

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

Thursday, March 18, 2010

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

And

Department of Education
9890 South Maryland
Second Floor Conference Room
Las Vegas, Nevada

MINUTES OF THE REGULAR MEETING
(Video Conferenced)

BOARD MEMBERS PRESENT:

In Las Vegas:

Christopher Wallace, President
Dr. Cliff Ferry, Vice President (Excused)
Dave Cook, Clerk
Jan Biggerstaff, Member
Gloria Bonaventure, Member
Willia Chaney, Member
Charlotte Hill, Member
Anthony Ruggiero, Member
Craig Wilkinson, Member
Zhan Okuda-Lim, Student Representative

In Carson City:

Ken McKenna, Member (arrived 3:50 p.m.)

DEPARTMENT STAFF PRESENT:

In Las Vegas:

Dr. Keith Rheault, Superintendent of Public Instruction

In Carson City:

Jim Wells, Deputy Superintendent, Administrative and Fiscal Services
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Lori Johnson, Executive Assistant to the Superintendent of Public Instruction
Karen Johansen, Administrative Assistant to the State Board of Education

LEGAL STAFF PRESENT:

In Carson City:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Nicole Rourke, Clark County School District

In Carson City:

Gary Olsen, Consultant, Leadership Education Advocacy Designs (LEAD)

Peter Yeager, Director, Educational Testing Service

Betty Hammond, Sign Language Interpreter

Gerianne Hummel, Sign Language Interpreter

Eugene T. Paslov

Megan Fielder

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

President Wallace called the meeting to order at 3:19 p.m., with attendance as reflected above. Member McKenna arrived at 3:50 p.m.

President's Report

President Wallace gave a brief summary of the Special Legislative Session and the Legislative Interim Committee for Governance and Oversight of System of K-12 Public Education (ACR 2), that he attended. He stated the Special Legislative Session cut K-12 education 6.9 percent and the 2011 Legislative Session will be difficult for education as revenues continues to decline.

President Wallace added he had a positive dialog with the ACR 2 Committee when he presented the Board's position and recommendations. At the last ACR 2 meeting on May 13, the Committee will vote on recommended suggestions and construct Bill Draft Requests (BDR) for the 2011 Legislative Session. President Wallace announced that he and Dr. Keith Rheault, Superintendent of Public Instruction, were recently appointed to the Governor's Blue Ribbon Education Reform Task Force (BRTF).

Superintendent's Report

- Dr. Rheault reported the Third Annual Connect the Dots Parent Involvement Summit was held in Reno on March 12, 2010. Over 500 parents and representatives attended the Summit with standing room only. There were up to 25 workshops on how parents can become more meaningfully involved to help in the school system. Dr. Rheault said he gave a workshop on Race To The Top (RTTT) and it was a very successful conference this year.
- Dr. Rheault commented on the bill presented in the Special Session that included a mandate for all state offices to implement a four day/ten hour workweek. The Governor vetoed the bill but later signed an executive order supporting a flexible workweek. State agencies can apply to the Governor's office for approval to implement the 4/10 workweek. Dr. Rheault stated staff has voiced concerns and he does not support the four-day workweek. He said he does not intend to submit an application for the Department of Education; however, he will take more comments before he makes a final decision.
- Dr. Rheault reported he attended the press conference in Carson City in which the Governor signed an executive order forming the BRTF to guide and oversee Nevada's RTTT application, and consider education reform initiatives for the 2011 Legislative Session. The committee will dissolve on December 31, 2010. Dr. Rheault stated twenty-nine individuals, including himself and President Wallace, have been appointed to the Task Force.

- Dr. Rheault stated that all open State of Nevada employment positions have been frozen by executive order. The Department of Education has critical positions that need to be filled and Dr. Rheault added there is a process in place he will use to submit requests to fill the positions. Nevada's Department of Education has the lowest staff per capita in the country.

In response to Member Ruggiero's question concerning positions that are federally or grant funded, Dr. Rheault said all positions are frozen regardless of how they are funded.

Overview of Empowerment Schools

Jeremy Hauser, Academic Manager, Clark County School District, Superintendent's Schools, gave the Board a presentation and overview of Empowerment Schools in the Clark County School District (CCSD). Mr. Hauser said the empowerment program began in the CCSD in 2006 with four schools. Empowerment Schools are designed to improve learning and student performance through increased autonomy and accountability. Mr. Hauser explained that after the initial year, no additional funds were provided by the State; however, the CCSD continued with the program and funded the original four schools. They have expanded to 17 schools.

Mr. Hauser said that as they expanded, a community partner, the Lincy Foundation stepped in and provided additional funding to continue the program at \$14.5 million over three years. The additional funding is used at the discretion of the school, and provides additional salary for the administrator and goes toward pay for performance as part of the empowerment program. The licensed staff can earn additional incentive pay based on their level of achievement. An additional 11 schools were added this year for 28. They were added with the flexibility and autonomy the original 17 schools have, but without additional funding. Mr. Hauser explained that over the last three years a per pupil funding formula was developed and empowerment schools receive a one lump sum of money to operate the building. He said the goal is to have happy people that are producing well educated schools. Distribution of funding for the 28 schools was just completed.

Member Chaney asked if student achievement could be attributed to additional per pupil funding or parent involvement. Mr. Hauser responded that per pupil funding makes a difference, however the biggest factor pushing empowerment forward in terms of student achievement is the sense of involvement that it creates for teachers, parents and administration. Each school has clear outcomes that they are expected to achieve and are given the authority to make decisions on how to utilize their resources. He said the more everyone feels part of the process results in a sense of ownership, belonging, and commitment to a school and building which brings greater student achievement.

