

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

October 5 and 6, 2007

Department of Education
Second Floor Conference Room
1820 East Sahara, Las Vegas, Nevada

And

Department of Education
700 East Fifth Street
Battle Born Conference Room
Carson City, Nevada

MINUTES OF THE REGULAR MEETING - OCTOBER 5, 2007

BOARD MEMBERS PRESENT:

Dr. Cliff Ferry, President
Barbara Myers, Clerk
Sharon Frederick, Member
Dr. John Gwaltney, Member
Jan Biggerstaff, Member
Anthony Ruggiero, Member
Cindy Reid, Member (arrived at 3:40 p.m.)
Greg Nance, Member (arrived at 4:00 p.m.)
Corey Paris, Student Representative (arrived at 4:00 p.m.; left at 7:00 p.m.)
Dr. Merv Iverson, Member (arrived at 5:10 p.m.)
Marcia Washington, Vice President (arrived at 5:35 p.m.)

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
James Wells, Deputy Superintendent, Fiscal Services
Bill Arensdorf, Director, Office of Fiscal Accountability
Frankie McCabe, Director, Special Education, ESEA and School Improvement
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction
Lori Johnson, Assistant to the Board of Education
Orval Nutting, Consultant, Office of Fiscal Accountability
Tom McCormack, Consultant, Office of Fiscal Accountability
Rick Rasmussen, Consultant, Office of Career and Technical Education
Michael Raponi, Consultant, Office of Career and Technical Education
Carol Crothers, Director, Assessments, Program Accountability and Curriculum

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Sandi Foster, Washoe County School District
Sandy Wright-Cutting, CSN, Clark County School District
Brad Lester, Nevada Virtual Academy
Kim Boyle, Clark County School District
Kaweeda G. Adams, Clark County School District
Dr. John Hawk, Nevada State High School
Davis Ayers, Clark County School District
Dr. Bryn Lapenta, Washoe County School District
Edie Grub, Silver State High School
Patty Knight, Silver State High School
Leigh Berdrow, Ace High School
Steve Knight, Silver State High School

CALL TO ORDER; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA

President Ferry called the meeting to order at 3:35 P.M. with attendance as reflected above. He asked those present to join him in the Pledge of Allegiance. A flexible agenda was approved unanimously.

1. PRESIDENT'S REPORT

Report, Nevada Public Foundation Meeting, September 25th - President Ferry reported on the Nevada Public Education Foundation meeting he attended on the 25th of September. He stated they had more funding partly from a grant and State funding and were readjusting their goals and mission at this time. The Foundation and Ready for Life were expanding into Washoe County and Churchill County. He learned both the Foundation and Ready for Life were bringing together various agencies and non-profits to assist young people to the age of twenty-four on keeping them in school and preparing them for higher education or the work world, but the focus was on high school dropouts and those individuals who were preparing to drop out. He urged the Director of the Foundation to keep the Board informed of their progress. He announced the new Foundation President was Gene Hall.

President Ferry also stated there would be an item during the December meeting regarding working with the Nevada Teacher's Association on Legislative matters.

2. SUPERINTENDENT'S REPORT

P-16 Council Meeting Update - Superintendent Rheault stated the Board should have received minutes from the first P-16 Council meeting held on September 19th. It was an organizational meeting, but the agenda did not have certain items listed such as the selection and vote for Committee Chair so action on these items could not be taken. He provided a brief review of the eleven members who sit on the Committee. The next meeting has yet to be scheduled, but they wanted to meet every month for the first few months until direction for the Council was received. Meetings would then be held every two months. A proposed date for the next meeting may be October 23 or 24, 2007 in Las Vegas.

Member Biggerstaff expressed concern that the Council did not decide on objectives before they addressed other matters. She reported she had made the comment that there were no elective representatives from K-12, but sub-committees would be formed to address this issue. She encouraged Board attendance during the next meeting.

Council to Establish Academic Standards Meeting Update - Superintendent Rheault reported the Council to Establish Academic Standards meeting was held last month. An update on the social studies standards was provided. The standards would be reviewed and revised this year and the draft to the Standards Council should be presented next spring. A \$40,000 funding request was submitted for consideration at the next Legislative Committee meeting. He reported health standards were almost completed and a workshop would be considered at the next Standards Council meeting. In the fall of 2008, review of the technology education standards would begin. An academic standards retreat would also be held on November 16, 2008 in Las Vegas.

Member Biggerstaff asked how social studies standards would be applied. Superintendent Rheault reported standards would follow a textbook adoption cycle. Social studies standards would be reviewed this spring or summer. When adopted, the school district would be given two years to review standards and revise their curriculum. It would be two years before standards would be implemented in the classroom.

Member Biggerstaff asked about the credit requirement which was to begin in 2008. Superintendent Rheault stated it would be based on current social studies. Member Biggerstaff encouraged Board members to attend the Standard's meeting.

Superintendent Rheault reported a Legislative Committee on Education meeting may be held on October 18, 2007 and may be tele-conferenced to Carson City. An update on the adequate yearly progress results for 2007 would be provided. Funding would also be discussed for an alignment study of curriculum and testing at one hundred schools in the State and for the academic standards review teams. The possible sub-committee or task force whose focus may be on K-12 governance structure would also be discussed. Superintendent Rheault asked Board members to attend the meeting.

