

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

October 10 and 11, 2008

Department of Education
Conference Room #228
9890 South Maryland Parkway
Las Vegas, Nevada

MINUTES OF THE REGULAR MEETING – OCTOBER 10, 2008

BOARD MEMBERS PRESENT:

Anthony Ruggiero, Acting President
Jan Biggerstaff, Clerk
Dr. Cliff Ferry, Member
Sharon Frederick, Member
Dr. Merv Iverson, Member
Barbara Myers, Member
Cindy Reid, Member (left 4:40 p.m.)
Becky Childs, Student Representative

BOARD MEMBERS ABSENT:

Marcia Washington, President (excused)
Dr. John Gwaltney, Member (excused)

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
James Wells, Deputy Superintendent, Administrative and Fiscal Services
Bill Arensdorf, Director, Office of Fiscal Accountability
Tom McCormack, Consultant, Office of Fiscal Accountability
Frankie McCabe, Director, Special Education, ESEA and School Improvement

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Val Olsen, State Board of Education Candidate for District Seven
Ricci Rodriguez-Elkins, Executive Director, CFCSD
Jill Petersen, Administrator, Alpine Academy
Denise Quirk, CEO/Clinical Director, Reno Problem Gambling Center (RPGC)
Dr. John Hawk, Executive Director, Nevada State High School
Karen Taycher, Chairperson, Special Education Advisory Committee (SEAC)
Perry Knight, Silver State High School
Edie Grub, Governing Body President, Silver State High School
Holli Kalaleh, Clark County School District
Francine Mayfield, Dean/President, NSC

Chris Wallace, State Board of Education Candidate for District Seven
Craig Wilkinson, State Board of Education Candidate for District Seven
Jennifer Schuricht, Director of PR, The Glenn Group
Kim Sinatra, Senior Vice President/General Counsel, Wynn Resorts
Lynn Warne, President, Nevada State Education Association (NSEA)

Call to Order; Roll Call; Pledge of Allegiance; Approval of Agenda

Acting President Ruggiero called the meeting to order at 3:30 p.m. with attendance as reflected above. He led the meeting in the Pledge of Allegiance.

Member Myers moved to approve a flexible agenda. Member Frederick seconded the Motion. Motion carried.

1. President's Report

Acting President Ruggiero reported President Washington was not in attendance due to a family medical emergency.

2. Report from the Governor's Office

Acting President Ruggiero read the following letter into the record sent to President Washington from Governor Jim Gibbons regarding the resignation of Board member Nance:

“As you are well aware, Gregory Nance resigned from the State Board of Education (“State Board”) on August 11, 2008. Upon his resignation, I officially declared a vacancy which is attached for your reference. In conjunction with my staff, we are diligently searching for a highly qualified candidate to fill the vacancy in District 5. I do not anticipate that an appointment will be made prior to your next meeting. I do expect, however, an appointment will be made prior to your December meeting.”

Member Iverson requested to know if the State Board was involved in the appointment of a new Board member. It was noted the State Board would be involved. Acting President Ruggiero stated it was his understanding staff has submitted candidate names to Governor Gibbons for review.

3. Superintendent's Report

- **Update of the Legislative Commission Meeting of September 17** – Superintendent Rheault reported the special education and three charter school regulations were passed by the Legislative Commission, but further explanation of the charter school regulation that allowed university sponsorship was needed before it was passed. He explained the regulation on uniform grading did not pass because the Commission believed it should be a plus (+)/minus (-) system.
- **Update of the P-16 Council Meeting of September 22** – Superintendent Rheault reported a vote was taken to re-join the American Diploma Project, but he had a concern on the implementation because the P-16 Council was only an advisory council. Priorities still have yet to be adopted for the P-16 Council.

- **Update of the Department Budget Meeting of September 25** – Superintendent Rheault reported Deputy Superintendent Jim Wells, Gloria Dopf, and he reviewed budget cuts adopted by the Board to meet the 14% budget reduction and that some of the base budget items will be accepted by the State Budget Office, but it would depend on the economic predictions made for December, which were not promising given the fact that gaming revenue was down eight percent last month.
- **Update of the Council to Establish Academic Standards Meeting of October 1** – Superintendent Rheault reported the October 1, 2008 meeting was cancelled due to the lack of a quorum. The meeting was re-scheduled for October 23, 2008. Topics of discussion at that meeting will include the Social Studies standards, Health Education standards, and the English Language Art standards which have to be revised by January 2009 to identify standards on how students would be tested by grade.
- **Update of the Commission on Educational Excellent Meeting of October 7** – Superintendent Rheault reported there were a number of amendments made to grants. There were 469 grants issued last year with 63 consortium and 30 amendments. In total, \$73 million was granted of which \$23 million will be returned with the majority coming from Clark County; Clark County will return approximately \$19 million. The Washoe County School District may also return grant funding because the approximately 4% budget cut for this year has not yet been designated.
- **Update of the District 5 State Board Member Seat Vacancy** – Superintendent Rheault clarified they have been working with the Governor’s Office and Assemblyman Ruben Kihuen on finding a replacement and a temporary fill-in is expected by December.