In response to Member Cook's question if the empowerment model has been successful in at-risk schools and economically disadvantaged schools, Mr. Hauser said the empowerment model works across all school types. CCSD has a diverse group of schools that are part of the empowerment model and it puts ownership for the work of the school at the local school site. When people feel their effort makes a difference that tends to produce results. Empowerment alone is not enough to fix a school that is not producing results. A piece of the puzzle is how to start changing the climate of the schools and engaging people in the work of the schools.

Discussion continued with the Board and Mr. Hauser regarding funding for empowerment schools.

President Wallace inquired how many of the 17 empowerment schools have meet Adequate Yearly Progress (AYP). Mr. Hauser explained the three high schools were struggling before empowerment and it will take time for them to find solutions and produce better results. The one middle school in its second year has not made AYP. The original four schools are in their fourth year and all have made AYP status this year.

Report from the Governor's Office

Stacy Woodbury, Deputy Chief of Staff, Office of the Governor, reported on the BRTF that Dr. Keith Rheault and President Wallace have been appointed to. Ms. Woodbury explained the task force would spend the remainder of the year exploring ideas on reforming and realigning public education from early childhood education to college level. The people serving on the task force are educators, administrators and people from the private sector.

In response to Member Chaney's inquiry about changing laws to reform education, Ms. Woodbury stated the BRTF is assigned to look at different solutions whether they are legislative, regulatory or funding, and then make recommendations to the Governor no later than November 19, 2010 when the executive budget is prepared for the 2011 Legislative Session.

Student Representative Okuda-Lim asked Ms. Woodbury if student voices were included in the BRTF. Ms. Woodbury responded not at this time, but it is a good idea and she will submit the idea to the Chairs.

Approval of Consent Agenda

- A. Minutes of the January 22, 2010 State Board Meeting**
- B. Nominees to fill current vacancies on the Special Education Advisory Committee (SEAC) Sheila Allred, Parent of Children with Disabilities and/or Individual with Disabilities and David Coffey, Parent of Children with Disabilities and/or Individual with Disabilities and Dorothy Pomin, Foster Care, Statewide**
- C. Awarding of 1.0 gifted and talented discretionary unit to the Elko County School District**

Member Biggerstaff moved to approve the Consent Agenda. Member Wilkinson seconded the motion. The motion carried.

President Wallace called for a meeting recess at 4:40 p.m. with the meeting to resume on Friday, March 19, 2010 at 8:30 a.m.

MINUTES OF THE REGULAR MEETING

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In Las Vegas:

Chris Wallace, President
Dr. Cliff Ferry, Vice President (Excused)
Dave Cook, Clerk
Jan Biggerstaff, Member
Gloria Bonaventure, Member
Willia Chaney, Member
Charlotte Hill, Member
Anthony Ruggiero, Member (arrived 8:45 a.m.)
Craig Wilkinson, Member
Zhan Okuda-Lim, Student Representative

In Carson City:

Ken McKenna, Member (arrived 10:20 a.m.)

DEPARTMENT STAFF PRESENT:

In Las Vegas:

Dr. Keith Rheault, Superintendent of Public Instruction

In Carson City:

Jim Wells, Deputy Superintendent, Administrative and Fiscal Services
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Carol Crothers, Director, Office of Assessment, Program Accountability and Curriculum
Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education, and School Improvement Programs
Tom MacDiarmid, CRT/HSPE Program Manager
Tom McCormack, Charter School Consultant
Lori Johnson, Executive Assistant to the Superintendent of Public Instruction
Karen Johansen, Administrative Assistant to the State Board of Education

LEGAL STAFF PRESENT:

In Carson City:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Sandy Ginger, Clark County School District
Deb Hegna, Clark County School District
Janissa Macon, Parent, Imagine School at Las Vegas
Brenda Larsen Mitchell, Clark County School District
Dr. Wendi Hawk, Principal, Nevada State High School
Dr. John Hawk, Executive Director, Nevada State High School

Kelsey Varwig, Nevada State High School
Martin Gaut, Nevada State High School
Janet Gaut, Nevada State High School
Shamar Tobias, Nevada State High School
Del Sagen, Nevada State High School
LouAnn Culver, Parent, Imagine School at Las Vegas
Jasmine Roman, Parent, Imagine School at Las Vegas
Renee Crain, Parent, Imagine School in the Valle
Stephanie Gabany, Parent, Imagine School in the Valle
Michael Andrew, Parent, Imagine School in the Valle
Jennifer Longyear, Parent, Imagine School in the Valle
Jim Longyear, Parent, Imagine School in the Valle
Alyssa McCoy, Parent, Imagine School in the Valle
Ruth Stewart, Imagine School in the Valle
Lynette Cherry, Imagine School in the Valle
Jennifer Shivers, Nevada State High School
Samantha Lloyd, Nevada State High School
Janet Gaut, Nevada State High School
Sharron Williamson, Nevada State High School
Martin McMahon, Parent, Nevada State High School
Martin McMahon, Student, Nevada State High School
Jasmine Hopwood, Nevada State High School
Marc Abelman, Board Member, Imagine School in the Valle
Leisha Crawford, Parent, Imagine School at Las Vegas
Kimberly Maxson-Rushton, Attorney, Cooper Levenson
Tam Lerner, Principal, Bob Miller Middle School
Kathleen Schaeffer, Teacher of the Year

In Carson City:

Gary Olsen, Consultant, Leadership Education Advocacy Designs (LEAD)
Betty Hammond, Sign Language Interpreter
Gerianne Hummel, Sign Language Interpreter
Peter Yeager, Director, Educational Testing Service
Jerry Krummel, Nevada Connections Academy
Steve Knight, Executive Director, Silver State Charter School
Jim Martineau, Vice Principal, Silver State Charter School
Crystal Abba, Assistant Vice Chancellor, Nevada System of Higher Education
Lindsey John

Recall to Order; Pledge of Allegiance; Roll Call

President Wallace re-called the meeting to order at 8:34 a.m. and led the meeting in the Pledge of Allegiance. Roll call was heard and a quorum was present. Member Ruggiero arrived at 8:45 a.m. and Member McKenna arrived at 10:20 a.m.

