

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

December 5 and 6, 2008

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

And

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

MINUTES OF THE REGULAR MEETING – DECEMBER 5, 2008

BOARD MEMBERS PRESENT:

Marcia Washington, President
Anthony Ruggerio, Vice President
Jan Biggerstaff, Clerk
Dr. John Gwaltney, Member
Dr. Cliff Ferry, Member
Sharon Frederick, Member
Dr. Merv Iverson, Member
Barbara Myers, Member

BOARD MEMBERS ABSENT:

Cindy Reid, Member
Becky Childs, Student Representative (excused)

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
James Wells, Deputy Superintendent, Administrative and Fiscal Services
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Bill Arensdorf, Director, Office of Fiscal Accountability
Tom McCormack, Charter School Consultant, NDE
Frankie McCabe, Director, Special Education, ESEA and School Improvement
Hilarie Robison, Executive Director, Nevada Public Education Foundation
Donnell Barton, Director, Office of Child Nutrition and School Health, NDE
Robinette Bacon, Coordinated School Health Program Consultant, NDE
Stephanie Hartman, K12 Social Studies Consultant, Office of Assessments, Program Accountability & Curriculum, NDE
Dr. Richard Vineyard, Assistant Director, Assessment, Program Accountability, and Curriculum, NDE

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General of the State of Nevada

AUDIENCE IN ATTENDANCE:

Dave Cook, State Board of Education Member-elect, District 9
Gloria Bonaventura, State Board of Education Member-elect District 1
Chris Wallace, State Board of Education Member-elect District 7
Willia Chaney, State Board of Education Member-elect District 3
Bryn Lapenta, Senior Director, Washoe County School District
Alan Staggs, Vice Principal, Silver State High School
Demerise Hunter, Insight School of Nevada
Michael Opp, Insight School of Nevada
David Miller, Clark County School District
Holli Kalaleh, Clark County School District
Regina Goings, Clark County School District
Kim Loomis, Clark County School District
Shannon LaNeve, Clark County School District
Lorraine Alderman, Clark County School District
Stephanie Hirsch, Clark County School District
Mike Kazek, Nevada Virtual Academy
Terry Care, Nevada Virtual Academy
Dr. Gene Hall, Nevada Public Education Foundation
Dotty Merrill, Executive Director, NASB
Feyzi Terdegn, Coral Academy of Science – Las Vegas
Kathleen Dickinson, Goshen Charter School
Jessica Marsh, Imagine Schools
Mary Rosenthal, Family Life Program Manager, AHEC of Southern Nevada
Nancy S. Papin, CSN
ChAnda Cook, Board Member, NPEF
Carol Crothers, Director, NDE
Tracy Davis, NDE
Jim Haug, Las Vegas Review Journal
Brenda Chaney

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

President Washington called the meeting to order at 1:35 p.m. The Pledge of Allegiance was led by Member Ferry. Roll Call was heard with attendance as reflected above.

Member Biggerstaff moved to approve a flexible agenda. Vice President Ruggerio seconded the Motion. Motion carried unanimously.

Member Ferry requested agenda item 6 be heard earlier in the meeting. President Washington announced agenda item 6 would be heard after agenda item 3.

- 1. President's Report** - President Washington stated she did not have a report to present at today's meeting.
- 2. Report from the Governor's Office** - There was no one in attendance to present a report.

3. Superintendent's Report

- **Update of the Council to Establish Academic Standards Meeting of October 23, 2008** – Dr. Rheault reported the Council adopted both new health and social studies standards revisions to be adopted by the Board during today's meeting, as required by statute. Member Elaine Wynn has resigned therefore the Senate would appoint a new member to the Academic Council after the January meeting.
- **Update of the District 5 State Board Member Seat Vacancy** – Dr. Rheault reported a new appointee was being considered by the Governor's office and may be appointed to the Board by January.
- **Legislative Commission's Budget Subcommittee Hearing, December 8, 2008** – Dr. Rheault reported there will be a Legislative Special Session to be held on Monday, December 8, 2008 to discuss the plan for the \$330 million budget shortfall. State School Superintendents met with the Governor on Wednesday night in Carson City to discuss the iNVEST Plan and the Special Session which would address additional cuts for the current fiscal year only. Governor Gibbons did not provide specifics at the meeting, but an e-mail from the Governor suggested minimal cuts from the Department of Education budget. Dr. Rheault explained the Norm Reference Test (NRT) might be cut during the Special Session. School districts were in the process of establishing a preliminary budget for the next school year with approximately fourteen percent in cuts.

Jim Wells noted a press conference held today highlighted topics of the Special Session and reported that the majority of short-term cuts would be from the local government investment pool. Next year, there may be a request for an additional 10 to 20 percent cut from the Department and K-12 Education.

At this time, President Washington requested newly elected Board members introduce themselves. The following newly elected Board members introduced themselves:

Gloria Bonaventura from District 1
Chris Wallace from District 7
Dave Cook from District 9

6. Report from the Nevada Public Education Foundation

Hilarie Robison, Executive Director, Nevada Public Education Foundation, introduced herself and Dr. Gene Hall, Board Chair, Nevada Public Education Foundation. Dr. Hall reported the Annual All-Day Retreat was held on Wednesday. He expressed his appreciation to Member Biggerstaff for her efforts at the event. Ms. Robison reviewed the Foundations "Ready for Life"; a movement to help students learn how to become productive adults through local and statewide support and promotion of education.