Department of Education Programs and Activities Update - Superintendent Rheault provided an update on the Department of Education Programs and Activities. He reviewed the expansion of the facilities in Las Vegas and reported the expansion would have to be presented to the Board of Examiners at their November 14th meeting for approval. If approved, the expansion could be completed in February. New facilities were also being considered in Carson City. They were also approved for three new technology positions and three more staff members with the longitudinal grant approval, which was the reason for the new facilities. They had not determined which offices would be at the new facility and which would remain at the current facilities. Superintendent Rheault stated he would meet with the Department Directors next week to make that determination. The new facility may be open next January or February.

He provided a summary of the NAEP results from the press release. He stated overall they were good results.

He reported the State had adopted a no-travel reimbursement policy within 50 miles. The adoption was based on Legislation in 2007. Policies at the department level would be finalized in the next couple of weeks and a brief update of policies may be provided. Jim Wells provided a review of policies that would be affected by the adoption. Superintendent Rheault stated more detail would be provided at the next Board meeting.

President Ferry asked if there was a representative from the Clark County School District. Sandi Foster introduced Dr. Bryn Lapenta from the Washoe County School District and reported she would be taking over

the responsibility of District Liaison at the next meeting. Representatives from the Clark County School District introduced themselves.

3. APPROVAL OF CONSENT AGENDA

- A. Approval of March 3-4, 2007 Minutes - It was asked that the May minutes be removed from approval due to the fact that they were not completed.
- B. Approval of resignation of Chanda Cook from the Board of Trustees for Nevada Public Education Foundation.
- C. Approval of Appointments of Sonya Horsford and Maria Marinch to the Nevada Public Education Foundation.
- D. Approval of Appointment of Moshe Rodman as Private School Representative to serve on the Title I Committee of Practitioner's Clark County School District.
- E. Approval of 2-year school license for private schools per attached listing.

Member Myers questioned item 3C regarding Sonya Horsford's role in relation to the Nevada Department of Education. Bill Arensdorf replied Ms. Horsford assisted in writing a program for a Charter school, but she never worked for the Department of Education.

Member Myers asked why private schools were not in operation sooner. Orval Nutting explained private schools have a packet that must be turned in to be licensed, but schools fall behind in completing forms which results in inspection delays. After a brief discussion pertaining to Member Myers' concern with Susan Waters being listed when she was no longer the owner of the Montessori Children's Academy, President Ferry recommended that the Montessori Children's Academy be pulled for additional review. It would be announced at a future meeting if the Academy was entitled to a license.

Member Reid commended Sonya Horsford's resume.

President Ferry questioned the student to teacher ratio. Mr. Nutting explained the various requirements of private schools.

Member Nance asked about exempt schools. Mr. Nutting explained exempt schools do not have to come before the State Board for approval. The only schools that do have to go before the State Board for approval were those schools applying for a private school license.

Member Ruggiero asked if the March meeting minutes were audio recorded to be available on request. President Ferry replied yes. Member Ruggiero stated he accepted the minutes as they were, but there were some specificity that was lacking within the minutes with regards to the comments he made regarding Nevada Revised Statutes.

Member Reid made the motion that the Nevada State Board of Education approve items A through D on the consent agenda with the Montessori Children's Academy pulled from the Private School Analysis and the May minutes be held for further revisions. The motion was seconded by Member Frederick; motion passed unanimously.

4. WORKSHOP: TO SOLICIT COMMENTS ON PROPOSED PERMANENT AMENDMENTS TO REGULATIONS NAC 386 FOR CHARTER SCHOOL

Bill Arensdorf explained the Board was asked to conduct a workshop regarding regulation changes which were necessitated due to two Bills that went through the last Legislation session, AB 334 and AB591. Regulations were in place, but it was necessary to make changes for charter schools in section 386.

Tom McCormack reviewed new or revised regulations for AB334 on page 70 of Board documents. There were no salary caps for charter school administrators for the Board to consider. Department staff has met with representatives from the districts who sponsor charter schools and there was preliminary discussion regarding how to meet requirements under AB334. Currently, job description information was being gathered from charter schools and the districts and, once gathered, district salaries for these administrative positions would be reviewed and comparisons would be made based on the job descriptions.

President Ferry asked if comparisons would be based on the size of the school or the size of the district. Mr. McCormack reported the size of the school and the size of the district would be criterion.

Member Gwaltney questioned exclusions.

Member Nance requested to know how high salaries would be dealt with. President Ferry explained that was a topic for Committee discussion. Mr. Arensdorf reported the first step was to uncover the comparable salaries within a district to make a fair comparison to job duties. The next step would be for the Governing Board who hired the staff to adjust the salary to a comparable level or provide justification of why salaries were excessive.

Member Biggerstaff expressed concern regarding the dates of when revisions would be completed. Mr. Arensdorf commented that the date of December 30th was a goal to get the revision completed at that time, unless specified otherwise in the Bill.

Member Myers stated there was no information regarding salaries in section 6. Mr. McCormack reported section 6 was in AB334 and that there was no regulatory language to consider at this time. The language of AB334 was not included in Board packets.

Mr. McCormack reviewed the proposed language for AB591 on page 74 of Board documents. Mr. Arensdorf explained they tried to come up with objective measures so charter schools could say their students were academically proficient and should be exempt from the annual review.

Member Biggerstaff asked if the School Board would have regular meetings regarding AB591 if the Board was deemed the Board of Trustees for charter schools. Mr. Arensdorf stated the wording was very specific to say it only applied for Federal purposes.

President Ferry requested to know if number 2 could not be worded more positively by stating that those who were proficient were increased by ten percent. Gloria Dopf reported the reduction of the non-proficient was the safe harbor standard in "No Child Left Behind".