Discuss possible changes to the Nevada Association of Student Council and Student (NASC) constitution making the Student Representative appointed rather than elected.

Student Representative Okuda-Lim stated he was speaking in his capacity as a state officer for the State Board of NASC regarding their position to amend the NASC constitution to make the position of the Student Representative to the State Board appointed rather than elected. Zhan introduced Sandy Ginger, Executive Director, Nevada Association of Student Council and Student Activities.

Ms. Ginger gave a brief history of the position, which has been an elected position. She explained if the amendment passes, it would not become effective until 2011. Zhan is running for the 2010 position and it will be an election of the general convention this year. The reason to change it to an appointed position is to select students who are members of student councils and have already been involved in an election process. In addition, appointing the position allows interviewers to decide who understands and is interested in education issues.

Member Biggerstaff stated she was a strong believer in the democratic process and was hesitant to recommend the position be appointed rather than elected; however, she noted the State Board President appoints members to boards.

Member Chaney asked who would make the appointment, what are the qualifications, and what is the advantage of appointing rather than electing the position?

Ms. Ginger replied the criteria would not change; they must be a sophomore or a junior with no D's or F's on their report card, and a member of their Student Council.

Member Cook said Zhan is the best student representative he has seen to serve on the State Board. However, he stated he has reservations about appointing the position rather than the democratic process of electing the position.

Ms. Ginger explained NASC was concerned the State Board have the best student representative possible. In the past, some students have not attended State Board meetings, left meetings early or had to be removed from the position because they were not fulfilling their duties.

Member Biggerstaff suggested a better orientation for the student representative position. She also suggested a link to the NASC website from the DOE website.

Approval of Request for Dual Credit, Douglas County School District

Dr. Rheault stated Douglas County is asking to add one Dual Credit class to their approved list from Western Nevada College. The elective class is Strategies for Academic Success for three college credits. The Dual Credit has been approved by the Douglas County School Board and Dr. Rheault said he recommends approval.

Member Hill moved to approve Dual Credit for Douglas County. Member Bonaventura seconded the motion. The motion carried.

Presentation on Race To The Top and Common Core Standards

Dr. Rheault explained the document on RTTT provided for the Board. He reported that he attended a meeting last night with the BRTF co-chairs, Elaine Wynn and Chancellor Dan Klaich, and was pleased with the discussion. He said the panel will be helpful working on the State Success Factors targeting the larger policy reform efforts of the State and he will be working closely with them to get the best application possible.

Dr. Rheault discussed the timetable for RTTT, which is frequently updated. He explained the work team meeting is in March for each of the major four areas that are addressed in the application, Standards and Assessments, Effective Teachers and Leaders, Turning Around Lowest Achieving Schools and Data Systems to Improve Instruction. Standards and Assessments require the State to adopt the Common Core Standards to apply for RTTT. Dr. Rheault said he has been giving informational presentations to School

Districts and Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services has been working with the staff to prepare the application.

Ms. Dopf stated she has been working with Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education, and School Improvement Programs and Carol Crothers, Director, Office of Assessment, Program Accountability and Curriculum, on the instructional programs that are impacted by the reform initiatives under RTTT. They have been working with their staff, school district representatives, teachers and their association representatives, RPDP and higher education staff. The two largest school districts, Washoe and Clark, have been especially helpful supporting the development of an application and providing staff to help with the work teams. Ms. Dopf said the work has been energetic and she thinks they will have a credible product.

Dr. Rheault stated the results of the Phase I winners will be announced in early April. Phase II will need to be finalized by the end of April then brought to the different groups to sign. At the school district level are the superintendent, the President of the board, the chairperson and the teachers association. Dr. Rheault stated he must sign the application along with the Governor, the Attorney General, and Board President Wallace by May 24, 2010. The Districts Memo of Understanding (MOU) is due May 03, and the application must be received by the United States Department of Education (USDOE) by June 1, 2010. He also gave details about the point system. A total of 500 points can be earned on the application. He said Nevada's strongest area is the Data Systems to Support Instruction section worth 47 points. The second area Nevada is strong in is Turning Around the Lowest-Achieving Schools section, which is worth 50 points. Nevada needs the most work in Great Teachers and Leaders section, worth 138 points.

Dr. Rheault said the points for Common Core Standards are awarded if they are adopted by August 8, 2010, and they must be adopted to qualify for the RTTT. The standards were released for public comment last week and they received a great deal of national press. Nevada has contracted with Edvantia to analyze the standards, look at the alignment, and identify any gaps. The final draft of the standards will be reviewed at an Academic Standards Council meeting with a State Board workshop for public input in May.

Discussion continued with the Board and Dr. Rheault regarding RTTT and the application.

In response to Member Biggerstaff's question regarding the Mega Conference on April 23-24, 2010, Ms. Dopf replied the Mega Conference is an annual training conference for school districts, educators, parents and State Board members. The conference features selected (model) schools in the State that have brought about changes in achievement and significant growth based upon using (model) programs. This year the conference is at Lake Tahoe. The Mega Conference starts late afternoon on Friday, April 23, 2010. She said they are planning to have a pre-conference activity that invites school district superintendents and their key staff to discuss RTTT. The State Board is welcome to attend the Mega Conference as well as the pre-conference.