4. Approval of Consent Agenda:

A. Approval of Minutes:

- May 2-3, 2008 Meeting
- June 13-14, 2008 Meeting
- July 16, 2008 Meeting
- August 8-9, 2008 Meeting

B. Approval of State Board Member Travel:

- Members Jan Biggerstaff and Dr. Cliff Ferry to attend the 2008 NASB Conference, November 13-16, 2008 in Reno, Nevada

C. Approval of FY 09 Special Education Discretionary Units:

- Carson City – not to fund at this time
- Clark County – 18.50 units
- Douglas County – 1 unit
- Lincoln County - .25 unit
- Washoe County – 9.50 units
- I can Do Anything Charter School – 1 unit
- Nevada Connections Academy Charter School – 1 unit

D. Approval of FY 09 Gifted and Talented Discretionary Units:

- Clark County – 1.5 units
- Elko County – 1.0 unit
- Pershing County – 1.0 unit

E. Appointments to the Special Education Advisory Committee (SEAC)

F. Approval of Licensing/Relicensing of private schools as listed on support document

Member Reid moved to approve the Consent Agenda. Member Biggerstaff seconded the Motion.
Discussion followed.

Member Biggerstaff expressed concern with the expense cost for Financial Stability for the private school listed on page 151. Bill Arensdorf, Director, Office of Fiscal Accountability, stated the amount was for the entire treatment center which was a 24-hour care facility.

Member Ferry expressed concern with the ratio of students to teachers listed on page 148.

Motion carried.

5. Submission of the State Special Education Advisory Committee (SEAC) Annual Report

Karen Taycher, Chairperson, Special Education Advisory Committee (SEAC), thanked Frankie McCabe and Department staff for supporting efforts made in Special Education.

At this time, Acting President Ruggiero requested a 5-minute break.

Ms. Taycher reviewed the SEAC Annual Report.

Member Biggerstaff expressed her thanks for the report and requested the Board be notified of when the Youth Summit would be held. She asked if extra funding was needed for teachers with special needs training. Superintendent Rheault stated that could be an option.

Member Myers suggested listing unmet needs under item 1 on page 171.

Member Frederick requested more information on “Homework policies at the local level”. Ms. Taycher explained it was brought up by a parent who had concerns with consistency of homework policies and that a strategy for parents was developed out of the best practices by school districts.

At this time, Acting President Ruggiero announced agenda item 12 will be heard, at the request of Mr. Arensdorf.

12. Update on Nevada Public Education Foundation

Bill Arensdorf, Director, Office of Fiscal Accountability, reported the Nevada Public Education Foundation and America’s Promise Alliance was sponsoring a Ready for Life Summit on November 12, 2008 that would focus on the Nevada drop-out problem. Board members were invited to attend. He noted there were conditions placed on the \$175,000 grant received for Ready for Life which included using funding which could be matched from other sources; facilitate a working relationship with the Boys and Girls Club; and, to collaborate with other public groups that would have a role in or encourage students to stay in school. He reviewed donations received that would help pay for or encourage students to attend college and Board members who have resigned beginning on page 258. He requested a report be presented at the December meeting including status on finances for the Ready for Life program. Discussion followed about attendance to the Summit.

At this time, Member Reid announced she had to leave and that this was going to be her last meeting. She thanked the Board and Department staff for their support and work on the Board. Acting President Ruggiero

thanked Member Reid for her service on the Board and stated that she would be missed. Member Iverson thanked Member Reid for her contribution to the Board.

6. Time: 4:30 p.m. WORKSHOP to solicit comments to NAC 391.558 – Procedure and Requirements for Review of Applications and Approval of Courses; Provisional and Final Approval; Expiration and Renewal of Approval; Review of Course; Annual Reports by School District; Fee

Acting President Ruggiero announced a time limit may be imposed on public comment to allow for all members of the public to make comments.

Superintendent Rheault explained the only change was listed at the top of page 181 which was to amend the percentage of students who pass tests on or after January 1, 2008 be no less than eighty percent. He stated he supported the change to the regulation and that a public hearing for adoption would be scheduled depending on public input received at today's meeting.

At this time, Acting President Ruggiero opened up public comment.

Francine Mayfield, Dean/President, NSC, stated she was in attendance representing the Nevada Chapter of the Association for College Teachers and Educators who discussed the issue at their last meeting and who supported the change.