Member Ferry asked if collaborative efforts were being made in Elko County. Ms. Robison reported Elko County had organizations with similar goals, but there were no collaborative efforts with "Ready for Life."

Member Gwaltney commented that it was his belief that technology would reduce the cost of education yet enrich the experience. He asked what kind of effort was being made to use technology in the instructional process. Ms. Robison stated "Ready for Life" does not provide instructional tools, but schools were increasing the use of technology for instructional purposes. Dr. Hall noted technology was assisting "Ready for Life" by providing the resources used in the resource map.

Vice President Ruggerio commented he attended a summit a year ago and was impressed with the Foundation and their efforts. He expressed appreciation for Member Biggerstaff's efforts with the Foundation and encouraged more involvement by Board members.

Member Frederick commended "Ready for Life" and the work completed thus far.

4. Approval of Consent Agenda

A. Approval of Minutes:

- October 10, 2008 Subcommittee on Charter Schools and October 10-11, 2008 Regular Meeting

B. Approval of State Board Member Travel

C. Approval of FY 09 special education discretionary units:

- Insight School of Nevada – 1.00 unit
- Silver State Charter High School – 2.00 units

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

- Washoe County School District - .77 units

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

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

G. Approval of the 2009-2016 Elementary and Secondary textbook adoption lists for the Adoption period December 15, 2008 to June 30, 2016

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

That the Nevada State Board of Education approve the Consent Agenda with a change to item D from .77 units to .72 units and to pull items E and G for further discussion.

The motion carried.

Dr. Rheault explained item E was pulled for further discussion because a Special Education Teacher – Rural needed to be nominated and that one of the nominees for consideration was Board Member Myers.

Member Ferry nominated Susan Lacy of Douglas County. Member Iverson seconded the nomination.

Member Gwaltney nominated Member Myers.

It was decided to address this item during the January meeting due to the fact that Member Myers' backup material had not been provided in Board packets. Member Myers noted she has been nominated three times for this position over a year's period, but that her information has never been provided in Board packets.

Vice President Ruggerio made the following motion, seconded by Member Frederick:

That the Nevada State Board of Education pull agenda item 4E regarding a Special Education Teacher for the rural area until the January meeting.

The motion carried with one opposition from Member Myers.

Vice President Ruggerio made the following motion, seconded by Member Frederick:

That the Nevada State Board of Education approve the Nevada Department of Education's recommendation for the Special Education Advisory Committee as follows: Jack Gordan – Special Education Administrators, South (Clark County); Brian Frazier – State Juvenile/Adult Corrections (Statewide); David Coffey – Parents of Children with Disabilities and/or Individuals with Disabilities; and, Anita Wagner – Parents of Children with Disabilities and/or Individuals with Disabilities.

Discussion followed.

President Washington noted she had requested the Advisory Committee have more diversity, but that all members were Caucasian except for one member. The motion carried.

Member Biggerstaff made the following motion, seconded by Vice President Ruggerio:

That the Nevada State Board of Education removes agenda item 4G until textbooks and textbook costs could be reviewed by the Board.

Discussion followed.

Member Biggerstaff stated her reason for removing the item was due to shortfalls with the budget, Vice President Ruggerio agreed with Member Biggerstaff's concerns.

Dr. Rheault noted there was still \$47 million in the budget for textbooks. He suggested the Board encourage school districts to adopt a limited amount of books.

Member Biggerstaff withdrew her motion and agreed with Dr. Rheault's suggestion. She added that the Board should be more critical of the next textbook list and that the list should also include textbook costs. Discussion followed about reviewing the adoption process more critically.

Vice President Ruggerio made the following motion, seconded by Member Biggerstaff:

That the Nevada State Board of Education adopts the textbook adoption list in agenda item 4G with a recommendation to hold a workshop to solicit comments regarding the textbook adoption process with possible proposed changes to the regulations.

The motion carried.

At this time, President Washington called for a ten-minute break.

President Washington requested a newly-elected Board Member Willia Chaney from District 3 be introduced.

5. Update on data regarding the special education personnel caseload waivers granted by the Department for school years 2004-2005 to the present

Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs explained caseloads were determined by the State, according to the Nevada Administrative Code (NAC) and the severity of the disability. In the NAC, caseload maximums were specified for each disability, but exceptions could be made due to personnel shortages in the form of waiver requests.

Waiver requests have decreased since the 2004-2005 school year to-date. Ms. McCabe noted Lyon County put in for another waiver request that is not reflected in the information the Board has received. She then reviewed recruitment requirements and NDE efforts for recruitment and retention.

Member Biggerstaff asked if caseload requirements could be negotiated. Ms. McCabe replied no.

Member Ferry requested to know what the coalition was. Ms. McCabe stated it was a “grass roots movement” that reviews recruitment and retention of qualified personnel.

Member Myers thanked Ms. McCabe for the report, but expressed concern that districts do not always provide information about caseload overload. She asked if caseload maximums would change if districts contracted with independent personnel or if a speech aide was used. Ms. McCabe replied no.