The workshop for public comment was opened at 3:23 p.m. Sandi Foster thanked the Department for involving the District in reviewing the changes. She commented on the requirements listed in AB591. For number 2, she proposed that charter schools must show a ten percent or more reduction in the percentage of emergent development students in all subjects in all sub-groups. For number 4, she proposed that, by the end of the

eleventh grade year, seventy-five percent of students enrolled at the charter school must have passed all sections of the high school proficiency examination.

Mr. McCormack added the seventy-five percent figure was already identified in statute and that this was not up for debate.

Sandi Foster clarified on number 2 she proposed removing the Science portion because it was not included in the AYP.

In response to a question, Gloria Dopf reported, for the purposes of AYP, English and Language Arts would be one cluster of exams and Math was another cluster. Within English and Language Arts, there was a reading component, but there was not an isolate for reading tests.

Mr. McCormack stated the next item to address was revising item 5 on page 74 in response to concerns expressed by the State Board.

Sandi Foster agreed with Leigh Berdrow's comment regarding setting a timeline for when the district or the sponsor would have to respond to the charter school, but preferred the Board provide a written request for documents.

On page 77, Mr. McCormack explained what was being proposed was to clarify the process the State Board goes through when an application comes before the State Board which has been denied twice by a local district versus an application that comes before the State Board for sponsorship without having first been denied by a local district. He noted only minor changes had been made to pages 78, 79, and 80 with the most important change being on page 79 regarding the date of December 15th that a charter school should be presented to a proposed sponsor. On page 81, the proposed change was to allow for 30 days to review applications rather than 15 working days. On page 82, it was clarifying the process for review by the State Board of an application that had been denied by a local district. On page 84, it was suggesting new language that would address the circumstance of an application being submitted to the State Board for sponsorship that had not been previously denied by a local district. Mr. McCormack stated the State Board's concern regarded the new language in paragraph 8 on page 85 regarding the reasons that the State Board could use to deny an application and provided examples.

Mr. Arensdorf stated the process would still have standards that they would normally be following with other applications that had been denied by a local district which would include providing a sub-section 6 charter.

Member Nance expressed concern that more than one application could be submitted as long as the charter school only had two individuals that had been on other boards. Mr. McCormack replied that the new statute stated there may be two representatives of a particular organization on any Governing Board.

Member Biggerstaff asked if EMOs could be restricted by qualifications. Mr. McCormack stated it was the responsibility of the Governing Board to enter into a contract with an EMO. Superintendent Rheault added an EMO could provide a number of services and each one could be different depending on what schools need. He stated he was not sure it could be limited to a list, but looking at EMOs individually when presented. If there were past performance problems, that could be a consideration.

In response to Member Gwaltney's comments, Mr. McCormack clarified the sponsor sponsors the charter school and the charter school may or may not decide to contract with an EMO. Mr. McCormack stated universities were included in the new language because of the new law, but he did not know if there was interest in the university system to sponsor charter schools.

Mr. Arensdorf added he approved of the university's inclusion in the new language because the chartering system should be the same for a school district, State Board, or a university.

Member Iverson wondered how many charter schools were sponsored by the State School Board of Education. Mr. McCormack replied there were five. They were also currently reviewing applications from additional charter applicants who were asking for sponsorship from the Board. Member Iverson asked how many applicants were being reviewed. Mr. McCormack stated there were eight new applicants plus two schools with sub-section 6 charters; ten schools total waiting for State Board sponsorship.

Member Iverson asked if the State Board had gone on record for being in support of charter schools. Mr. McCormack stated he did not recall a formal action by the Board either for or against support of charter schools. President Ferry stated it was not in the Board's purview to be in support of charter schools.

Member Ruggiero cautioned the Board about giving legal advice when it comes to contracts. Dr. Irvin, Deputy Attorney General, stated what they have been doing was not providing legal advice.

Member Reid requested to know how many applications were before the other districts that can sponsor charter schools. Mr. McCormack replied there were four or five applications seeking sponsorship from other districts. Member Reid explained she brought up the point because, as a Board, they need to question why a majority of the new applications were asking for sponsorship from the Board rather than other districts.

In response to comments made regarding past performances, Mr. McCormack stated the Board could suggest accepting or denying applications if there was not a strong Governing Board.

Member Reid explained the Board had the choice not to approve applications so the Board should become more specific about which applications to approve and to be more diversified in the charter schools they do sponsor to target different student populations.

In response to Member Myers' comments, Member Reid stated the language was changed to allow the Board to approve or not approve charter schools.

Member Nance asked if the EMOs dealt with Spanish individuals. Mr. McCormack stated, in Reno, there was a dual language charter school for Spanish-speaking children, but they were not using an EMO.

President Ferry commented that there was a difference between the items listed in item 8 and saying the Board does not want to duplicate programs or that the Board wanted programs that were unique.

At 4:50 p.m. the workshop closed; at which time President Ferry called for a short break and that agenda item 12 would be heard after the break due to the fact that Jodi Stephens was now present in Carson City.

12. REPORT ON THE GOVERNOR'S IDEAS OF EMPOWERMENT IN SCHOOLS

Jodi Stephens, Legislative Assistant to the Governor, provided a report on the Governor's ideas regarding empowerment in schools.

Member Ruggiero thanked Ms. Stephens for the information and requested that copies of the information be provided to the Board.