Member Reid made the following motion, seconded by Member Biggerstaff:

That the Nevada State Board of Education accepts the changes in NAC 391.558 presented during today's workshop.

The motion carried with one opposition from Member Myers who expressed concern about the wording.

7. Consideration of adoption of resolution of the Nevada State Education Association's proposed Initiative Petition, "Save Our Schools", to amend the Nevada Constitution to provide additional funding for Nevada's school districts and charter schools

Lynn Warne, President, Nevada State Education Association (NSEA), introduced herself and Kim Sinatra, Senior Vice President/General Counsel, Wynn Resorts. Information was distributed and Ms. Warne explained the funding problems for schools in Nevada. She stated the proposed initiative was a two-pronged effort with a ballot advisory question for Washoe and Clark Counties and the statutory initiative for the State Constitution. The ballot measure was expected to raise \$125 million annually. For the first two years of the biennium, the funding would be used to mitigate the general fund and as a supplemental account for school district budgets based on percentages approved by the Legislature.

Ms. Sinatra expressed her support of the ballot measure. Ms. Warne added support was being requested from the State Board.

Member Biggerstaff expressed concern about reversion.

Member Iverson requested to know who would be the trustee if the ballot measure passed. Ms. Warne explained the Department of Education would be the "gate keeper" who would distribute funding to school districts based

on student enrollment. She commented on opposition to and support for the ballot measure and how the Legislature would consider the ballot measure more seriously if there was more support for the ballot measure.

Member Ferry noted the agenda stated the ballot measure would amend the Constitution. Superintendent Rheault stated the agenda was mis-worded. Member Ferry requested to know what was being asked of the Board. Superintendent Rheault stated they would welcome a support letter from the Board.

Member Frederick requested to know if there was proof that extra funding would carry over to the following year. Ms. Warne replied no because there was not a thought of having extra funding to carry over.

Member Biggerstaff asked if there was information that stated funding would not revert to the general fund. Ms. Warne noted Section 6, item 2 provided that information.

Acting President Ruggiero asked about opposition and the groups who expressed opposition to the ballot measure. Ms. Warne stated there have been questions and concerns that the ballot measure would not provide enough support and individuals who have opposed new taxes, but there has not been any organized opposition to the measure.

Acting President Ruggiero commented that he was happy hotels supported the ballot measure, but requested to know if opposition was heard from tourists or visitor conventions. Ms. Warne reported they have remained neutral on the topic. Acting President Ruggiero asked if the measure would impact the tourist trade to the State. Ms. Warne explained they felt individuals who were willing to pay higher room rates would not oppose paying an additional \$3 more if the ballot measure passed.

Member Iverson made the following motion:

That the Nevada State Board of Education writes a letter of support for the proposed initiative, “Save Our Schools” and reserve the right to review the document before it is finalized.

Discussion followed about omitting the word “initiative” from the motion. Member Iverson withdrew his motion.

Member Myers made the following motion, seconded by Member Ferry:

That the Nevada State Board of Education supports the ballot advisory question and the statutory initiative petition “Support Our Schools”.

The motion carried.

At this time, Acting President Ruggiero called for a short break.

8. Approval/adoption of a standardized Chart of Accounts for the Department of Education as legislated by NRS 385.310 and NRS 385.315

Jim Wells, Deputy Superintendent, Administrative and Fiscal Services, reviewed the Chart of Accounts beginning on page 244-1 and stated the Board was being asked to approve the request listed on page 244-14 with a correction to include non-capital values and to adopt standardization across the state of \$5,000 for capitalization.

Board member Iverson complimented Mr. Wells' efforts with the simplicity of language in the Chart of Accounts. Mr. Wells thanked staff and school districts for their assistance.

Dr. John Hawk, Executive Director, Nevada State High School, thanked Mr. Wells and staff for the improved language in the Chart of Accounts. He stated he supported the document for the common language for school districts and charter schools.

Member Iverson made the following motion, seconded by Member Frederick:

That the Nevada State Board of Education approves the Nevada Department of Education's Chart of Accounts as submitted.

The motion carried unanimously.

9. Review of the State requirements for the Educational Accord and the Code of Honor per Nevada Revised Statutes (NRS) 392.4575 and 392.461, respectively

Frankie McCabe, Director, Special Education, ESEA and School Improvement, distributed and reviewed the handout entitled "Code of Honor and Accord". She noted a correction should be made that it was 2005 when legislation was passed and amended in 2007. She explained the Code of Honor listed on page 245-4 was developed to address and define cheating and plagiarism in schools and requires student and parent signatures.

Member Frederick requested to know how many teachers were utilizing the Code of Honor. Ms. McCabe stated she did not have that information, but that it was becoming more common for teachers to use it.

Member Myers pointed out students were teaching others how to cheat on-line therefore students may be learning to forge parent signatures. Ms. McCabe noted school districts would develop policy on enforcing the Code of Honor and the ramifications for a student caught cheating.