Member Frederick asked if school districts were aware of the NAC requirements and waiver requests. Ms. McCabe stated school districts are aware of waivers, but do not have a need for waiver requests because of their own intervention filling caseloads with their own district staff.

Vice President Ruggerio requested to know if waivers would decrease due to recent budget cuts or intervention by school districts. Ms. McCabe stated district requirements were set by the Individuals with Disabilities Education Act (IDEA).

Member Biggerstaff asked if special education teachers had to be highly qualified in all subjects they teach. Ms. McCabe replied yes and highly qualified in special education.

At this time, President Washington requested another newly-elected Board member, who had just arrived, Craig Wilkerson from District 4 introduce himself. President Washington announced agenda item 8 would be heard next.

8. Update on Annual Reports of Compliance and Progress of the Coral Academy of Science, Las Vegas and Nevada Virtual Academy

Bill Arensdorf, Director, Office of Fiscal Accountability, explained annual reports were presented in October 2008 and that there were some issues with Coral Academy of Science, Las Vegas and Nevada Virtual Academy. Regarding Coral Academy, one teacher was placed in a Spanish class only whereas before the teacher had been teaching other subjects. Another teacher has resigned. The two other teachers have taken the Praxis test and have passed or were waiting for results. The school was also putting forth best efforts to address the issue of bullying at the school as well as the phone system and inadequate playground. There was also a deficiency in the operating budget of \$273,000, but a plan to reduce the deficit would be submitted by December 15, 2008. At this time, the Department had no recommendation for Board action. The school was bringing forth a good faith effort to correct deficiencies in the school.

Representatives from Coral Academy of Science, Las Vegas were in the audience at today’s meeting, but declined to make any additional comments.

Regarding Nevada Virtual Academy, Mr. Arensdorf reported the evaluation for the school had been completed and the one teacher that had been cited as not highly qualified has taken the test and was now qualified therefore there was no recommendation for further action regarding these matters.

Representatives from Nevada Virtual Academy were in the audience at today's meeting, but declined to make any additional comments.

7. Approval of the 2008 State Improvement Plan

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services, reviewed the 2008 Nevada State Improvement Plan.

Member Biggerstaff thanked Ms. Dopf and the committee for their efforts with the plan and asked what action the Board could take to offer assistance. Discussion followed about the Board becoming more involved in the plan and using the State Improvement Plan as a lens when prioritizing future activities and their strategic plan.

President Washington requested that colors remain consistent on ethnic charts throughout the plan.

Vice President Ruggerio made the following motion, seconded by Member Iverson:

That the Nevada State Board of Education approve the 2008 State Improvement Plan.

The motion carried unanimously.

9. Time: 4:00 p.m. WORKSHOP to solicit comments to NAC 386.020 – “Charter School” defined; NAC 386.240 – Issuance of Written Charter to Applicant not Prepared to Commence Operation on Date of Issuance; Expiration, Effect and contents of Charter; Supplemental Application; NAC 386.365 – Report of Data Required for Automated System of Accountability Information for Nevada; and NAC 386.370 – Final Budget

The workshop began at 4:00 p.m. with twenty (20) people in attendance.

James Wells, Deputy Superintendent, Administrative and Fiscal Services, noted the following changes: 1) a sentence added to NAC 386.020 that defines a charter school as a local government, as stated by NRS. 2) allowing a Subsection 7 Charter to be good through June 30th of the second fiscal year after Board approval with an additional year, if so needed (NAC 386.240), 3) in NAC 386.365, the second year of collecting data was changed to the initial year of operation.

Member Ferry asked if a University that sponsored a charter school would have to follow the same data system. Mr. Wells stated that would be included in the language before approval by the Board.

At this time, President Washington opened up the workshop for additional questions or public comments. Hearing none, the workshop was closed at 4:05 p.m. A short break was taken because of the time certain for the next workshop.

President Washington noted Member Myers left the meeting during the break.

10. Time: 4:15 p.m. WORKSHOP to solicit comments to NAC 389.2423 – Second Grade Health Standards; New Section for Third to Fifth Grade Health Standards; Delete NAC 389.281 – Third Grade Health Standards; and NAC 389.2944 – Fifth Grade Health Standards; NAC 389.281 – Eighth Grade Health Standards; and NAC 389.455 Twelfth Grade Health Standards

The workshop began at 4:15 p.m. with twenty-one (21) people in attendance.

Robinette Bacon, Coordinated School Health Program Consultant, Office of Child Nutrition and School Health, introduced herself. She provided a historical summary of the process for the revision of the Nevada Health Education Standards. She noted standards had been approved by the Academic Standards Council on October 23, 2008 without changes or additional comments.

Donnell Barton, Director, Office of Child Nutrition and School Health, reported proposed NAC regulations were now broken down by grades and that new language was in bold italics. Language in brackets is being removed.

Member Biggerstaff commended the process and requested that all standards have a matrix to show how much time teachers would spend teaching the subject. Ms. Bacon stated that is set by local school districts. Member Biggerstaff commented that if standards were being set at this level than it should be determined at this level how much time teachers should spend teaching the subjects.

Member Ferry asked what was meant by the word “band” of grades level. Ms. Bacon stated the word “band” came from the National Standards and that it represented the a combining of grades due to the way different school districts teach those subjects and in what grade .