Process for Determining Cut Scores on Statewide Assessments

Carol Crothers, Director, said she will be coming to the May 14, 2010, Board meeting to adopt cut scores on assessments based on previously revised standards and today she wanted to give the Board an understanding about how the process works. Ms. Crothers explained the process of adopting cut scores is referred to as standard setting. She referred to the outline provided to the Board and addressed the following questions:

- **When is it necessary to adopt new Cut Scores on State Assessments?**
 - When a revision or adoption of new academic standards results in a significant change in the assessment
- **How does the Standard Setting process work?**

- Using assessment items and student data, Nevada educators and stakeholders assemble to make recommendations regarding the proficiency cuts for each grade level
- Recommended proficiency cuts are presented to State Board of Education
- State Board reviews impact data and recommendations to adopt cut scores for each proficiency level
- Adopted scores may be mapped onto a scale (i.e. 100 - 500) to be used in student results.
- **What are some of the options for the State Board in the Adoption of the New Proficiency Cuts?**
 - The Board may choose to adopt the cut scores as recommended by the standard setting committee
 - The Board may choose to adopt higher or lower cut scores, as the Board deems appropriate
 - If the Board chooses to adopt a cut score that results in an unexpectedly low rate of proficiency, the Board may also adopt a lower cut score to be used for a specified period of time to allow schools and students an opportunity to better prepare for the higher cut score.
- **What is the schedule for Nevada's Standard Setting Meetings for Spring 2010?**
 - April 20 - 27: Meetings for the Nevada Alternate Assessment (NAA)
 - Mathematics
 - ELA (Reading & Writing)
 - Science
 - May 3-7: Meetings for the Criterion Reference Test (CRT) and High School Proficiency Examination (HSPE)
 - Mathematics
 - Science
 - May 14 - Adoption of Cut Scores by the State Board
 - Week of May 24 - Receipt of data files from measured Progress and begin work on AYP.
- **Why is there no Standard Setting for the (CRT) and (HSPE) in Reading?**
 - The CRT and HSPE reading tests will not be administered "live" until the spring of 2011. Therefore, standard setting will occur in April or May 2011.

Approval of Testing Contract with Measured Progress

Ms. Crothers introduced Tom MacDiarmid, Program Manager, for the High School Proficiency Exam (HSPE) and Criterion Referenced Test (CRT). She explained the current five-year contract with Measured Progress will expire on June 30, 2010 and State Purchasing requires a new bid.

Tom Mac Diarmid explained how the current contract was re-evaluated in order to save money for the state and in the federal assessment budget for the tests.

The request for proposal was completed and put out to the public the first part of November 2009. Interested vendors submitted questions, and in December, they submitted their final proposals. A review team consisting of six members met in January to review the proposals from four different vendors. They reviewed the merits of the proposals based on areas of demonstrated competence, experience with similar contracts, the expertise of the people assigned to the contracts and their response to specific items and the cost. Through the evaluations, a recommendation was made to stay with the current vendor. The entire process was completed through the State Purchasing Office.

Ms. Crothers explained her handout outlined the three-year budget. She pointed out the beginning costs in 2011 is lower than what they are currently paying in the existing contract.

Member Biggerstaff commented that approving the vendor for the testing contract is a significant task and asked if the Board could see how the evaluation process is developed in the future. She stated there is no comparison with the other vendors to understand how the process developed.

Ms. Crothers responded that the current vendor has been the most popular because of their responsiveness and flexibility to the needs of Nevada. She said the information Member Biggerstaff is requesting is not publically allowed until the Board of Examiners has approved the contract.

Member Biggerstaff asked how the Board could be required to make a decision without information regarding bids or decision-making.

Ed Irvin, Senior Deputy Attorney General explained the Request For Proposal (RFP) process is covered by statute. He admitted it is a confusing process and has proprietary protections for bidders with confidentiality attached to it. There can be some provision of information; however, most of the process is confidential.

Discussion continued regarding approval of the contract.

Member Ruggiero moved to hold the item in abeyance until the May meeting and until they receive more information from the other bidders. Member Chaney seconded the motion.

There was further discussion with the Board and Mr. Irvin.

Member Cook stated he supported the approval of the contract and that was the best course to take.

Member Biggerstaff stated she wanted to be certain the vendor was complying with the previous contract and there had been no complaints. She said she is satisfied they went through the process correctly and she would approve the contract.

Member Ruggiero stated the Board could be subject to litigation by the persons who submitted bids that were not approved. He said his motion stands.

The motion failed.

Member Cook moved to approve the proposed contract. Member Biggerstaff seconded the motion. Member McKenna arrived after the item was discussed and abstained. The motion carried.

Time: 10:10 a.m. WORKSHOP to Solicit Comments for new Regulations for College Readiness Standards; Definition and Criteria

Dr. Rheault stated Nevada has been singled out for not having College Readiness Standards, which includes a definition of College Readiness, and test scores that would indicate a student is college ready. A task force consisting of 16 individuals representing Higher Education, School Districts, the Department of Education and other stakeholder groups was formed. They proposed draft wording for today's workshop. After public comment, it will be submitted to the Legislative Counsel Bureau's Legal Division to be put into regulation language. Then it will be brought to the May board meeting as a public hearing for consideration to adopt.

Dr. Rheault introduced Crystal Abba, Assistant Vice Chancellor, Nevada System of Higher Education (NSHE), who was the lead person organizing the task force. Ms. Abba explained the specific wording

included in the proposal and provided background information and data that lead to their decisions. The group looked at other states definition to help define the standards for Nevada.

Ms. Abba said the intent of the Task Force was to develop a definition to communicate what it means to be college ready for high school counselors, parents and students, “a demonstrated proficiency of a high school graduate to participate and succeed in an academic program leading to completion of a 2-year or 4-year college degree program”. The Task Force deliberately referenced the Nevada Advanced Diploma, and those courses that are defined to attain it, plus two years of foreign language to define the course of study for college readiness. She added there is overwhelming evidence that recipients of a Nevada advanced high school diploma go on to college and succeed in graduating. There is also a great deal of data and research that indicates two years of the same foreign language is critical to success in college.

