

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

March 18, 2011

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:

Gloria Bonaventura, Member
Willia Chaney, Member
Sandy Metcalf, Member
Craig Wilkinson, Clerk
Annie Wilson, Member
Cliff Ferry, Member, Absent
Zhan Okuda-Lim, Student Representative

In Carson City:

Chris Wallace, President
Dave Cook, Vice President
Stavan Corbett, Member
Adriana Fralick, Member

DEPARTMENT STAFF PRESENT:

In Carson City:

Dr. Keith Rheault, Superintendent of Public Instruction
Dr. Steve Canavero, Director, Office of Charter Schools
Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs
Stephanie Hartman, K-12 Social Studies Education Programs Professional

LEGAL STAFF PRESENT:

In Las Vegas:

Robert Whitney, Deputy Attorney General

In Carson City:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Jim Haug, Reporter, Review Journal
Debbie Cahill, Nevada State Education Association
Diane Donaldson, Pearson Assessment

In Carson City:

Dane Watson, Nevada State Education Association
Kathleen Conaboy, K-12, Inc.
Nicole Rourke, Clark County School District
William Haft, National Association of Charter School Authorizers

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

The meeting was called to order at 8:32 a.m. with attendance as reflected above.

Member Cook moved to approve a flexible agenda. Member Wilkinson seconded the motion. The motion carried.

President's Report

President Wallace reported on recent meetings with Assemblywoman Debbie Smith, Senator Majority Leader Horsford, Assemblyman Bobzien, Chair of the Assembly Education Committee and Senator Mo Denis, Chair of the Senate Education Committee. They discussed governance in education. President Wallace stated the legislators are supportive of the Assembly Concurrent Resolution No. 2 (A.C.R. 2) recommendations, which is now Senate Bill 197 (S.B. 197). He added further discussions with legislators regarding education bills would occur in the coming weeks.

Superintendent's Report

Dr. Keith Rheault, Superintendent of Public Instruction updated the Board about the retirement of Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services and the steps he will take to fill her position. He informed the Board about recent legislative meetings. The last budget presentation will be on Thursday, March 24, 2011 at 7:30 a.m. There are 14 Department of Education Budgets including the State Board budget. The Governor's recommended budget utilizes \$425 million of capital expenditure funding from school districts that were generated through property taxes and bonding. A bill sponsored by Assemblywoman Debbie Smith would use the same funds allowing school districts the flexibility to use the funds earlier for capital expenditures. The bill passed the Assembly, will move to the Senate and then on to the Governor's desk. If the bill passes, it will create a hole in funds for use in the general operational cost of the school districts distributive school account (DSA) in the governor's recommended budget.

Dr. Rheault explained Assembly and Senate committees meet on Wednesdays and Fridays and they have heard about 12 bills. April 15, 2011 is the deadline for policy related bills to pass through the first committee. The action should pick up quickly. Bills with a fiscal note attached are required to go through the budget committees first and are exempt from the deadline.

Monday, March 24, 2011 is the third Indian Education Summit held at the University of Reno. The concentrated effort has resulted in Native American student achievement to improve over the last few years.

Member Cook asked Dr. Rheault to discuss the recent Board of Regents meetings. Dr. Rheault reported the Board of Regents met to address the severe budget crisis in higher education. The higher education institutions,

the College of Education in Henderson and the community colleges need to coordinate so that if programs are cut, at least one program will remain in a college in either the north or south of Nevada.

Member Chaney inquired if there has been discussion regarding the implementation of the block grant program. Dr. Rheault responded the governor's office has a bill draft that will detail the block grant; however, it is not available yet. The block grant would propose individual program funding at the NDE, such as \$140 million in class size reduction and \$25 million in full day kindergarten, the career and technical education funds, and other small pots of funds. The block grant would be provided to school districts without strings attached on how to use the funds. A reduction in Program funds will result in \$20 million less than what is currently received. Teaching positions would need to be eliminated to compensate for the loss of funds. The governor's office agreed to propose delaying the start of the block grants until 2012-2013 so the current funding for each individual program would remain the same for the next school year. Dr. Rheault stated there is much opposition to the block grant.

Member Corbett asked if board members could be kept informed about education bills coming up in the legislative session. Dr. Rheault responded that he would keep the board up to date on the scheduled meetings; however, bills can be added to the agenda at the last minute. He added the meetings are telecast between Las Vegas and Carson City allowing opportunity for the board members to testify on their positions at the Grant Sawyer Building in Las Vegas. View online at: <http://www.leg.state.nv.us/MeetingDisplay/AudioVideo/>

Consent Agenda

- A. The Approval of Minutes, January 25-26, 2011
- B. Approval of Two Additional Douglas Secondary Textbooks, to the adoption list for the Adoption period, March 21, 2011-2018
- C. Approval of Relicensing private schools - Merryhill School, Green Valley and Kids R Kids, Reno, for two years.
- D. Appoint nominees to serve on the Title I Committee of Practitioners, per Section 1902 Of the No Child Left Behind Act of 2011, to advise the State on Title I issues.
 - Shawn Vogel - Parent
 - Janice Rudd - School Board

Member Cook moved to approve the Consent Agenda. Member Corbett seconded the motion. The motion carried.