At 4:37 p.m., the workshop was closed and the item was opened up to public comment. President Washington stated public comment would be limited to three (3) minutes.

Kathleen Dickinson, Goshen Charter School, introduced herself and stated she sat on the committee that assisted in the re-writing of health standards. She confirmed Ms. Bacon’s comments that it is hard to establish a matrix when teaching across the curriculum. It is subjective to each teacher and could be taught in many different ways depending on the class.

Hearing no further public comments, this item was closed at 4:40 p.m.

11. Time: 4:30 p.m. WORKSHOP to solicit comments to NAC 389.2437 – Second Grade Social Studies Standards; NAC 389.254 – Third Grade Social Studies Standards; NAC 389.3942 – Fifth Grade Social Studies Standards; NAC 389.372 – Eighth Grade Social Studies Standards; and NAC 389.511 – High School Social Studies Standards; New Section for Kindergarten – First, Fourth, Sixth and Seventh Grade Social Studies Standards

Stephanie Hartman, K-12 Social Studies Consultant, explained the process of revising the Social Studies standards by stating that thirty-five teachers from around the state revised the document over a nine-month period and that grades were banded together (grades 6-8, 9-12) so the districts can work their curriculum between those grades. She noted the standards are just the framework that school districts build the curriculum for teachers to use in the classroom. There was a 30-day period for public comment. A survey was also completed and adjustments were made to the standards accordingly.

Member suggested there be an emphasis on teaching about finances given the current economic downturn. Stephanie Hirsch, Social Studies Coordinator, Clark County School District, noted that a core subject of economic principles are spread throughout the document and that economic terms are explained for understanding the principles that drive the economic process, but they would not reflect the strategies teachers would use to teach the subject.

Member Biggerstaff thanked the committee for the work completed. She asked about the program called 21st-Century skills and requested to know how much it would cost and why that program was being used as opposed to the program used before. Ms. Hartman explained 21st-Century skills is not a program. It was a term that referred to specific skills that students need for success in the 21st century. Discussion followed about developing skills that would be beneficial to students.

At 4:55 p.m., the work shop was closed and the item was opened up to public comment.

Dr. Rheault provided highlights of the letter received from Senator Cegavske to be entered into the record as follows:

“At the October meeting of the Council to Establish Academic Standards for Public Schools, members approved the revised *Nevada Social Studies Standards*, which will be presented to the State Board of Education at its December meeting. The revised standards, as presented, represent many hours of dedicated work from staff of the Department of Education, as well as intense review from the members of the Council to Establish Academic Standards. As Chairwoman of the Council, I feel that it is my duty to alert you to an issue that was discussed at length during the October meeting of the Council. The issue concerns the breadth of the standards. As you know, the subject of social studies encompasses many important events in time, all of which I had hoped would be included in the revised academic standards. Unfortunately, the testimony presented before the Council was that the provision of academic standards to cover all or most of the many important historical events would be overwhelming to teachers and students. It was noted that nationally, states are moving toward approving only minimum standards for the subject area of social studies. Because of this, the revised *Nevada Social Studies Standards* have been condensed and provide only the minimum requirements expected of students. Although the revised *Nevada Social Studies Standards* were approved by the Council, I would like to make two suggestions to the State Board in approving the revised standards. Please note that these are my personal suggestions and are not made on behalf of the Council: First, it is my hope that some teachers may opt to expand the scope of the standards for social studies to include historical events not included in the minimum requirements. I would hope that teachers opting to expand the scope of the standards, without watering down or ignoring the minimum requirements, would be fully supported by both the Department of Education and the State Board of Education. Second, in order to promote the idea that the revised *Nevada Social Studies Standards* represent only the minimum requirements, I am hopeful that the State Board of Education will stress to the school districts the importance of adopting social studies textbooks which include more information than that needed to teach the minimum requirements. By adopting social studies textbooks that are more inclusive, teachers who wish to expand the scope of the standards for social studies will be able to do so more easily. In closing, if the State Board decides to approve the revised standards, I hope that the Board will publicly issue support to teachers who choose to expand the scope of the standards without jeopardizing comprehension of the minimum standards and, in so doing, support the adoption of social studies textbooks that are more inclusive.”

Hearing no further public comment, this item was closed at 5:00 p.m.

12. Time: 4:45 p.m. WORKSHOP to solicit comments to NAC 389.670 – Credit for Specific Course Without Attending Classes

Dr. Richard N. Vineyard, Assistant Director, Assessment, Program Accountability and Curriculum, provided background on NAC 389.670 and reviewed proposed revisions. He stated the proposed change would amend existing regulations to bring them into compliance with new State statute.

Vice President Ruggerio requested to know if the proposed language would remove the adoption process from the State Board to be given to the local school districts. Dr. Vineyard reported a list of courses was decided upon by local school districts. If the State Board was to establish a list of courses available to all students in the State, the State would also have to develop and approve tests taken. Dr. Rheault added the current NAC 389.670 allowed credit by exam.

Member Biggerstaff pointed out the Board approved dual credit classes, therefore tests would have to be reviewed by the Board. Dr. Rheault stated item 3 in the regulation could be amended to include language to that affect. Member Biggerstaff asked if ethnicity was required by law. Dr. Rheault stated it was a federal mandate which could be changing.