Member Cook stated he applauded the focus on foreign language. He added high schools are now providing American Sign Language (ASL) as a foreign language. Many students at community colleges might decide to go onto college, but have not achieved full college readiness. They rely on language and mathematics remediation courses, yet they are not readily available or are full, and that needs to be addressed especially at the College of Southern of Nevada.

Dr. Rheault stated if high school students complete credits in ASL they would receive credits for foreign language from the school district.

Ms. Abba said the Board could consider clarifying the regulation by writing into the regulation that the foreign language requirement could be fulfilled with the ASL courses. In response to Member Cook’s comments regarding the College of Southern Nevada and the remediation courses, she said there are many students that attempt to register into those courses but cannot because they fill so quickly. She added there are a number of constraints, the most pressing being budget restrictions.

Ms. Abba stated there are high schools, particularly in rural areas, that do not have the faculty to teach a full course of study in a foreign language and that Nevada Community Colleges are committed to providing those courses to high schools via distance education.

Member Biggerstaff commented that Channel 10 would be offering foreign language on the internet.

President Wallace opened the workshop for public comment at 10:57 a.m. There were 12 audience members in attendance in Carson City and 31 audience members in attendance in Las Vegas. Hearing no public comment, President Wallace closed the workshop at 10:59 a.m.

Possible Revocation of Imagine School at Las Vegas’ (ISLV) Subsection 7 Charter

Jim Wells, Deputy Superintendent, Administrative and Fiscal Services, discussed the revocation of the charter issued on December 6, 2008, to Imagine School in Las Vegas (ISLV) issued pursuant to subsection 7 of NRS 385.427. The charter expires on Dec 6, 2010. The Department of Education (DOE) first discussed revoking the charter in November 2009, when it was brought to management’s attention by Tom McCormack that the signed charter was not received from the school, and there had been no activity with formation of the governing body. Dr. Harvey Williams, Liaison, ISLV, contacted DOE in mid December regarding the intent to commence operations in the fall of 2010. Following that communication, and based on the lack of governance at ISLV to that date, the Department began the steps of documenting the corrective actions that needed to occur. Mr. McCormack sent a letter dated February 10, 2010 that outlined deficiencies, corrective action and non-compliance, signed by the Superintendent and mailed to the members of the committee to form ISLV. A list of the governing body members was never provided to the DOE.

Mr. Wells explained that the reason for revocation of the charter is ISLV failed to comply with the following:

- Deficiency 1. ISLV has failed to comply with NAC 386.240 (1)
- Deficiency 2. ISLV has failed to comply with NRS 386.549 (1) and NAC 386.345 (4)
- Deficiency 3. ISLV has failed to comply with NRS 386.549 (4) and NAC 386.345 (6)
- Deficiency 4. ISLV has failed to comply with NRS 386.550(1)(e)
- Deficiency 5. ISLV has failed to comply with NAC 386.345(5).

Mr. Wells said the DOE is asking the Board to find there is substantial evidence that ISLV failed to comply with NRS 386.500 to 386.610 and other statutes or regulations applicable to charter schools, and hereby is asking the State Board of Education to revoke the charter in accordance with subsection (1)(A)(3) of NRS 386.535.

Member Cook disclosed he is a member of the Sierra Crest Charter School governing body sponsored by Douglas County. He is also a part time math teacher for Beacon Academy, an online distance education charter school, sponsored by the State of Nevada. He stated he would not vote on the matter.

Kimberly Maxson-Rushton, Attorney, Cooper Levenson said she was appearing on behalf of ISLV. Ms. Maxson-Rushton asked the request for revocation set forth by the Department be denied. She said that in 2008 the State Board as sponsor of the proposed charter school granted a provisional Chapter 7 authority to the school in order to begin or initiate operations to operate as a charter school in Clark County. That specific authority as set forth by statute and confirmed by regulatory provisions and applicable to that grant authorized a governing board to begin to prepare to open a new charter school. It is applicable for a two-year period and is not set to expire, nor does the school have an obligation to begin or initiate operations until after December 2010. It contemplates the board forming, organizing, identifying a location and preparing to educate students. No funding has been received by the board. She said while there have been deficiencies; they are not so fatal as to demonstrate a lack of confidence of not being able to move forward. She continued that partly due to the downturn in the economy, their board has been in a constant state of flux in its ability to attract and retain members of the governing board that meet the statutory and regulatory requirements. Currently, they now have a governing board that meets the requirements and is committed to moving forward to opening and operating a charter school and have had training in the Open Meeting Law (OML).

Ms. Maxson-Rushton again requested the revocation be denied and provide the school the statutory and regulatory authority to move forward with the continuing formation, operation and preparation for the new school. She stated that if in December of 2010, the written request to move from a provisional Chapter 7 to a Chapter 5 approval has not been submitted or the standards in governance practices have not been met, at that time, action proposed by the DOE should be sustained and the school should move forward with other alternatives. She added there is no chance the school will open in the fall of 2010; they are anticipating an opening date in 2011.

In response to Member Chaney's question regarding what will be different, Ms. Maxson-Rushton answered they have identified eight board members who meet the requirements and are interested in serving on the governing board. The charter has been signed and returned to the DOE. There has been training in the OML. As they move forward to identifying a proposed site, they will also begin to develop policies and procedures consistent with the statutory and regulatory obligations of operating a charter school. In addition to that, once a proposed site has been identified, the school board will be in a better position to identify and put together a proposed budget. Thereafter, consistent with the steps of a charter

school that has been approved pursuant to Chapter 5, it will begin its final steps in organizing and operating a school.