Superintendent Rheault added that the Legislature provided \$180,000 for planning purposes this year and approximately \$9 million next year to implement programs. Clark County received \$50,000 and would be required to have 16 empowerment schools next year. Washoe County received a direct grant from planning for \$50,000 and a requirement of six empowerment schools next year. The remaining \$80,000 would fund eight school districts that would plan for empowerment schools.

President Ferry thanked Ms. Stephens for her attendance during tonight's meeting.

5.WORKSHOP: TO SOLICIT COMMENTS ON INDEPENDENT STUDY AND DISTANCE EDUCATION RESULTING FROM S. B. 525, CHANGES PERTAIN TO NAC 387, 389, AND 391

Mr. Arensdorf explained this item was for a workshop presentation and would be brought back at a future Board meeting for public hearing. Senate Bill 535 created changes in alternative education programs in independent study and distance education and, as a result of that they had to make some adjustments in the Nevada Administrative Code to meet Legislative requirements.

Rick Rasmussen, Career and Technical Education Consultant, introduced himself. He reported the review and subsequent Bill that was introduced to the Legislature was prompted by questions regarding attendance within alternative adult and distance education programs. Upon review, the programs had varied regulations regarding attendance, grades that could be served, and credits earned. Mr. Rasmussen provided some examples. On October 26th, they had individuals from alternative education programs, adult programs, and the school districts meet to draft S. B. 535. The intent of the Bill draft was to simplify and clarify the laws and regulations with regards to these programs. LCB requested slight language changes in NAC 387.131 and NAC 387.140, but they do not affect the content within the NACs. The alternative education NACs consolidated a definition of alternative education programs within statutes and regulations. It provided certain approvals required by the Superintendent of Public Instruction and it consolidated the independent study rules with regards to alternative and regular K-12 programs. The adult NACs aligned the regulations to currently used practices within the adult programs and clarified the adult high school programs were not subject to certain K-12 regulations. The distance education NACs provided for better clarification regarding student attendance and program planning with regard to the distance education programs. Independent study-related NACs clarified full-time enrollment for independent study students and merge contradictory independent study regulations. Attendance regulations align attendance criteria for distance education and correspondence courses. Four of the NACs included in SB 535 were also included in AB 212.

Member Washington asked if the adult high school diploma program has changed to alternative programs. Mr. Rasmussen replied no. The only change to the adult high school diploma program was to remove the word diploma to utilize current practice. Member Washington requested to know the age requirement for the adult high school program. Mr. Rasmussen stated an individual had to be at least seventeen years old and withdrawn from high school and not have a high school diploma.

Member Reid asked how schools keep track of student attendance. Mr. Rasmussen stated attendance in distance education was based on a variety of things including, if a course was approved by the Department, then it was assumed there would be 180 days of instruction. Full-time attendance in distance education was based on the number of courses that a student was enrolled in. The other attendance criteria with regard to distance education was whether or not the teacher and the student meet or communicate on a weekly basis to discuss the student's progress.

Mr. Arensdorf stated they receive a printed out record which verifies that a student participated in an on-line program.

Mr. Rasmussen added that the statute states a student was in full attendance for the week if it can be verified there was two-way communication and the school has the student properly enrolled.

Member Reid expressed concern regarding the vagueness of the statute and relying on the student-teacher communication to prove attendance.

Student Member Paris stated six unexcused absences was an automatic failure of the class in the Clark County School District. He asked how students received their school work. Mr. Rasmussen stated distance education programs were considered competency-based programs. The Department stated the programs should be based on 180-days of instruction.

The workshop opened at 5:00 p.m. and having no public comments, it was closed at 5:02 p.m.

6. WORKSHOP: TO SOLICIT COMMENTS ON PROPOSED PERMANENT REGULATIONS FOR NAC 388

Frankie McCabe stated this was a regulation that was adopted in May. It regulates special education programs and was a comprehensive revision to the NAC to comply with Federal regulations. There was also minor clean-up work in regulations and feedback from parents and school districts. Ms. McCabe reviewed the support document, background information, and regulations that were currently in effect that was provided to the Board.

Member Biggerstaff asked if there were negative comments regarding the information provided. Ms. McCabe stated there have not been negative comments due to the fact that a diverse group of parents, advocacy groups, and district representatives assisted with the documents.

In response to Member Myer's comments regarding the policy statement, Ms. McCabe stated the policy statement was presented to SEAC as well as the special education advisory committee for feedback before implementation of the policy.

The workshop opened at 5:15 p.m. and having no public comments, it was closed at 5:18 p.m.

7. WORKSHOP: TO SOLICIT COMMENTS ON PROPOSED PERMANENT AMENDMENTS TO REGULATIONS NAC 389 OF CAREER AND TECHNICAL STANDARDS FOR (1) PHOTOGRAPHY AND (2) DIGITAL VIDEO AND BROADCAST PRODUCTION

Michael Raponi reviewed the proposed regulation of the State Board of Education on page 126 of Board Documents.

Member Biggerstaff asked who sat on the Committee that compiled the regulations. It was stated that information could be found on page 128.

Member Ruggiero asked if digital photography programs were mandated by the requirements. Mr. Raponi replied at this time, no.

After opening the workshop at 5:20 p.m., it was closed at 5:21 p.m. with no public comment.

8. WORKSHOP: TO SOLICIT COMMENTS ON PROPOSED PERMANENT REGULATIONS TO NAC 389.663 ENHANCEMENTS TO THE REQUIREMENTS FOR ADVANCED DIPLOMA

Superintendent Rheault stated item 8 was a temporary regulation that was being re-presented because it was not written into LCB language. It was identical to what had previously been passed. If it was passed in permanent regulations, it would take affect for ninth graders during the next school year. He asked for public comment regarding the item and stated it would be back for the public hearing tomorrow for permanent adoption.