Member Frederick asked if item 2F was redundant with items 2A and 2B. It was decided that the word "student" should be removed after the word "school" in item 2F.

At 5:10 p.m., the workshop was closed and the item was opened up to public comment.

Alan Staggs, Vice Principal, Silver State High School, clarified that local school districts or charter schools would be deciding on how the test would be administered and which specific subjects would be tested. Dr. Vineyard stated that was the intent of the regulation.

Bryn Lapenta, Senior Director, Washoe County School District, requested that the language "not less than 70%" be removed from the regulation because Washoe County reduced some cut scores to less than 70 percent. She noted the Clark County School District also agreed on this change. Dr. Rheault stated that could be reviewed before the January meeting.

Dotty Merrill, Executive Director, NASB, thanked Member Ferry and Member Biggerstaff for attending the NASB Conference in November. She noted the New Member Orientation would be held February 20-24, 2009 with a follow-up in the summer.

Hearing no further public comment, President Washington called for a meeting recess at 5:20 p.m. with the meeting to resume on Saturday, December 6, 2008 at 8:30 a.m.

MINUTES OF THE REGULAR MEETING, DECEMBER 6, 2008

BOARD MEMBERS PRESENT:

Marcia Washington, President
Anthony Ruggerio, Vice President
Jan Biggerstaff, Clerk
Dr. John Gwaltney, Member
Dr. Cliff Ferry, Member
Sharon Frederick, Member
Barbara Myers, Member
Dr. Merv Iverson, Member (arrived 8:45 a.m.)

BOARD MEMBERS ABSENT:

Cindy Reid, Member
Becky Childs, Student Representative

DEPARTMENT STAFF PRESENT:

Dr. Keith Rheault, Superintendent of Public Instruction
James Wells, Deputy Superintendent, Administrative and Fiscal Services, NDE
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services, NDE
Bill Arensdorf, Director, Office of Fiscal Accountability, NDE
Tom McCormack, Charter Schools Consultant, NDE
Frankie McCabe, Director, Special Education, ESEA and School Improvement, NDE
Donnell Barton, Director, Office of Child Nutrition and School Health, NDE
Robinette Bacon, Coordinated School Health Program Consultant, NDE
Stephanie Hartman, K12 Social Studies Consultant, NDE

LEGAL STAFF PRESENT:

Dr. James E. Irvin, Deputy Attorney General for the State of Nevada

AUDIENCE IN ATTENDANCE:

Brian Myli, Clark County School District
Kim Boyle, Clark County School District
Holli Kalaleh, Clark County School District
Mary Pike, Clark County School District
David A. Miller, Clark County School District
Stephanie Hirsch, Clark County School District
Craig Wilkinson, State Board of Education Member-elect, District 4
Chris Wallace, State Board of Education Member-elect District 7
Tim Goler, Teacher, 100 Academy of Excellence
Al Scareti, Imagine 100 Academy of Excellence
Ted Watkins, former President, 100 Academy of Excellence
Jack Concannon, 100 Academy of Excellence
Dennis E. Alonzo, 100 Academy of Excellence
Alva A. Valenzuela, 100 Academy of Excellence
Theodore A. Watkins, Governing Board member, 100 Academy of Excellence
Shaundell Newsome, Imagine Schools

Naomi Lewis, Imagine Schools
Haney William, Imagine Schools
John McMillan, Imagine Schools
Vicki Frazier-Williams, Imagine Schools
A. Leana Crawford, Imagine Schools
Michael PeQueen, Committee to Form member, Imagine School at Las Vegas
Kimberly Rushton, Legal Counsel, Imagine School at Las Vegas and Imagine School at Mountain View
Karmen LaShaun, H. Miller Imagine Board
Dr. Harvey E. Williams, Board President, Imagine School at Las Vegas
Vernon Law, Vice President, Imagine School in the Valle
Connie Burch, Principal, Imagine School in the Valle
Joan Sands, Silver Sands Montessori
Marlo Tsuchiyama Silver Sands Montessori
Dotty Merrill, Executive Director NASB
Jim Haug, Las Vegas Review Journal

Recall to Order; Roll Call; Pledge of Allegiance

President Washington recalled the meeting to order at 8:35 a.m. Roll call was heard with attendance as reflected above.

13. Approval of Request for Dual Credit, Douglas County School District

Vice President Ruggerio made the following motion, seconded by Member Frederick:

That the Nevada State Board of Education accepts the dual credit request for the Douglas County School District.

The motion carried unanimously.

14. Approval of Request for Dual Credit, Clark County School District

Member Ferry stated he would approve of the dual credit, but would prefer that Clark County state which colleges and universities were involved. Kim Boyle, Clark County School District, stated the courses were through the College of Southern Nevada and that she would add that information in the future.

Vice President Ruggerio made the following motion, seconded by Member Frederick:

That the Nevada State Board of Education accepts the dual credit request for the Clark County School District as presented.

At this time, Member Iverson arrived at the meeting.

The motion carried.