Member Chaney asked Ms. Maxson-Rushton what she wants the Board to do. Ms. Maxson-Rushton replied, to provide ISLV the opportunity to move forward in the direction as contemplated by the law and to begin to operate the school.

Member Biggerstaff asked why the DOE is moving ahead with revocation at this time, and if there were a timeline for fulfilling provisions before their subsection expires.

Dr. Rheault responded the Department previously waited and provided correspondence back and forth when there were problems with carrying out the requirements of the law for State sponsored charter schools. Direction was given by the Board not to wait until it was too late, but to bring issues to the Board sooner rather than later. He clarified it is the Board's decision to accept the findings or to delay and give them more time. He added the item today requires the board to revoke the Subsection 7 or not, or add stipulations the Board wants to see occur between now and a future time.

Member Ruggiero stated he applauds the Department for bringing the deficiencies to light, but the Board has the opportunity to review the Subsection 7 when ISLV comes back in December. If they have not addressed the deficiencies by then, the Board does not have to approve the full charter. He said revocation may be premature, and the argument regarding the difficult economy is a strong one.

Discussion followed.

In response to Ms. Maxson-Rushton stating she was retained with ISLV since December 2008, Member McKenna said, in general, Ms. Maxson-Rushton is informing the Board that ISLV is on a new path; they have learned their lessons and are going forward and complying with all requirements. He said he is concerned the errors have been occurring repeatedly and has little faith they will correct the deficiencies.

Ms. Maxson-Rushton said she understands and is committed to insuring all deficiencies are corrected. She stated if the Board would reconsider the revocation and possibly consider tabling it until a later meeting, that the next time they meet the Board will be impressed with the actions of the governing board.

Member Ruggiero stated there might be a middle ground and the Board could hold off the revocation imposing conditions ISLV must meet.

There was further discussion.

Member McKenna moved to table the Revocation of Imagine School at Las Vegas until the June 17-18 Board meeting, that every member of the Governing Board appear in person for discussion at the Board meeting, that they comply with every request from DOE staff and that they make a corrective action plan that is satisfactory to the DOE staff. The motion was seconded by Member Biggerstaff.

President Wallace added an amendment to the motion, that at the May 14, 2010 Board Meeting, ISLV would present an update of the corrective actions they have taken. The motion with the amendment carried. Member Cook abstained.

Public Comment

Stephanie Gabany, parent, stated Imagine School in the Valle does not have a facility to operate. They are currently located in the YMCA and she expressed concern that Imagine Schools does not have the means to have a facility for their school or a new school.

Jasmine Roman, parent, Imagine School in the Valle stated she is concerned about being located at the YMCA and does not know where they are going in 2010-2011. She added the Educational Management Organization (EMO) has asked for information from Imagine School, which has not been received yet. Jasmine stated she is concerned for the ISLV.

Renee Crain, parent, stated she has had two kindergarten students at Imagine School in the Valle. In September 2008, she was advised they would be in their own building. She said they use three facilities and is concerned there will not be a school facility in 2011 and that ISLV will not have a facility either.

Michael Andreas, parent, stated he is a parent of a second and sixth grader at Imagine School in the Valle. He said he is worried about the school his children attend having a facility in 2011, and is concerned about Imagine School opening too many schools without facilities. Mr. Andreas added Imagine Schools have been a total disappointment.

Marc Abelman, parent, Imagine School in the Valle and board member agreed the deficiencies and lack of communication from Imagine Schools is a concern. He said they are not giving attention to the existing schools and he is worried about them opening new schools and not addressing the needs of their current schools. He said Imagine Schools does not back up their words with action.

Renewal of Nevada State High School Charter

Tom McCormack, Charter School Consultant, stated that Nevada State High School is a charter school sponsored by the State Board of Education. It began operation in 2004 and its Charter expires July 1, 2010. The school has recently requested renewal for another six-year term. Per statute, the sponsor of a charter School shall renew the charter unless it finds the existence of any grounds for revocation of the charter. Although the Department has some concerns about the operation of the school and the request for charter renewal, none of the concerns at this time is grounds for revocation. Mr. McCormack said the DOE recommends renewal of the charter.

Member Cook disclosed he is a member of the Sierra Crest Charter School governing body, sponsored by Douglas County. In addition, he is a part time math teacher for Beacon Academy, an online distance education charter school, sponsored by the State of Nevada. He stated he would not vote on the matter.

Member Wilkinson disclosed Mr. Sager, who is on staff with Nevada State High School, was his counselor at Green Valley High.

Member Biggerstaff asked for an explanation of the funding when the students attend college.

Dr. John Hawk, Executive Director, Nevada State High School stated he has been with the school since its inception and was on the committee to form the school. Dr. Wendi Hawk, Principal, Nevada State High School introduced herself and said she would help answer any questions.

Dr. John Hawk said the amount of per pupil funding is approximately \$6500 and comes from the State. The money is distributed in three areas; the first area is tuition for students to attend college classes, the second area is textbooks for the college classes and the third area is for the operation of the school.

Member Biggerstaff requested that charter school budgets be included for charter school renewals in the future.

In response to Member Wilkinson's inquiring about his salary, Dr. John Hawk replied his salary ranges from \$9500 - \$9800 per month.

Member Biggerstaff asked how college instructors give credit for high school students. Dr. Wendi Hawk replied their students are full time college students. They enroll as if they were a college student under each of the college's dual credit processes. Once the college posts the grades for the students, the grades are converted into the dual credit and they are given the high school credit for their work.

Member Ruggiero moved to renew the Charter for Nevada State High School. Member Hill seconded the motion. The motion carried. Member Cook abstained.