President Ferry asked for public comment at 5:25 p.m. . Hearing none, this item was closed at 5:27 p.m.

9. WORKSHOP: TO SOLICIT COMMENTS ON THE REGULATIONS IN NAC 389.445 FOR ADDITIONAL 1.5 CREDITS IN SCIENCE AND SOCIAL STUDIES TO BE EARNED BY SEVENTH AND EIGHTH GRADES

Carol Crothers, Director Assessments, Program Accountability and Curriculum, introduced herself. She reported SB 184 required the State Board to prescribe courses of study for promotion to high school to include science and social studies in addition to the existing mathematics and English language arts. She mentioned they assembled a team of educators to assist with the review of the recommendations. The recommendations from the Committee would include a requirement for students in grades seventh and eighth to earn 1.5 credits in both science and social studies which was the equivalent of requirements for English, Language Arts, and Mathematics. The requirement would be implemented in the fall of 2008.

Superintendent Rheault explained the regulation revision was just to add a requirement of 1.5 credits for science and social studies. Ms. Crothers stated they were reviewing language currently which would be included in LCB language in November. Member Myers asked if the 1.5 credit requirement were for three semesters. Ms. Crothers stated that was the general understanding by the school districts. Some districts do not recognize credits, but the language that they have mirrors the language that exists in NAC currently for English, Language Arts, and Mathematics. Superintendent Rheault stated, when the regulations return, it would show as three semesters of the 1.5 credit equivalency. There was also an equivalency for year-round schools. He stated his concern regarded the standards for science and social studies do not say those classes have to be taught for two years at middle schools. Member Myers expressed concern with the proposal. Ms. Crothers added in addition to the special classes for assistance, there was also significant amount of discussion about students who would have to be pulled from these classes for their ESL classes. In response to Member Myers' comments, Superintendent Rheault stated there was no future plans for having a state-wide requirement for social studies. The statute stated a criterion was needed including social studies.

Student Member Paris commented he discussed the issue at a Clark County School Board of Education meeting and that it had been stated students could request a social studies class rather than scheduling a proficiency exam for it. He asked if students would have to take two science classes if they failed the science proficiency

exam. It was explained the regulation would require students to have two years of science in seventh and eighth grade and they would have to successfully pass with a D or better three of the four semesters.

Member Biggerstaff expressed concern with having older students being held back. Superintendent Rheault stated the Bill came forward to provide leverage for school districts to require social studies and science in order to be promoted due to the lack of interest students showed in those subjects.

Member Washington asked if graduation requirements would be increased. Superintendent Rheault clarified this requirement would be for promotion from eighth grade to ninth grade.

Superintendent Rheault stated there may be some provision in the regulations to provide flexibility to the 1.5 credit requirement. Ms. Crothers stated SB184 had a provision to provide an option for school districts to provide academic probation for ninth graders who did not meet the requirement.

Board President Ferry opened the workshop at 6:30 p.m. and closed it at 6:32 p.m. with no public comments.

10. WORKSHOP: TO SOLICIT ADDING NEW REGULATIONS TO NAC 389 TO INCLUDE ALTERNATIVE CRITERIA FOR HSPE ASSESSMENTS

Carol Crothers explained SB312 also required the State Board to adopt regulations that would prescribe alternative criteria for a pupil to receive a standard high school diploma. The requirements include: the student must have failed the HSPE in its entirety at least three times prior to the beginning of the twelfth grade; the student has passed Math and Reading; and the student has an overall GPA of not less than 2.75 on a 4.0 scale. She stated the greatest concerns discussed were consistency across school districts, test security, and not lowering standards. The Bill also requires the requirements go into affect the second semester of this year. The only assessment that would fall under this criterion at the current time was writing. Science would be an issue for students beginning in the spring of 2010. They were working on language that would be broad enough to cover science. The recommendations from the Committee would be that the NDE, in conjunction with Nevada educators, develop criteria for the submission of a student essay, senior project, or portfolio; develop rubric(s) for the evaluation of the student's submissions; a local educator and principal would certify that the submission was the student's own work; submissions were evaluated in central locations by trained Nevada educators; and that NDE and Nevada school districts work in cooperation with one another in provided personnel to serve as evaluators.

President Ferry asked if there were alternative criteria for Math and what was the difference. Superintendent Rheault stated the original Bill had alternative criteria to be developed for English, Math, and writing which was modified after the first version was released through the Senate hearings.

Member Biggerstaff asked who would decide which submission would be required. Ms. Crothers stated the specific criterion has not yet been established, but a model out of Washington State was being considered that meets the expectations for security and high standards. The regulation language presented in November would be fairly broad. Superintendent Rheault explained a list of seniors who failed the writing course would be distributed to school districts to determine if the student could still achieve a 2.75 grade point average in order to qualify for the project. A deadline for a submission would have to be identified in the regulation so they can be evaluated before graduation.

Member Biggerstaff commented that portfolios had been discussed years ago, but was not implemented due to the expense. She asked if this had been taken into consideration this time and if it was too late to do a portfolio if the student was failing during the last semester. Ms. Crothers stated the third opportunity for the student to

fail the writing test would be in October and that that information would be provided the first part of January so the first part of January would establish the criteria for that student.