Ms. McCabe reviewed the Educational Involvement Accord which outlined parent, student, and teacher/school staff responsibilities. She noted there were no requirements for collection of the Educational Involvement Accord and no enforcement at the State level for the accord.

Member Frederick requested to know how five hours of volunteer time by the parent was determined. Ms. McCabe stated that was required by statute.

Member Myers noted parents who will sign the Accord will be parents who were already involved in their child's education.

10. Review of the State requirements regarding the Crisis Response Plans as per Nevada Revised Statute (NRS) 392.600-392.656

Ms. McCabe reviewed the document entitled "Crisis Response in Public Schools" beginning on page 246-1.

11. Update of the Legislative Committee on Education Work Session actions relating to charter school sponsorship and K-12 Governance; possible recommendations to the Legislative Committee on Education from the Board and/or Department – Acting President Ruggiero requested this agenda item be discussed at tomorrow's meeting.

Acting President Ruggiero noted agenda items 15 and 16 would be removed from tomorrow's meeting.

At 5:55 p.m. Acting President Ruggiero recessed the meeting until tomorrow, Saturday, October 11, 2008 at 8:30 a.m.

MINUTES OF THE REGULAR MEETING, OCTOBER 11, 2008

BOARD MEMBERS PRESENT:

Anthony Ruggiero, Acting President
Jan Biggerstaff, Clerk
Dr. Cliff Ferry, Member
Sharon Frederick, Member
Dr. Merv Iverson, Member
Barbara Myers, Member
Becky Childs, Student Representative

BOARD MEMBERS ABSENT:

Marcia Washington, President (excused)
Dr. John Gwaltney, Member (excused)
Cindy Reid, Member

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
James Wells, Deputy Superintendent, Fiscal Services
Bill Arensdorf, Director, Office of Fiscal Accountability
Tom McCormack, Consultant, Office of Fiscal Accountability

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Holli Kalaleh, Clark County School District
Chris Wallace, State Board of Education Candidate for District Seven
Denise Quirk, CEO/Clinical Director, Reno Problem Gambling Center (RPGC)
Jill Petersen, Administrator, Alpine Academy School
Val Olsen, State Board of Education Candidate for District Seven
Edie Grub, Governing Body President, Silver State High School
Patty Knight, Silver State High School
Dr. John Hawk, Executive Director, Nevada State High School
Dr. Craig Butz, Director, Nevada Connections Academy
Ricci Rodriguez-Elkins, Executive Director, CFCSD
Cheryl Hecht, Elko Institute for Academic Achievement
Karen Ash, Elko Institute for Academic Achievement
Feyzi Tandogan, Executive Director, Coral Academy of Science-Las Vegas

Recall to Order; Roll Call; Pledge of Allegiance

Acting President Ruggiero re-called the meeting to order at 8:40 a.m. and led the meeting in the Pledge of Allegiance. Roll call was heard with attendance as reflected above.

13. Recommendation from the Subcommittee on Charter Schools to approve or deny a Subsection 7 Charter for Alpine Academy Charter School

Bill Arensdorf, Director, Office of Fiscal Accountability, noted Alpine Academy was located in Reno, Nevada and proposed to be a high school for grades 9-12 whose primary focus was on at-risk students. It would be a two-year Subsection 7, which meant the school had two years to convert into a full charter. He reviewed conditions of the charter which included proof of a facility and clarification of budget information such as salaries. He noted the charter information provided in Board packets would need to be amended to include those conditions.

Member Myers reported the Subcommittee's recommendation was to approve a Subsection 7 Charter for two years. Staff was enthusiastic with helping at-risk students, but there was nothing unique about the school except that their focus would be on having more one-on-one interaction between teachers and students. Acting President Ruggiero noted charter schools in the Reno/Washoe County area had student waiting lists.

Member Biggerstaff requested to know if the two percent received would cover pre-approval costs. Mr. Arensdorf stated current costs were covered by fees already generated by existing charter schools and that fees from the school would not be collected until the end of the first school year. A more consistent revenue stream would be requested during the 2009 Legislature to collect payments on a quarterly basis to sponsor activities. He noted the school was eligible for a federal grant, but did not receive it. Member Biggerstaff asked who would pay if costs were not approved. Deputy Superintendent Wells explained fees generated by the school would pay for services received.

Member Iverson requested to know if staff recommendation was consistent to the Subcommittee's recommendation for approval. Acting President Ruggiero stated for the record that staff did recommend approval and that the Subcommittee sought their recommendation at their meeting.

Hearing no further comment from Board members, Acting President Ruggiero opened up discussion to public comment from Alpine Academy representatives.