Time: 10:00 a.m. WORKSHOP to Solicit Comments on Proposed Amendments to NAC 388.300 - Parental consent; notice to parents of proposed or refused action; statement of parental rights

Ms. Dopf, on behalf of Rorie Fitzpatrick, explained the proposal is to revise the NAC by inserting a section regarding the withdrawal of parental consent. She explained the request is to amend the state code for special education based on a change in the federal code that was finalized December 2008. She said this workshop and ultimately public hearing is to bring state code for special education in conformance with the federal code.

President Wallace opened the workshop for public comment at 12:30 p.m. There being no public comment he closed the workshop for comment at 12:31 p.m.

Recognition of the 2010 Nevada Teacher of the Year award - Kathleen Schaeffer

Dr. Rheault introduced the 2010 Teacher of the Year, Kathleen Schaeffer, a Mathematics teacher at Bob Miller Middle School in Henderson, Nevada. Ms. Schaeffer is the second teacher to receive the Teacher of the Year award from Bob Miller Middle School. Ms. Schaeffer said she was honored to be the 2010 Nevada Teacher of the Year and is fortunate to have been a teacher for the last 22 years in Clark County. She stated she has been at Bob Miller School for 10 years and had two great principals that helped her develop and create various programs, including the Bobcat Institute.

Individual Board members congratulated and thanked Ms. Schaeffer for her service as a teacher.

Tam Larnerd, Principal, Bob Miller Middle School said in addition to Ms. Schaeffer being an exceptional classroom teacher, the Bobcat Institute she started has been a landmark part of her career and ingrained itself in the foundation of Bob Miller Middle School. He said the program she created is a model they hope to see used in all middle schools throughout the State. Last year 311 incoming sixth graders participated in her institute, getting their class schedule, meeting teachers, and finding their lockers. The entire inception, coordination and development of the Bobcat Institute, is credited to Ms. Schaeffer. He thanked her for the great job she has done.

Deb Hegna, parent of student at Bob Miller Middle School, said she wanted to acknowledge Ms. Schaeffer and the great job she does. She added the Bobcat Institute was instrumental in getting her son off to the right start at Bob Miller School

Dr. Rheault added Ms. Schaeffer is Nationally Board Certified in adolescent math, which is the highest certification recognized in the State.

Recognition of the 2010 Milken Family Foundation National Educator Award Recipient, Michael Patterson, Advanced Technologies Academy in Las Vegas and Jeremy Gregersen, The Meadows School in Las Vegas

Dr. Rheault recognized the 2010 Milken Family Foundation National Educator Award Recipients and said the announcements were made in Las Vegas on February 26, 2010. The two recipients are Michael

Patterson, Advanced Technologies Academy in Las Vegas and Jeremy Gregerson, The Meadows School in Las Vegas. He explained the Milken Award is a surprise announcement. The recipients are selected from other awards, achievements and activities by a panel. The State submits a list of names for possible contention to the Milken Foundation, and then the individual is chosen. Dr. Rheault said Nevada is one of three states that receives more than one teacher award. Chuck Mathewson from Reno, who was the former director of IGT, donated \$25,000 for the award to the teacher at The Meadows School

Discussion of Non-Regulatory Guidance for Charter Schools

Dr. Rheault reported a meeting took place on February 19, 2010 regarding non-regulatory guidance. He explained the NRG is developed to administer the statutes and regulations dealing with charter schools. By putting this guidance in writing, it allows for consistency and training. The biggest issue is dealing with distance education and the count day enrollment, which will need to be put into statute and administrative code. Dr. Rheault said he would organize a meeting and invite all of the distance education providers including Clark and Washoe County along with the charter schools to look at the draft and come up with compromise language.

Appointment of Board Members to Subcommittees, Task Force Assignments, Advisory Council Appointments and Appointments to Organizations

President Wallace listed the appointments:

Board Approved: March 19, 2010

SUBCOMMITTEE ON CHARTER SCHOOLS

- | | | |
|----|-----------------------------------|--------------|
| 1. | <u>Jan Biggerstaff</u> | Chair |
| 2. | <u>Dr. Cliff Ferry</u> | Member |
| 3. | <u>Willia Chaney</u> | Member |
| 4. | <u>Alternate: Craig Wilkinson</u> | Member-South |

APPLE INITIATIVE TASK FORCE

- | | | |
|----|---------------------------|--------|
| 1. | <u>Anthony Ruggiero</u> | Chair |
| 2. | <u>Gloria Bonaventura</u> | Member |
| 3. | <u>Dave Cook</u> | Member |

SUBCOMMITTEE ON K-12 GOVERNANCE (CURRICULUM, EMPOWERMENT)

- | | | |
|----|-------------------------|--------|
| 1. | <u>Anthony Ruggiero</u> | Chair |
| 2. | <u>Charlotte Hill</u> | Member |
| 3. | <u>Willia Chaney</u> | Member |
| 4. | <u>Dr. Cliff Ferry</u> | Member |
| 5. | <u>Jan Biggerstaff</u> | Member |

Note: The Board President and Student Representative serve "Ex-Officio" to all Board appointed Committees.