Ms. Crothers stated there was discussion regarding the use of existing school projects rather than developing new projects. The regulations would take into consideration what the school districts were currently implementing.

Deputy Superintendent Gloria Dopf reported the criteria imposed by the regulations would ensure the senior project would produce a writing product for evaluation that it fulfilled the writing requirement.

Ms. Crothers added that evaluations may be different from school district evaluations.

The workshop was opened at 6:45 p.m. and hearing no public comment, closed at 6:47 p.m.

11. APPROVAL OF REQUEST FOR DUAL CREDITS FOR DOUGLAS COUNTY SCHOOL DISTRICTS

Superintendent Rheault explained there were two courses that were asked for dual credit at UNR: Physics for Future and First Year Latin. It was a 3-credit university course, but Douglas County would provide half a credit and both classes would be elective credits so approval was recommended.

President Ferry asked for public comment regarding this item. Hearing none, he recessed the meeting at 7:05 p.m., to reconvene at 8:30 a.m. on Saturday, October 6, 2007.

MINUTES OF THE REGULAR MEETING, OCTOBER 6, 2007

BOARD MEMBERS PRESENT:

Dr. Cliff Ferry, President
Barbara Myers, Clerk
Sharon Frederick, Member
Dr. John Gwaltney, Member (arrived 8:45 a.m.)
Jan Biggerstaff, Member
Anthony Ruggiero, Member
Cindy Reid, Member
Corey Paris, NASC, Student Representative (arrived 9:10 a.m.)
Dr. Merv Iverson, Member (arrived at 8:55 a.m.)
Marcia Washington, Vice President

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
James Wells, Deputy Superintendent, Office of Fiscal Services
Bill Arensdorf, Director, Office of Fiscal Accountability
Frankie McCabe, Director, Special Education, ESEA and School Improvement
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction
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Orval Nutting, Consultant, Office of Fiscal Accountability
Tom McCormack, Consultant, Office of Fiscal Accountability
Rick Rasmussen, Consultant, Office of Career and Technical Education
Michael Raponi, Consultant, Office of Career and Technical Education
Carol Crothers, Director, Assessments, Program Accountability and Curriculum
Dr. Jerry Barbee, Director, Office of Teacher Licensure and the Southern Nevada Office

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Kim Boyle, Clark County School District
Dr. John Hawk, Executive Director, Nevada State High School
Dr. Bryn Lapenta, Washoe County School District
Edie Grub, Silver State High School
Zach Zaragoza, Regional Representative, U. S. Senator Harry Reid
Scott Reynolds, Executive Director, Special Education and Support
Carl Lucas, NHN
Frank Schnorbus, NHN
Karen Taycher, NV PEP
Kathleen Conoboy, KIZ

RECALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

President Ferry recalled the regular meeting to order at 8:32 a.m., with roll call reflected above. President Ferry led the pledge of allegiance.

14. CONSIDERATION AND POSSIBLE ACTION OF THE PROPOSAL TO CHANGE THE MEMBERSHIP COMPOSITION OF THE SPECIAL EDUCATION ADVISORY COMMITTEE (SEAC)

Discussion and public comments were received regarding possible change of the Special Education Advisory Committee. A motion to keep SEAC composition as presented was made by Member Cindy Reid and seconded by Member Anthony Ruggiero. The motion carried with one opposition.

13. DEVELOP BOARD POSITION ON STATEWIDE K-12 GOVERNANCE FOR PRESENTATION TO THE INTERIM LEGISLATIVE EDUCATION COMMITTEE – (1) CONSIDER CHANGES IN THE SELECTION OF STATE BOARD MEMBERS AND APPOINTMENT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, AND (2) CONSIDER RECOMMENDATIONS FOR WAYS OF LESSENING STATEWIDE K-12 GOVERNANCE FRAGMENTATION IN NEVADA.

Governance Subcommittee Chair, Dr. John Gwaltney, spoke to the ideas generated during the Board August Retreat to consider changes in the selection of state board members, appointment of the Superintendent, ways to lessen statewide K-12 governance fracture in Nevada and the appointment of the State Board President.

Member Washington stated she would prefer not losing the 10 seats as the constituents in the districts count on those positions. She shared her concern as to funding if there were additional members appointed.

Anthony Ruggiero, Member, reminded the Board of the amendments to SB 540 and that they should remain on course, meet with the NASBE representatives, focus to be a stronger Board, and let the legislature be aware of the job the Board has and is doing.

Member Frederick stated she agrees with Members Reid and Iverson, but perhaps the Governor's office representative could be an ex-officio member and the Superintendent should be appointed by the Board.

No action was taken after discussion.

15. FOLLOW-UP REPORT ON NEVADA'S APPROVED TEACHER EDUCATION PROGRAM COMPLETERS

Dr. Jerry Barbee, Director of Teacher Licensure and Southern Nevada Office, gave an overview of the report on Nevada's Approved Teacher Education Program Completers. Dr. Barbee added that the Commission on Professional Standards in Education has formed a task force regarding teacher preparedness, i.e. Troops to Teachers.

Member Myers requested a breakdown of teacher training in the districts. She also asked that the RPDP's and all commissions receive the report.

16. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REVISION TO REGULATION LANGUAGE THAT PERTAINS TO NAC 389.663 – ENHANCEMENT OF ADVANCED DIPLOMA REQUIREMENTS

Dr. Keith Rheault, Superintendent gave a brief overview to the proposed revisions to regulations, NAC 389.663, Enhancement of Advanced Diploma Requirements which include increasing the minimum Grade Point Average (GPA) requirement for the advanced diploma from 3.00 to 3.25 on a 4.0 scale; and increasing of mathematic courses from 3 units to 4. The public hearing opened at 11:03 a.m. and closed at 11:05 a.m. with no public comment. A motion was made by Member Biggerstaff and seconded by Member Washington to accept the recommendation. The motion carried.

17. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REVISION TO REGULATION LANGUAGE NAC 386.390 – COMPLIANCE WITH ACCOUNTING PRINCIPALS UTILIZATION OF CHART OF ACCOUNTS

After hearing an overview of the proposed regulation revision to the language of NAC 386.390, Compliance with Accounting Principals Utilization of Chart of Accounts. The public hearing opened at 11:05 a.m. and closed at 11:06 a.m.

Member Sharon Frederick made a motion to adopt the recommended language. Member Cindy Reid seconded the motion; with no further discussion or public input, the motion carried.

18. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REVISION TO REGULATION LANGUAGE NAC 386.215 PROVISION WITH MAINTENANCE OF INSURANCE COVERAGE

Bill Arensdorf, Director, and Tom McCormack, Consultant, Office of Fiscal Accountability, presented the proposed language changes to NAC 386.215, Provision and maintenance of insurance coverage with the recommendation to approve the reduced insurance coverage.

The public hearing opened at 11:06 a.m. Public Comment was given by Dr. John Hawk, Executive Director, Nevada State High School. He thanked the staff for their work to present the recommendation and stated he gives his full support to the revision. The public hearing closed at 11:08 a.m.

A motion was presented by Member Reid and seconded by Member Biggerstaff of which carried.

19. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REVISIONS TO REGULATION LANGUAGE NAC 387.345 CALCULATING BASIC SUPPORT

The public hearing opened at 11:10 a.m. No public comment was given. The hearing closed at 11:12 a.m. The public hearing to adopt the qualifying criteria for basic support adjustments' regulation language of NAC 387.345 was approved with a motion by Member Frederick and seconded by Member Reid; carried.

20. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REVISIONS TO PERMANENT REGULATION LANGUAGE NAC 388

The Board received the recommendation to accept the revisions to the NAC 388, to come into alignment with the Individuals with Disabilities Education Act, 2004 (IDEA-04) regulations effective in 2006 and other changed as recommended by the Nevada Department of Education Workgroup.

The public hearing opened at 11:13 a.m. and hearing no public comment, it closed at 11:16 a.m. Member Biggerstaff made a motion to approve the revisions as stated, Member Washington gave a second and it was carried.

21. PUBLIC HEARING FOR THE ADOPTION OF PROPOSED REGULATIONS FOR LICENSING VIA MEMBERSHIP IN NORTHWEST ASSOCIATION OF ACCREDITED SCHOOLS (NAAS)

Dr. Oval Nutting, Consultant, Office of Fiscal Accountability, presented the recommendation to approve the new additions to NAC 394 regulations which will simplify the application and approval process for private schools to be licensed in the state. Any private school which is approved by the Northwest Association of Accredited Schools need only submit to the state an abbreviated application. This additional method of licensing private schools will reduce the workload of the schools and Department staff while maintaining the integrity and high standards of the schools.

The public hearing opened at 11:17 a.m. No public comment was given and the hearing closed at 11:20 a.m.

Member Washington made a motion to accept the recommendation as stated and with a second by Member Frederick, it was carried.

22. ANNUAL REPORT OF STATE SPONSORED SCHOOLS

Bill Arensdorf explained item 22 was the annual report of compliance of charter schools that the Board sponsored. The report was of three charter schools. Next year, the report would contain information regarding five charter schools. The report was compiled at the end of the school year and the various compliance items from NRS and NAC were reviewed. The process utilized department staff who had been involved in the original review of the schools. Some of the reports were compiled from previous reviews. Site visits may also be required for other reports. Mr. McCormack compiles all of the reports into one consolidated report. From that, compliance can be determined. A draft of the consolidated report is issued to schools for corrections or to refute some of the findings with other information or data. The reports presented at today's meeting were for Nevada State High School, Silver State High School and Team A. Team A was included because the school had a full year of instruction, but the process was not completed on Team A because the charter was revoked. A draft of the consolidated report was sent to Team A, but a response was not received.

Tom McCormack apologized for not sending a draft of the consolidated report to Nevada State High School and Silver State High School before this meeting. Both schools went through the entire process and both reports were very positive. An accountability report summary was attached to the reports issued to all three schools. On page 268 of Board documents, Nevada State High School was currently designated as an exemplary school. On page 285, Silver State High School was classified as a school which demonstrated adequate yearly process during the 2006-2007 school years. They were currently in year one, hold status in need of improvement.

Student Member Paris asked how the truancy and discipline rates remain low at Nevada State High School and Silver State High School when compared to other schools. Mr. McCormack stated he did not have the answer to that question.

Dr. John Hawk thanked Tom McCormack and Bill Arensdorf for their assistance and allowing the school to clear up matters with the audit. He shared some of the same concerns with the time and the effort for special education. It was an area that needed to be analyzed. In response to Student Member Paris' question, Dr. Hawk

stated they track the discipline, but students know the expectation being asked of them in a college setting. Regarding truancy, there have been a couple of instances where the truancy officer had to incite the law. Dr. Hawk also reported this year was the school's three-year evaluation and the report had been issued to the Department of Education and the State Board. The school has gone from adequate for three years to high achieving to exemplary status. He expressed concern regarding how to maintain the exemplary status. The school tries to impress upon students the benefits of working hard and seventy-five percent of their students increase their GPA. They were bridging the gap with remediation.