Jill Petersen, Administrator, Alpine Academy, and Denise Quirk, CEO/Clinical Director, Reno Problem Gambling Center (RPGC) introduced themselves. Ms. Petersen commented that Alpine Academy would be a charter school for at-risk students in the Washoe County area where there was a need. It would be a community-based school with personalized education. There would be smaller class sizes to increase one-on-one interaction between teachers and students. Student progress plans would be utilized and reviewed several times every semester and would include a reflection of the student's personal aspiration and academic goal. A career path would be set for each student and a portfolio of accomplishments would also be included. Adult advisors and senior student mentors would be in attendance to assist students in achieving their academic goals. They will encourage parental involvement in education as well as being on the Board and advisory committee. They would partner with the community on career training for students, which would include job shadowing and career internship. Ms. Petersen provided information regarding her educational background and reviewed members on the Committee to Form the School. Ms. Petersen explained their goal was to provide at-risk

students with the opportunity to reach their potential. Ms. Quirk commented on her enthusiasm with being involved with the charter school.

Member Frederick commended the school for their focus on at-risk students. She asked about the proposed class size and the ratio of advisors to students. Ms. Petersen reported the class size would be approximately fifteen students. Class sizes were not expected to be more than eighteen students per class. The advisory ratio would be one advisor for every fifteen students.

Member Biggerstaff requested to know if any changes had been made since their original application had been submitted. Ms. Petersen reported changes had been made to special education and their budget in order to be in compliance with department requirements. Member Biggerstaff asked if there was anything the Department of Education could do to help with the process. Ms. Petersen commented on the helpfulness of staff in making the application complete and compliant.

Student Representative Becky Childs requested to know Washoe County's definition of an at-risk student. Ms. Petersen explained it was a student who needed more attention in achieving their academic goals and with a lower economic status who has little to no parental involvement in their education. Ms. Childs asked if all senior students would be required to be mentors. Ms. Petersen replied no.

Member Myers commented that there were different definitions for at-risk students and questioned when it was determined that a student was considered "at risk". Acting President Ruggiero noted Superintendent Rheault stated a definition of an at-risk student was in NRS statute.

Member Frederick made the following motion, seconded by Member Biggerstaff:

That the Nevada State Board of Education grants Alpine Academy a Subsection 7 Charter.

The motion carried unanimously.

14. Recommendation from the Subcommittee on Charter Schools to approve or deny a Subsection 7 Charter for Elko Institute for Academic Achievement Charter School

Bill Arensdorf, Director, Office of Fiscal Accountability, reported the department recommendation was for approval of a Subsection 7 charter for the Elko Institute for Academic Achievement Charter School. He stated the application was submitted last September for an elementary school in Elko County for grades 2-8 with K-1 added at a future time. A location was being looked for in Elko. He reviewed standard conditions of the charter which regarded proof of a facility and clarification of budget information. He noted the school would not be for at-risk students therefore one-year was required for the school to convert to a full charter.

Member Myers reported the Subcommittee on Charter School's recommendation was to approve a Subsection 7 charter for one-year and that one of the aspects considered was the fact that Elko County never had a charter school and never requested a charter school for their school district unless sponsored by the State Board or a university. Conditions to the charter included clarification of enrollment and what the curriculum would be inside and outside of the school, but this school would provide an opportunity to serve students in the area under a different model.

Member Biggerstaff requested to know why there was only one year granted before a conversion to a full charter. Mr. Arensdorf explained charter school law passed in 1997 required a one-year conversion for non at-

risk charter schools in order to expedite the conversion of that charter school into a full charter, but a presentation will be made during the December meeting to amend the law to allow two years for a non at-risk charter school.

Cheryl Hecht provided history on their attempts to receive funding for academically-gifted children. She noted that students with learning disabilities will be included in the school to uncover undetected educational gifts. The school would begin with an emphasis on Math, Science and Technology.

Karen Ash reviewed her previous counseling experience and stated she would be in charge of records at the school. She stated they wanted to offer students an enriched education and to integrate a dual language into the curriculum listed within the application due to the fact that they were expecting a high number of Hispanic students to be enrolled in the school.

Acting President Ruggiero commented that, as a Subcommittee member, they did state it would be the first charter school in Elko County, which would prove to be a positive impact for the rural area and that they were focusing on a population that needed a choice of educations. He stated he learned a lot from information provided by Member Myers at yesterday's Subcommittee meeting and that he was glad to hear a facility was being sought in Elko.

Member Biggerstaff requested to know if a finance person would be on the school's committee. Ms. Hecht reported a CPA, a lawyer, and an insurance representative are on the committee and that a civil engineer was being considered for the committee.