27. Approval of the proposed date and location for the January 2009 Board Meeting

- **Thursday and Friday, January 22-23, 2009 in Carson City, to include New Member Orientation at the Department of Education and Swearing-In Ceremony at the Nevada Supreme Court Building prior to the Regular Meeting**

Dr. Rheault suggested the Board consider holding the meeting on January 15-16, 2009 due to the Governor's State of the State speech to be given that evening. Starting with an all-day orientation on January 15th. Vice President Ruggerio requested input from the newly-elected Board members in the audience at today's meeting. The new Board members expressed their agreement to the new date.

Vice President Ruggerio made the following motion, seconded by Member Biggerstaff:

That the Nevada State Board of Education meeting be held on Thursday January 15, 2009 beginning at 8:30 a.m. for the swearing-in ceremony and all-day orientation to be continued through Friday, January 16, 2009 for the regular meeting.

The motion carried.

15. Time: 8:45 a.m. PUBLIC HEARING and possible Board Adoption of Proposed Revision to Regulation Language for 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

The public hearing began at 8:47 a.m.

Dr. Rheault noted there was a change in the regulation that put the percentage rate at less than 80 percent on or after January 1, 2009, which would put Nevada in line with other states. Dr. Rheault stated there has been support for the recommendation and that he would also support the recommendation.

Member Frederick asked if UNLV was in support of the recommendation. Dr. Rheault replied yes. They were unanimous in their support.

Hearing no further questions, at 8:50 a.m. President Washington opened up the item to public comment.

Dr. Rheault noted there was a letter from William Sparkman, the Dean for the College of Education at UNR in Board packets in support of the change.

Hearing no further public comment, President Washington closed public comment at 8:52 a.m.

Vice President Ruggerio made the following motion, seconded by Member Biggerstaff:

That the Nevada State Board of Education adopts the proposed revision to regulation language for NAC 391.558 as presented.

The motion carried.

Due to the time certain for item 16, agenda item 28 was heard next.

28. Future Agenda Items

Future agenda items include:

- Indian Education Strategic Plan
- Annual Class Size Reduction Variance Request
- Discussion of State Board's role with regards to Charter Schools

Vice President Ruggerio suggested including Bill Draft Requests (BDRs) in the Superintendent's Report.

Member Myers reminded Department staff that current Board members would remain Board members during the Special Session.

Member Ferry suggested taking a consensus during the January meeting with new Board members regarding the position of the State Board and charter schools. Vice President Ruggerio concurred with Member Ferry's suggestion after Dr. Rheault provides information regarding BDRs. Dr. Rheault noted he received a newsletter that the Florida Supreme Court recently ruled that only school boards can have responsibility for schools in Florida.

Member Gwaltney suggested new Board members be allowed to provide future agenda items under the Public Comment portion later in the meeting.

16. Time: 9:00 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Brett Storsved

Item 16 was pulled from the agenda because Brett Storsved was filing an appeal. Deputy Attorney General Irvin stated he received a letter from Mr. Storsved requesting a continuation and that he was still waiting for a letter from Mr. Storsved's attorney requesting a continuation. He noted a summary suspension would be on hold until there was a conviction.

17. Time: 9:05 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Don Smith

Dr. Rheault noted supporting documents for the revocation shows that Mr. Smith and/or his attorney had been invited to today's hearing, but the Department received no response to the invitation. Dr. Rheault requested to know if Mr. Smith or any representation for Mr. Smith was in the audience at today's meeting. Seeing no one, Dr. Rheault reviewed Mr. Smith's conviction.

Member Frederick made the following motion, seconded by Vice President Ruggerio:

That the Nevada State Board of Education revokes the Nevada Teacher's License for Don Smith.

The motion carried.

18. Time: 9:10 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Michael Gogerty

The public hearing began at 9:10 a.m.

Dr. Rheault reported supporting documents show that Michael Gogerty and/or his representative had been invited to today's hearing, but the Department received no response to the invitation. Dr. Rheault asked if Mr. Gogerty or his representation was in the audience at today's meeting. There was no representation for Mr. Gogerty at today's meeting in Carson City or Las Vegas. Dr. Rheault stated Mr. Gogerty pled guilty and was currently serving time for possession of child pornography and that the recommendation was revocation of Mr. Gogerty's license.

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

That the Nevada State Board of Education revokes the Nevada Teacher's License for Michael Gogerty.

The motion carried.

Member Biggerstaff asked if teachers can teach while in prison. Dr. Rheault stated they could not.

President Washington asked if an individual could be reinstated as a teacher if their license was previously revoked and if they had served jail time. Dr. Rheault stated revoked licenses have not been reinstated during his tenure as School Superintendent.

19. Time: 9:15 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Kevin Kegel

The public hearing began at 9:16 a.m.

Dr. Rheault stated supporting documents show that Mr. Kegel or his representation were invited to today's public hearing. Dr. Rheault reported Mr. Kegel pled guilty and was charged with sexual conduct by school employee with pupil between the age of 16 and 17. The Department's recommendation was revocation of Mr. Kegel's license.

Member Myers commented that this revocation process seemed quicker than others. Dr. Rheault agreed that the case went to trial sooner than others.

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

That the Nevada State Board of Education revokes the Nevada Teacher's License for Kevin Kegel.

The motion carried.

20. Time: 9:20 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Robert A. Jensen

The public hearing began at 9:20 a.m.