Member Washington commented that special education student information was not reflected on page 267 and requested to know how many special education students attended Nevada State High School. Dr. Hawk reported he attended five IEP meetings last year so they reviewed five students. This year, there may be between eight and twelve special education students. Gloria Dopf reported there were some reporting criteria within the accountability reporting to protect the identity of students so the number of special education students may be smaller than the sub-population. Member Washington stated she would like that information to be reflected to let the public know special education students could attend the school.

Member Myers' expressed concern that the same standard for public schools would be used for these schools. Gloria Dopf stated she would talk to the special education staff and meet with the two charter schools for technical assistance before the next State Board meeting. In response to Member Myers' comments, she explained there was a different standard and responsibility of the State Department of Education relative to state-sponsored charter schools versus other charter schools or other schools in this state. In the other circumstances, the district was responsible for compliance. The state agency becomes the entity that the state-sponsored charter schools have to provide with information. IEPs and eligibility reports had been collected before when there was a district that was out of compliance with a special education issue. It was not the usual protocol because the district was responsible for compliance and all other circumstances. The state takes on the responsibility when there is no district. Ms. Dopf also reported this afternoon the State Board adopted regulations and changes in Federal Law for special education. In response to Member Myers' comments, Ms. Dopf reported there has not been an increase in special education staff.

Mr. Arensdorf stated no action was needed on this item and that staff would try to address the concerns expressed.

Member Washington stressed the importance of hiring more staff and finding more funding for charter schools.

23. REPORT FROM SENATOR HARRY REID'S OFFICE

Liaison for the Las Vegas Office of Senator Harry Reid, Zach Zaragoza, brought greetings from the Senator and thanked the Board for their diligent work. Mr. Zaragoza gave an update to the following federal educational issues affecting Nevada: (1) college cost and student aid; (2) secondary education grant to innovate teaching to eliminate dropouts; (3) English Language Learners' monies; (4) reauthorization of the No Child Left Behind Act; (5) performance pay for teachers; (6) increase flexibility of special education; (7) labeling of schools; and (8) full authorization.

Board members briefly discussed some of the above issues. Member Ruggiero asked that Mr. Zaragoza check out the CLASS monies. Member Myers shared that the Senator has constant updates on line and urged members to read.

President Ferry thanked Mr. Zaragoza for attending, bringing updates from the Senator and representing the office very well.

24. REPORT ON CHILDREN'S LAND ALLIANCE SUPPORTING SCHOOLS CONFERENCE IN JULY

President Ferry reported this agenda item would be postponed.

25. REPORT FROM THE SUBCOMMITTEE ON CHARTER SCHOOLS

President Ferry reported this agenda item would be postponed.

26. BOARD MEMBER COMMENTS

Member Washington reported she would be attending a PTA Community Connection summit in Dallas on October 19 through 21, 2007. The PTA requested members of the community attend the training seminar. She commended the staff for their assistance and asked that the Board keep in mind to treat others as they would want to be treated.

Member Ruggiero reported he attended the Attorney General's class regarding regulations and rule-making. He stated he would provide the handbook issued at the class to those individuals not in attendance at the class. He commended all the Board members for their efforts on the Board and asked that the Board keep in mind they were all working together for the children of Nevada.

Member Biggerstaff thanked President Ferry for a relatively pleasant meeting. She requested that on the next agenda a short, ten-minute presentation on the textbook adoption procedure. She provided copies of a presentation given at a retreat regarding Board history.

Member Myers provided a handout regarding the Commission on Professional Standards' Task Force. She asked for an update regarding Mineral County.

Member Iverson complimented the State Department of Education for their efforts given the minimal amount of resources provided. He stated he was impressed with the State Board's efforts and expressed his desire for continuing on the State Board.

Member Gwaltney requested the 3-year progress report for Clark County be agendaized at the next meeting.

Member Frederick thanked everyone for their kind comments regarding her husband's health.

Member Reid requested that her presentation on the Subcommittee on Charter Schools be agendaized near the beginning of the next meeting. She expressed her appreciation for having Member Gwaltney on the Board and sent her best wishes to him and his wife. She also reported the Board received general district information from the Nevada Association of School Boards and requested that a presentation be agendaized for a future meeting. Student Member Paris read and provided the Board with copies of the Nevada Association of Student Councils presentation he made regarding his efforts on the State Board.

President Ferry reported he attended an Open Meeting Law meeting. He expressed his support for Board member attendance at other meetings discussed during this meeting.

27. FUTURE AGENDA ITEMS

President Ferry reported the following items for the next meeting: Member Reid's Subcommittee on Charter Schools' report; the textbook adoption procedure presentation; the public land issue; the national report on teacher education; Mineral County; the Clark AYP issue; and the continuation of discussion regarding governance.

Gloria Dopf reminded the Board the State Improvement Plan would be presented for adoption during the November 30th-December 1st meeting.

Member Reid asked for the date of the retreat with NASBE. It was reported it would be held on November 16th at the Grant Sawyer Building at 9:00 a.m.

28. PUBLIC COMMENT

There were no public comments made.

29. ADJOURNMENT

Upon motion of Member Biggerstaff, seconded by Member Ruggiero, the Nevada State Board of Education meeting was adjourned at 1:11 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:

TriFox Bookkeeping Service (Outsource Contractor)