Member Frederick commended the school for their focus on gifted and talented students in early grades. She asked if there was a plan to attract qualified teachers and what the ratio of teachers to students would be. Ms. Ash stated they were hoping for a 1:15 teacher to student ratio and that they would use retired qualified teachers in Elko to staff the school and attempt to be flexible in finding temporary or substitute teachers that would fit in with the school. Ms. Ash and Ms. Hecht reviewed resources that would be used to recruit qualified staff members. Member Frederick commented that she hoped assistance would be sought from tribal elders.

Member Myers commented on the challenges that will be faced teaching both gifted students and students with learning disabilities within one school.

Member Ferry stated Alpine Academy provided information on what they learned about the application process and that he was irritated by the fact that Assemblyman Carpenter was approached about finding out about the application process. He requested to know what this school learned about the application process. Ms. Hecht explained that she learned communication and face-to-face interaction was important.

Member Ferry asked if representatives attended department orientations. Ms. Ash stated they did not and explained their Board discussed issues more on a personal, one-on-one level. Ms. Hecht stated their focus was on education for their students.

Member Ferry requested information regarding a facility. Ms. Hecht reported they were considering a location between 11th Street and Railroad.

Member Ferry commented on the difficulty of recruiting qualified teachers.
Member Iverson stated he agreed with Member Ferry's first question.

Member Frederick made the following motion, seconded by Member Ferry:

That the Nevada State Board of Education grants a one-year Subsection 7 charter to the Elko Institute for Academic Achievement charter school.

The motion carried.

At this time, a short break was held.

15. Recommendation to approve or deny a Subsection 7 Charter for Imagine School at Las Vegas Charter School

16. Recommendation to approve or deny a Subsection 7 Charter for Imagine School at Mountain View Charter School

Acting President Ruggiero announced agenda items 15 and 16 were removed from today's meeting. He requested Superintendent Rheault provide a brief synopsis regarding why the agenda items were removed. Superintendent Rheault reported the schools did not meet their deadlines therefore the items would be agendized for the December meeting.

17. Receive and review annual reports of Compliance and Progress of the five State Board sponsored charter schools

Bill Arensdorf, Director, Office of Fiscal Accountability, explained progress reports and compliance reviews for charter schools sponsored by the State Board were required in NRS and NAC statutes. He noted there were issues with special education, but schools were given assistance to meet compliance requirements.

Regarding Nevada State High School, Tom McCormack, Consultant, Office of Fiscal Accountability, reported the school was found to be in compliance.

Member Biggerstaff requested to know why district performance and school performance under Math ES on page 306 were the same. It was explained there were some glitches in receiving data electronically.

There were no school comments.

Regarding Silver State High School in Carson City, Mr. Arensdorf reported the school was temporarily located in a leased facility in a strip mall area. Mr. McCormack reported the only non-compliant issue was item 19 on page 312 regarding the employment of teachers and other educational personnel. He informed the Board Brett Caron was no longer teaching Math or Science, but teaching web design and technology and that James Lukes was no longer employed by the school. Special education issues were also resolved requiring no further action.

Member Myers requested to know if item 45 on page 316 was in compliance or not in compliance. Superintendent Rheault explained there was no state mandate for the school's students to pass Social Studies classes. Mr. Arensdorf commented that the Department's concern about the number of students failing the course came from the Social Studies consultant about the number of students failing the course.

Member Biggerstaff asked if the enrollment information listed on page 323 was included due to concerns about enrollment. Mr. Arensdorf noted it was included for informational purposes only.

Edie Grub, Governing Body President, Silver State High School, reported on-going enrollment has increased and that Mr. Caron and Mr. Lukes were no longer employed by the school, but steps were being taken for their certification. The school did employ four full-time Special Education teachers.

Board member Biggerstaff requested an update on a new location for the school. Ms. Grub reported they were working with the property owner, but the process was slow due to the zone change required. They hoped to move forward on obtaining the property after January 2009.

Mr. Arensdorf noted there were no further recommendations to make for Silver State High School.

Regarding Coral Academy of Science-Las Vegas, Mr. Arensdorf reported it was patterned after the Coral Academy in Reno and that the report was on their first year of operation. The school was now in its second year of operation. Mr. McCormack reported there were a number of non-compliant issues with Special Education and teacher licensing. The Special Education issues have been resolved for the meantime, but there was still some confusion as to whether or not item 19 listed on page 335 has been resolved. One major concern was the school's automated student information system. It is required the system be in operation by the first day of the second school year, but there are still problems with the system. Staff is working with the school regarding the issue because that information was also needed by the federal government. Mr. Arensdorf clarified correction action was needed regarding Special Education corrections and that the school was given until September 30, 2008 to submit a corrective action plan as listed on page 344, which they have done and which will be monitored during the next school year. He noted their records currently show three teachers have passed the Praxis tests and two teachers have not.