ADVISORY COUNCILS OF THE STATE BOARD (North and South Members/Representatives):

SPECIAL EDUCATION ADVISORY COUNCIL

(Presidential Appointment)

- | | | |
|----|---------------------------------|----------------|
| 1. | <u>Dr. Cliff Ferry</u> | Member - North |
| 2. | <u>Gloria Bonaventura</u> | Member - South |
| 3. | <u>Alternate: Willia Chaney</u> | Member - South |

SAIN (System for Accountability Information in Nevada) ADVISORY COMMITTEE (NRS 386.650)
(Presidential Appointment)

1. Craig Wilkinson (Representative member)

APPOINTMENTS TO ORGANIZATIONS (Board Representative - Member):

COMMISSION ON POSTSECONDARY (Board Recommendation for Governor Appointment)

1. Dave Cook Appointment (11/09 – 11/12)

WESTED BOARD OF DIRECTORS:

Far West Laboratory for Educational Research and Development (FWL)

1. Jan Biggerstaff Member - Appointment (6/1/08 – 5/31/11)
2. Dr. Keith Rheault, State Superintendent ** Member - Board Appointment (3/22/04 - 5/31/10)

Southwest Regional Laboratory (SWRL)

1. Dr. Keith Rheault, State Superintendent **Member - Board Appointment (6/1/01 - 5/31/10)
2. Dr. Walt Rulffes, Clark County School Dist. Member-Board Appointment (6/1/09 - 5/31/12)

APPOINTMENTS AS LIAISONS TO ORGANIZATIONS:

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION (NASBE)

(Presidential Appointment)

1. Chris Wallace Board President

NEVADA ASSOCIATION OF SCHOOL BOARDS (NASB)

(Presidential Appointment)

1. Dr. Cliff Ferry North - Liaison
2. Jan Biggerstaff South - Liaison

NEVADA SYSTEM OF HIGHER EDUCATION (NSHE) - BOARD OF REGENTS

(Presidential Appointment)

1. Dave Cook North - Liaison
2. Anthony Ruggiero South - Liaison
3. Alternate: Ken McKenna Member

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

(Presidential Appointment)

1. Dr. Cliff Ferry North - Liaison
2. Craig Wilkinson South - Liaison

COUNCIL TO ESTABLISH ACADEMIC STANDARDS FOR PUBLIC SCHOOLS

(Presidential Appointment)

1. Ken McKenna North - Liaison
2. Jan Biggerstaff South- Liaison
3. Alternate: Craig Wilkinson Member

NEVADA PUBLIC EDUCATION FOUNDATION BOARD OF TRUSTEES

(Board Appointment) (Ex-officio Members)

- | | | |
|----|------------------------|--------------------------|
| 1. | <u>Dr. Cliff Ferry</u> | <u>Ex-officio Member</u> |
| 2. | <u>Charlotte Hill</u> | <u>Ex-officio Member</u> |

OTHER:

CEREMONIES & AWARDS

(Presidential Appointment)

- | | | |
|----|------------------------|--------------------|
| 1. | <u>Jan Biggerstaff</u> | <u>Coordinator</u> |
|----|------------------------|--------------------|

THE NEVADA INDIAN EDUCATION TASK FORCE

- | | | |
|----|---|--------------------------|
| 1. | <u>Willia Chaney and Gloria Bonaventura</u> | <u>North & South</u> |
|----|---|--------------------------|

Discuss possible revisions to 2010 Board meeting dates as well as location and agenda for the August 2010 Board Retreat

Dr. Rheault commented this item initially was included on the agenda when a bill from the special session passed stipulating all state agencies must go to a four-day week. The Governor vetoed the bill but later signed an executive order supporting a flexible workweek. State agencies can apply to his office for approval to implement the 4/10 workweek. Dr. Rheault said he does not intend to submit an application for the Department of Education.

Member Biggerstaff commented that Board members have been attending the ACR 2 meetings and the last one is May 13, 2010. She remarked the Board needs to make decisions prior to the last meeting and have a discussion regarding their recommendation of State Board makeup and whether it should consist of elected as well as appointed members. She suggested a half-day meeting on May 12, 2010 for further discussions.

President Wallace agreed to a half-day meeting on Thursday, May 12, 2010, at 3 p.m. to discuss the Board's position and recommendations for the makeup composition of the Board and governance structure to present at the final ACR 2 meeting. The regular Board meeting will meet on May 14, 2010 at 8:30 a.m.

Member Biggerstaff moved that the Board Retreat location be in Carson City at the Department during the August 11-13, 2010 scheduled meeting. Member Wilkinson seconded the motion. The motion carried.

Board Member Comment

Member Biggerstaff commented that questions arising from the ACR 2 and Legislative Commission on Education meetings (LCE) include *what is the vision of education in Nevada*, and who determines the vision? She said this is what the Board should be deciding, and suggested it is a serious topic that should be discussed at the Retreat and include where do we want education to go, what is our vision, and who are the leaders of education?

Student Representative Okuda-Lim reported on the United States Senate Youth Program that he attended in Washington DC, March 6-13, 2010. He stated it was an outstanding week and the students met President Obama. One of the big lessons he took home from the President is, they should not spend time as leaders thinking of who they want to be, rather what they want to do. He added he will be running for re-election for the Student Representative to the Nevada State Board of Education and hopes to come back with good news at the next Board meeting.

Future Agenda Items

Member Biggerstaff said she would like to have the governing board of Imagine School in the Valle, Las Vegas at the next Board meeting to answer questions that have been raised.

Member Cook suggested the use of electronic grade books for performance be discussed at a future meeting. He also suggested that appropriate standards find their way into class and curricula including standards to reduce obesity and promote healthy children for better performance.

Public Comment

Gary Olsen, Consultant, LEAD, said he is concerned about deaf issues in Nevada Schools. He stated he has worked for deaf services in Nevada statewide, and is concerned there is insignificant progress being made addressing deaf and hard of hearing children's needs in schools. Too often deaf people become dropouts, on welfare and unable to find employment. He said he is asking the State Board to help pursue various ways to help deaf children in the school system, especially in the lower grades. Today children that are exposed to both speech and sign language will succeed in school. He said that is not occurring in the school systems. Mr. Olsen stated he has a master's degree, has been a teacher and a principal. He said he knows that if given the opportunity, deaf students can become as successful as he has.

President Wallace adjourned the meeting at 1:19 p.m.