Dr. Rheault stated supporting documents showed that Mr. Jensen and/or his representation were invited to attend today's hearing. Dr. Rheault requested to know if Mr. Jensen and/or representation for Mr. Jensen were in the audience. There was no one representing Mr. Jensen in Carson City or Las Vegas. Dr. Rheault reported Mr. Jensen was convicted of a gross misdemeanor and that Mr. Jensen was serving time for the crime in the State of Washington.

Vice President Ruggerio requested to know how Mr. Jensen received a license in Nevada if the crime occurred in Washington. Dr. Rheault explained the crime was brought to light after Mr. Jensen had applied for and received a Nevada Teacher's license and that steps were being taken to better review applications.

Member Frederick asked if a review could be nationwide. Dr. Rheault stated that was being worked on and that states were voluntarily providing information on the NASDTEC system, but it was not mandated on the federal level.

President Washington requested to know if a revoked license would go into the system. Dr. Rheault stated it would be posted on Monday morning.

Member Frederick made the following motion, seconded by Vice President Ruggerio:

That the Nevada State Board of Education revokes the Nevada Teacher's license of Robert A. Jensen.

The motion carried.

21. Time: 9:25 a.m. PUBLIC HEARING and possible Board action regarding Hearing of Petition and Recommendation for Revocation of the Nevada Teacher's License for Kimberly F. Tamburello

The public hearing began at 9:26 a.m.

Dr. Rheault stated supporting documents and notice of the public hearing were included in the Board documents. Dr. Rheault reported Ms. Tamburello was convicted of drug trafficking and asked if Ms. Tamburello and/or her representation were in attendance at today's meeting. Seeing no one, Dr. Rheault stated there was no summary suspension place on Ms. Tamburello's license as with the previous revocations, but that the Department's recommendation was revocation of Ms. Tamburello's license.

Member Myers pointed out this was another Lyon County issue and involved a special education teacher and moved quickly through the revocation process.

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

That the Nevada State Board of Education revokes the Nevada Teacher's License for Kimberly F. Tamburello.

The motion carried.

22. Time: 9:30 a.m. PUBLIC HEARING and possible Board Adoption of Proposed Revision to Regulation Language for Workshop to Solicit Comments to NAC 389.2423 – Second Grade Health Standards; New Section for Third to Fourth Grade Health Standards; Delete NAC 389.281 – Third Grade Health Standards; and NAC 389.2944 – Fifth Grade Health Standards; NAC 389.281 – Eight Grade Health Standards; and NAC 389.455 Twelfth Grade Health Standards NOTE: *This is the first and only public hearing and possible action to adopt may be taken.*

The public hearing began at 9:30 a.m., with nineteen (19) people in attendance.

Robinette Bacon, Coordinated School Health Program Consultant, Office of Child Nutrition and School Health, reviewed the proposed revisions.

At 9:32 a.m., President Washington opened up the item to public comments. Hearing none, President Washington closed public comment at 9:33 a.m.

Member Biggerstaff expressed concern with the enormity of the standards and suggested establishing a matrix in the future.

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

That the Nevada State Board of Education approves the changes as recommended.

The motion carried with one opposition from Member Biggerstaff.

Due to the time certain of item 23, President Washington called for a 10-minute break.

23. Time: 9:45 a.m. PUBLIC HEARING and possible Board Adoption of Proposed Revision to Regulation Language for Workshop to Solicit Comments to NAC 389.2437 – Second Grade Social Studies Standards; NAC 389.254 – Third Grade Social Studies Standards; NAC 389.3942 – Fifth Grade Social Studies Standards; NAC 389.372 – Eight Grade Social Studies Standards; and NAC 389.511 – High School Social Studies Standards; New Section for Kindergarten – First, Fourth, Sixth and Seventh Grade Social Studies Standards NOTE: *This is the first and only public hearing and possible action to adopt may be taken.*

The public hearing began at 9:47 a.m.

Discussion was heard about the enormity of the Social Studies standards and benchmarks. Stephanie Hartman, K12 Social Studies Consultant, Office of Assessments, Program Accountability & Curriculum, noted standards and benchmarks were reduced compared to previous standards and benchmarks. Member Myers stated she would oppose the recommendation because of the amount of standards set for Kindergarten. Ms. Hartman clarified standards and benchmarks were guidelines for teachers to develop an age-appropriate curriculum. Gloria Dopf explained that a standard not stated appropriately was more of a professional issue with teacher training.

Vice President Ruggerio made the following motion, seconded by Member Ferry:

That the Nevada State Board of Education adopts the proposed revision to regulation language for NAC 389.2437, 389.254, 389.3942, 389.372, and 389.511 as proposed.

Discussion followed.

Member Gwaltney commented that he agreed with Member Iverson's comments that issues raised should not be glossed over. He suggested attaching an amendment to the motion suggesting the Standards Commission review the issue of time for each standard, per Member Biggerstaff's concerns and the appropriateness of the standards in reference to programs adopted in the field.

Vice President Ruggerio amended his motion to include the recommendations to the Standards Council regarding Member Biggerstaff's concerns with time frames for the standards and Member Myers' concerns with the application of the standards in the field.

Member Iverson stated the Board should approve the standards because they are appropriate for students and not because of the time put in by the stakeholders.

Member Ferry stated he was not opposed to the amendment, but it should not be tied to this particular item.