Member Biggerstaff asked what the State Board's options were if a charter school continued to be non-compliant. Mr. Arensdorf explained notices of non-compliance and timelines for compliancy can be issued and that the State Board of Education can revoke the charter when enough time was granted for compliancy, but schools continued to be non-compliant.

Member Frederick requested an update at the December meeting and for meeting minutes to be closely monitored.

Feyzi Tandogan, Executive Director, Coral Academy of Science-Las Vegas, clarified that one of the non-compliant teachers has resigned from the school. There were three more teachers, one of which passed the teacher licensing tests; the other two teachers passed some of the Math and Science practice testing and will take additional testing on November 15, 2008. He commented on the difficulty with finding Math Science teachers. Superintendent Rheault commented that all schools experienced the same difficulty and that the solution was to find the best teachers possible.

Member Ferry asked if the school was an equal opportunity employer. Mr. Tandogan explained they were doing their best to advertise and recruit qualified, long-term teachers. Member Frederick mentioned the expense of advertising for teachers.

Mr. Tandogan added Department staff was providing assistance with Special Education compliancy and that there was a lot of work that needed to be done for the school's automated student information system. He stated it was not connected to the Department and that there has been no response from the technology representatives regarding the matter. Superintendent Rheault clarified they were aware of technical problems and would continue to work with the school on the issue.

Regarding Nevada Connections Academy, staff reported there was a concern with Special Education, but the school submitted their corrective action plan by the due date and would have a year to implement the corrective action. The Department was working with licensing staff regarding teacher licensing compliancy for two teachers at the school. There was no recommendation for Nevada Connections Academy.

Member Frederick noted there were also problems with Nevada Connections Academy's agendas and meeting minutes. She requested to know if those problems were resolved. Mr. McCormack stated it has been resolved because quarterly meetings were held, but the Department did not receive meeting minutes.

Dr. Craig Butz, Director, Nevada Connections Academy, reported the two teachers in question have or were on their way to obtain teacher licensing in their respective fields. He stated he was not sure why the Department did not receive meeting minutes, but meeting minutes would be sent to the Department. He thanked Member Ferry for his visit to the school last week. He invited other Board members to visit the school.

Member Ferry commented that approximately eight to ten teachers were working in one room, but on different subjects during his visit. He requested more information on the curriculum and enrollment. Dr. Butz reported Member Ferry saw all aspects of on-line teaching during his visit because one teacher was giving a presentation and answering student questions on-line and other teachers were mapping out their lesson plans and future presentations. Regarding enrollment, Dr. Butz noted their enrollment has increased to 930 students therefore a request would be made to the Department to limit the number of students for the school. He noted K-3 grades currently had sixty students.

Member Frederick commended the school for holding field trips and social gatherings for students.

Regarding Nevada Virtual Academy, Mr. Arensdorf stated there was no recommendation for Nevada Virtual Academy. There was a concern about one teacher who was not qualified, but the teacher passed her two test requirements this summer therefore the teacher was licensed for grades K-6. Mr. McCormack noted item 5 on page 374 was non-compliant because they were still waiting for the evaluation of the Educational Management Organization (EMO), which was a requirement of regulation. An update on the issue would be provided at the December meeting. There were also issues with Special Education, but corrective action plans were submitted by the deadline. Some meeting minutes were also not received.

Member Biggerstaff asked if there was a timeline for EMO evaluation. Mr. McCormack stated he was not sure if there was a time requirement listed in statute, but a school can be found non-compliant if an evaluation was not demonstrated within a year given the fact that it was an annual evaluation report.

Member Myers made the following motion, seconded by Member Iverson:

That the Nevada State Board of Education receives the reports as presented and note the comments that were made and letters sent.

The motion carried.

At this time, Acting President Ruggiero called for a short break.

11. Update of the Legislative Committee on Education Work Session actions relating to charter school sponsorship and K-12 Governance; possible recommendations to the Legislative Committee on Education from the Board and/or Department

Acting President Ruggiero thanked Member Ferry, Member Biggerstaff, and Member Myers for their work with the Legislative Committee on this issue and commented that he would like efforts to continue on behalf of the Board and for more Board members to become involved.

Superintendent Rheault made available Bill Draft Requests 297 and 301. He reported the Legislative Committee adopted BDR 297 and requested staff make a fiscal note for the new Charter School District. Regarding BDR 301, three versions of Senate Bill 540 were presented, but were not adopted and that the Committee finally decided on conducting a study during the next biennium of K-12 governance.

Discussion was heard about the State Board's involvement with charter schools and how BDR 297 would be beneficial because it would allow charter schools to have their own department diminishing the work of Department of Education staff and increase the State Board's focus on all schools.

Member Iverson expressed concern that work would not diminish due to the fact that the Board was formed to regulate the Department of Education and to respond to charter schools. Member Frederick noted the State Board became involved with charter schools because there were concerns about oversights with charter school accountability and fiscal responsibilities.

