charter.

Member Reid stated for the record, “I am worried that we will have a lawsuit if we do approve this as the woman just spoke to you we have a 50 to 1 ratio teachers/students. I am not even sure if that is consistent and we have the Legislature looking very closely at our body and to approve a school that has that kind of ratio really concerns

me. Also, as far as my vote, I just consistently voted against this school and have serious, serious concerns, and am just staying consistent because I feel I have an obligation to consistently vote this way because I have such concerns with this school. So while I respect your opinion, I can't support this school. And I have consistently done that and so from that stand point legally I am going forward."

Member Ruggiero stated that he is in agreement with Subcommittee Chair Reid and stated that he also has concerns with this school. Member Ruggiero stated that he initially voted yes on the first motion, as Nevada Connections did satisfy the conditions of the Subsection 6 charter, but he continues to have the same concerns as he did in the previous meeting.

As the first vote was unclear, President Ferry called for a roll call vote. The motion passed by a vote of six to one with Member Reid in opposition. Members Washington, Myers, and Iverson were absent.

A break was granted at 9:50 A.M.
The meeting reconvened at 10:05 A.M.

9. PUBLIC HEARING AND POSSIBLE BOARD ACTION REGARDING PROPOSED REVISION TO REGULATION LANGUAGE, NAC 386.390, COMPLIANCE WITH ACCOUNTING PRINCIPALS; UTILIZATION OF CHARTER OF ACCOUNTS; MAINTENANCE OF MONEY

President Ferry opened the public hearing at 10:07 A.M. There were four individuals in attendance with no public comments.

Mr. Arensdorf stated that NAC 386.390 requires charter schools to use a chart of accounts approved by the Department of Taxation which is not being utilized for accounting principals. The proposed changes will codify what is already in use and allow charter schools to follow the same system used by school districts. The adjustment would be to the present practice and will not have an extra cost involved. Mr. Arensdorf recommended that the Board adopted the proposed amendments to NAC 386.390.

President Ferry closed the public hearing at 10:10 A.M.

Member Ruggiero moved for the Board to adopt the proposed amendments to NAC 386.390 as submitted, seconded by Member Biggerstaff. The motion passed unanimously.

10. PUBLIC HEARING AND POSSIBLE BOARD ACTION REGARDING PROPOSED REVISION TO REGULATION LANGUAGE, NAC 389.663, ENHANCEMENT OF ADVANCED DIPLOMA

Dr. Ferry opened the public hearing at 10:11 A.M. There were four individuals in attendance with no public comments.

Dr. Rheault stated that the proposed amendments would bring the advanced diploma in line with the requirements of the school districts. The main changes would be in affect with the 2008-2009 school year and added a credit in math, reduced the elective requirement to 6 credits and increases the grade point average to 3.25. Dr. Rheault stated that SB 184, if passed, will specify in statute core requirements for graduation. Member Biggerstaff offered that the Board may want to discuss adding foreign language in the future.

President Ferry closed the public hearing at 10:16 A.M.

Member Frederick moved to approve the proposed amendments to NAC 389.663 as submitted, seconded by Member Biggerstaff.

It was discussed that the advanced diploma is for students who want to work harder and receive additional recognition.

Following discussion, President Ferry called for a vote on the motion. The motion passed unanimously.

11. WORKSHOP TO SOLICIT COMMENTS ON AMENDMENTS TO CHARTER 388, NEVADA ADMINISTRATIVE CODE (NAC)

President Ferry opened the workshop at 10:25 A.M. There were three individual in attendance with one public comment.

Frankie McCabe presented and reviewed the changes to NAC 388 – special education regulations, which includes changes and additions. Ms. McCabe stated that the changes are being proposed to come into alignment with the Individuals with Disability Education Act, 2004 (IDEA-04) regulations effective in 2006 and other changes recommended by the Nevada Department of Education Workgroup. Ms. McCabe stated that a thirteen member panel has reviewed these changes and the panel includes professors of university, parents, and school district representatives.

Karen Taycher, Chair of Special Education Advisory Committee (SEAC), thanked Ms. McCabe and her staff for their hard work in revising the Nevada Administrative Code to help parents and stakeholders to help minimize the anxiety in this area. Ms. Taycher stated that comments and concerns raised at the SEAC meetings were incorporated into the amendments to NAC 388.

President Ferry closed the workshop at 11:30 A.M.

12. PUBLIC HEARING AND POSSIBLE BOARD ACTION REGARDING AMENDMENTS TO CHARTER 388, NEVADA ADMINISTRATIVE CODE (NAC)

President Ferry opened the public hearing at 11:30 A.M. There were three individual in attendance with no public comments.

Ms. McCabe referred the Board to her presentation at the workshop and recommended that the Board approve the amendments as presented.

There was no public comment.

President Ferry closed the public hearing at 11:32 A.M.

Member Reid moved to approve the amendments to NAC 388 as submitted, seconded by Member Biggerstaff. The motion passed unanimously.