Member Iverson commented on the division of standards for each subject and suggested more collaboration of the standards and a timeline matrix that would be beneficial to students.

At 10:15 a.m., President Washington opened up the item to public comment with twenty-seven (27) people in the audience. Hearing none, President Washington closed public comment.

Member Myers expressed concern with the complexity of words in the standards.

Vice President Ruggerio reiterated his motion with the amendment suggested by Member Gwaltney.

The motion carried with one opposition from Member Myers.

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

Bill Arensdorf, Director, Office of Fiscal Accountability, provided timeline information regarding the application received from Imagine School at Mountain View Charter School for a Subsection 7 Charter. He explained the Department was not ready to make a final recommendation for a Subsection 7 Charter for Imagine School at Mountain View because of remaining budgetary concerns with the schools use of its federal charter school subgrant. He submitted Assemblyman Harvey Munford's recommendation that a decision should not be made until the budgetary and governance issues of 100 Academy of Excellence were resolved, because Imagine School at Mountain View would be using the same EMO as 100 Academy of Excellence.

Kimberly Rushton, Legal Counsel, Imagine School at Las Vegas and Imagine School at Mountain View, stated that the school was going to request this item be pulled from today's meeting to address the concern Mr. Arensdorf has raised. Ms. Rushton explained there were different interpretations of chapters 385 and 386 that were being worked out with Mr. Wells, which was why the November date was not met. There were Committee to Form, student, and parent representatives in the audience at today's meeting who would testify to the quality

of education offered by the EMO, Imagine Schools, Inc. The funding spent for the library books was in the original application and that invoices would show the funding was spent appropriately.

Member Ferry asked if the items listed on the October 8, 2008 letter were still deficiencies. Jim Wells clarified the items listed on the first four pages have been addressed and were no longer an issue, but that there were still some budgetary items that needed to be corrected.

Vice President Ruggerio commented that the Imagine “family” seemed more than willing to work with Department staff to open the school and that all concerns should be addressed before that can occur, but that at some point the Department needed to make a determination as to whether or not the school was in compliance. Discussion followed to table the item until the January meeting and for the agenda item to be more specific.

At this time, President Washington called for a five-minute break.

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

Bill Arensdorf, Director, Office of Fiscal Accountability, provided a timeline for Imagine School at Las Vegas’ application which was submitted approximately the same time as the application for Imagine School at Mountain View. He reported this application had been denied by the Board because of deficiencies in the management contract and the budget. An extension was granted to address concerns and that concerns regarding the management contract have been resolved, but that if a Subsection 7 Charter was granted at today’s meeting there should be a stipulation that remaining budgetary concerns would be resolved before the school opens in the fall of 2009. He stated Assemblyman Munford had a similar recommendation for Imagine School at Las Vegas as he did for Imagine School at Mountain View, which was to table the recommendation until concerns with the EMO, Imagine Schools, Inc., could be resolved.

Kimberly Rushton, Legal Counsel, Imagine School at Las Vegas and Imagine School at Mountain View, introduced herself, Dr. Harvey E. Williams, Board President, Imagine School at Las Vegas, and Michael PeQueen, Committee to Form member, Imagine School at Las Vegas. Dr. Williams commented on the efficiency of the EMO, Imagine Schools, Inc. Mr. PeQueen commented on his role and efforts on the Committee to Form.

Member Frederick made the following motion:

That the Nevada State Board of Education approves a Subsection 7 Charter for Imagine School at Las Vegas providing the following items are submitted; a cash flow statement, proof of insurance, a facility site and more budgetary detail.

Vice President Ruggerio suggested including the contingency plan for enrollment in the motion and for budgetary information to be received and fully accepted before the Subsection 7 Charter agreement was approved

Member Frederick amended her motion to include Vice President Ruggerio’s suggestions. Vice President Ruggerio seconded Member Frederick’s motion.

Ms. Rushton stated the school would address Assemblyman Munford’s concerns. She acknowledged the representation in attendance in support of Imagine schools.

Vice President Ruggerio complimented the Department for separating Imagine School at Mountain View and Imagine School at Las Vegas and for making different recommendations.

26. Board Member Comments

Members Gwaltney, Frederick, and Iverson and President Washington thanked the Department staff for their assistance and effort during their time on the Board and encouraged new Board members to continue the work done thus far by the State Board of Education.

Member Biggerstaff stated that Board members would be missed and that she appreciated what they had done for Nevada students. She reported she attended the Child Haven meeting for abused children and that she wanted to explore the issue further. She stated that the Board needed to work on moving education into the 21st Century.

Vice President Ruggerio stated he wanted to echo the comments of Member Biggerstaff and thanked out-going Board members by stating what he learned from each out-going Board member.

29. Public Comments

Ted Watkins, former President of 100 Academy of Excellence, thanked the Board for their expertise and commented on the efforts of Vicki-Frazier Williams and the mis-characterization of the Governing Body of the 100 Academy. He commented that Assemblyman Munford has been and will continue to be welcomed to attend and participate in school meetings.

Tim Goler, Teacher, 100 Academy of Excellence, commented on the educational efforts put forth at the school and invited Board members to see the educational growth.

Vice President Ruggerio acknowledged out-going Member Reid's tenure on the Board.

30. Adjournment

There being no further business, the meeting adjourned at 11:55 a.m.