Member Myers expressed concern that higher education would not be sponsoring charter schools and that there was no clear picture on how the department would operate. Acting President Ruggiero noted a lot of the concerns expressed during today's meeting were addressed at the National Governor's Association Charter School Leadership Team meeting yesterday. He stated it was his preference to create an 18th district, but gathered that others at the meeting wanted to have more avenues for charter school sponsorship. He cautioned the Board about issuing a recommendation before being presented with a draft of the BDR.

Superintendent Rheault stated that it was his opinion the district would be treated the same as any other district and that the State Board would provide oversight on fiscal responsibilities and problems that arise such as with Special Education.

Member Frederick requested to know if any other state model had been discussed besides the Colorado model. Superintendent Rheault replied no because South Carolina was the only state with a model that was close to the Colorado model.

Member Biggerstaff stated she agreed that the Board has spent a lot of time working with charter schools. She suggested the issue be held over until January in order to allow for input from new Board members.

Member Ferry agreed that the issue should be held over until January, but that he did not agree with Acting President Ruggiero's comment that the issue has been discussed enough. He commented that the Colorado model was not an independent entity and that the State would still be responsible for overseeing fiscal issues and to monitor whether charter schools were in compliance with statute requirements. He asked for an update on hiring a charter school assistant for the Department. Superintendent Rheault stated applications have been received. Jim Wells, Deputy Superintendent, Fiscal Services reported an announcement was issued and an

interview was scheduled for Friday. Discussion followed about offering a response after the BDR was presented.

Regarding BDR 301, Member Biggerstaff reported she spoke with Assemblywoman Bonnie Parnell about the SAGE Committee discussing this issue, but they were not interested. A letter from the State Board may persuade them to re-consider. She thanked Ms. Parnell for her efforts regarding this matter.

Member Ferry commented that both BDR 301 and 297 were closely connected therefore both should be reviewed after January.

Dr. John Hawk, Executive Director, Nevada State High School, stated he would like to offer a presentation to the Board in January regarding BDR 297. He commented that the creation of a separate district would alleviate some duties of the State Board and that it would also set the stage for charter schools to open sooner by offering financial assistance and new state information systems. He stated he would support a new separate district.

Member Biggerstaff stated Dr. Hawk brought it to her attention that federal grants would be withheld if there were one sponsor in the state for charter schools. She asked about solutions to that problem. Dr. Hawk explained how both Bill Draft Requests would address the issue and that the State Board would fall into the appeal process, but would not be the sponsor.

Acting President Ruggiero requested Dr. Hawk explained the Charter School Association of Nevada and what would occur during the next Legislative session and how that may assist with respect to BDR 301. Dr. Hawk explained one of their Board members was elected to the Charter School Association of Nevada and that they were hoping to create a platform during the next Legislative session to be presented to the Board.

18. Board Member Comments

Member Iverson commented on the increased fiscal responsibility the Board may have if the Board was relieved of their duties to charter schools and questioned how the Board could make a difference for students in that capacity.

Member Ferry reported, at the last Legislative Committee on Education meeting, a contractor reviewed the curriculum alignment and how teachers use standards.

Member Biggerstaff congratulated the Nevada Reading First Management who met the reading criteria set by the Legislation. She requested an update regarding the Gear-Up program for career cruising. She also suggested having a one-day retreat with new Board members for orientation and discussion of By-Laws and direction to Legislature and to hold a dinner on the Friday following the December meeting for exiting Board members. She expressed her appreciation for the new facility.

Member Frederick announced she would be the Nevada representative to the Governors Interstate Conference and that one issue she will address at the conference will be on Indian Education.

Acting President Ruggiero reported there would be four new Board members in January. He commented that returning Board members would provide a wealth of information for new Board members and that he had no reservations about the Board going to the next level with the new Board members.

19. Future Agenda Items

Future agenda items include:

- Recommendation to approve or deny a Subsection 7 Charter for Imagine School at Las Vegas Charter School
- Recommendation to approve or deny a Subsection 7 Charter for Imagine School at Mountain View Charter School
- Update from the Nevada Public Education Foundation
- Update on Coral Academy
- Update on Nevada Virtual Academy

20. Public Comments

Val Olsen, State Board of Education Candidate for District Seven, agreed with Member Myers' comments regarding educational opportunities not known by parents and that there were not many educational opportunities for rural areas. She questioned how a student was deemed "at risk" and if charter schools can refuse students.

Chris Wallace, State Board of Education Candidate for District Seven, commented that the next session would be interesting and that it was exciting to see what direction the Board may go. He encouraged the Board to continue to take an active role in Legislature and thanked the Board for their efforts thus far.

21. Adjournment

There being no further business, the meeting adjourned at 11:50 a.m.