13. BOARD MEMBER COMMENTS

The Board resumed discussion regarding legislative issues and continued discussion with regard to SB 540. Member Ruggiero thanked Dr. Gwaltney for his work and his assessment of what is happening at the Legislature and suggested appointing a Board representative to negotiate with the Legislature regarding the Governor's input and involvement with the Board. Member Ruggiero would like the Board to retain their authority, remain an elected board, consider Commission to select the Superintendent, and welcome input from the Governor for items on the agenda.

Member Reid thanked Dr. Gwaltney for his work with the Legislature and recommended that the Board take a wait and see attitude based upon the letter from Senator Raggio.

Member Biggerstaff agreed with Member Reid for the Board to take a wait and see attitude and respond to issues as they arise.

President Ferry asked if the Board needs to indicate support to Dr. Gwaltney for his work with the Legislature.

Member Reid stated that she does support Dr. Gwaltney and his work at the Legislature, but cautioned how to address and approach issues at the Legislature.

Student Representative Paris expressed his pleasure of being a part of the State Board of Education. Mr. Paris cautioned that the decisions that are made by the Legislature affect every student and students are not being represented at the Legislature. Mr. Paris asked the Board to be the voice of students, for the best interest of students, at the Legislature.

President Ferry recognized Bill Arensdorf for thirty-six years of service with the Nevada Department of Education and in addition to a few years of service with the Clark County School District.

Dr. Rheault stated for the record, “The Department appreciates all of the work Mr. Arensdorf does for the Department.”

Member Biggerstaff expressed appreciation to Mr. Arensdorf for all his hard work, knowledge and expertise.

Member Reid thanked Mr. Arensdorf for all of the work he performs for charter schools.

Dr. Gwaltney requested that the Board not vote on a legislative direction on issues and continue to be present at the Legislature.

Member Nance requested that the Board discuss the issue of “Study of the Quest for Life” and begin the textbook process. Members Ruggiero and Reid recommended that Member Nance make a presentation on this issue at the next meeting.

Dr. Gwaltney reiterated that he attended the Mega Conference and was a wonderful experience. Dr. Gwaltney encouraged that Board Members watch a short DVD, “The World is Flat”. Dr. Gwaltney thanked Dr. Rheault and the Department for responding to an individual’s request for assistance and information, as he received a note from that person indicating the helpfulness and professionalism of the Nevada Department of Education.

Member Reid suggested that during the August retreat that the Mr. Irvin provide basic open meeting law, due process and group process training to improve Board efficiency.

Member Frederick suggested Board etiquette training at the August retreat. Member Frederick informed that the Department Indian Education Consultant was the keynote speaker for the Native American Graduation luncheon in Las Vegas and did a good job in representing the Department of Education.

Member Ruggiero requested that an item for travel approval be placed on the next agenda regarding the 7th annual conference of the Children’s Land Alliance Supporting Schools. Member Ruggiero stated that Assemblywoman Weber is attending this conference and Member Ruggiero feels that the State Board should have a representative at this meeting.

Member Frederick deferred to Member Ruggiero to attend this conference as he is the Chair of this Subcommittee.

Member Ruggiero requested an informational agenda item for the next agenda regarding school security and school safety. Member Ruggiero stated that he has been working on a proposal that would implement the opportunity for administrators and faculty members of the school district to attend a peace officer academy to become reserve/auxiliary officers and for the Board to become involved in this issue. Member Ruggiero stated that he has presented this proposal to the Clark County School District Superintendent and wanted the Board to be aware of his proposal for school safety and security. Member Ruggiero requested travel funds to attend the next Board of Regents meeting as his school safety and security proposal has been added to the Board of Regents agenda for June 21 and 22, 2007.

Member Ruggiero thanked the Subcommittee on Charter Schools, President Ferry, Mr. Arensdorf and his staff for the opportunity to attend a Charter Schools Showcase in Washington D.C. Mr. Ruggiero stated that there was a wealth of information that was provided at this Showcase and shared this information with Member Reid and Mr.

Arensdorf. Member Reid suggested that a presentation be made during the Retreat when discussing charter schools.

Member Biggerstaff welcomed Student Representative Paris to the Board. Mr. Paris thanked for the opportunity and stated that it is an honor to represent the students of Nevada.

14. APPROVAL OF FUTURE AGENDA ITEMS

The following items were identified during the meeting for the July Board meeting:

- Presentation of “Quest for Life” – Member Nance
- Presentation of Proposal of School Safety and Security – Member Ruggiero
- Due Process Hearing for Team A; the Board was informed that the June 8, 2007 Team A hearing will be a formal hearing with a court reporter.

15. PUBLIC COMMENTS

There were no additional public comments.

16. ADJOURNMENT

President Ferry adjourned the meeting at 1:07 P.M.

Respectfully submitted:

Dr. Keith Rheault, Superintendent of Public Instruction

Approved by:

Dr. Cliff Ferry, President, Nevada State Board of Education/
Nevada State Board for Occupational Education

Transcribed by:

Christina Harper, Administrative Assistant