Approval of Request for Dual Credit Courses, Douglas County School District

For the benefit of new board members, Dr. Rheault explained dual credit courses are taken by students to earn credit at both the high school and college level. The courses must be approved by the State Board. The recommendation is to approve the request.

Member Chaney moved to approve the request for Dual Credit Courses at Douglas County School District. Member Wilkinson seconded the motion. The motion carried.

Approval of the 2011 Subcommittee on Charter Schools, Task Force Assignments, Advisory Council Appointments and appointments to Organizations.

President Wallace announced board member appointments to the following subcommittees, taskforces, advisory councils and organizations:

Subcommittee on Charter Schools

Dr. Cliff Ferry - Chair
Stavan Corbett
Gloria Bonaventura
Adriana Fralick - Alternate

K-12 Governance

Adriana Fralick - Chair
Stavan Corbett
Cliff Ferry
Dave Cook
Willia Chaney

Special Education Advisory Council

Dr. Cliff Ferry
Gloria Bonaventura
Sandy Metcalf - alternate

Commission on Postsecondary

Dave Cook

Wested Board of Directors

Dr. Cliff Ferry
Dr. Keith Rheault
Dwight Jones

Nevada Indian Education Task Force

Gloria Bonaventura
Annie Yvette Wilson

SAIN (System for Accountability Information in Nevada)

Craig Wilkinson

National Association of State Boards of Education (NASBE)

Chris Wallace

Nevada Association of School Boards (NASB)

Adriana Fralick
Sandy Metcalf

Nevada System of Higher Education (NSHE)

Dave Cook
Annie Yvette Wilson
Adriana Fralick

Commission on Professional Standards in Education

Dr. Cliff Ferry
Craig Wilkinson

Council to Establish Academic Standards for Public Schools

Dave Cook
Sandy Metcalf
Willia Chaney - alternate

Nevada Public Education Foundation Board of Trustees

Adriana Fralick
Stavan Corbett

Ceremonies & Awards

Sandy Metcalf

Member Metcalf moved to approve the assignments. Member Cook seconded the motion. The motion carried.

Report from the Governor's Office

Dale Erquiaga, Senior Advisor to Governor Sandoval reported the governor supports Senate Bill 212 (S.B.212), with provisions relating to the sponsorship of charter schools and creating the State Board of Charter Schools.

Mr. Erquiaga stated Governor Sandoval declared March reading month and he visited many elementary schools to read to the students. He added the governor would like to see data reporting for second grade reading proficiency by the end of the year. If a student is not reading at grade level by third grade, the governor's legislative agenda will propose that the student not be advanced to the fourth grade.

Mr. Erquiaga stated the governor would introduce three policy bills through committee dealing with education that will be available next week. One is a constitutional amendment to allow vouchers. The bill would need to pass two sessions of the legislature and a vote of the people for it to take effect. Another bill request deals with educator accountability. The governor will take additional steps with regard to teacher tenure and the evaluation metric used for teachers as well as a pay for performance package. The last policy bill deals with a score form to

establish a means by which the letter grading system can be used to convert existing data into an easily understood grade. The grade would reflect proficiency as well as growth and other factors including graduation rates. The bill will also include third grade reading proficiency and social promotion. A requirement that all districts develop a policy for open enrollment without providing transportation will be included.

Mr. Erquiaga added Governor Sandoval is working with the NDE and higher education staff on the data quality campaign, a national non-profit that focuses on data in education. A data summit will be brought to Nevada, April 20-21, 2011, to help drive a conversation about what is occurring in the nation with regard to longitudinal data systems.

Member Chaney inquired about the budgetary pitfall to implement the voucher program.

Mr. Erquiaga said the governor has spoke to the teachers association and is aware they do not support a voucher system; in addition, many school district boards have reservations about vouchers. The governor remains a supporter of voucher programs. He believes competition is good for schools and the choice is critical for parents. He added there is not a fiscal note yet because the program would not take effect until after two legislative sessions and a vote of the people. The voucher proposal cost would be scalable based on need.

Dr. Rheault asked if there were further updates on the block grant program. Mr. Erquiaga responded there are 83 bill draft request's (BDR's) to implement the governor's recommended budget, and one of them is the block grant program. The initial proposal suggested block grants of all categorical dollars be available throughout the biennium. After listening to the school districts, it was moved to the second year of the biennium. Included will be a BDR that deals with the budget implication; budget BDR's are exempt from the deadlines.

In response to Member Wilson's inquiry if transportation would be included in the voucher program, Mr. Erquiaga responded transportation would not be included rather it would be provided by parents.

Student Representative Okuda-Lim reported many of his fellow students continually ask what is the governor trying to do, what is the legislature trying to do, what is going to happen to my education and future? He added depending on what the governor and legislature does, Clark County School District may face \$400 million in cuts, programs will be eliminated, teachers will be laid off, and education will be slashed. He said he understands the financial situation Nevada is in, but the question remains, if Nevada is going bring business here, expand the economy, reduce civic ignorance, assure young citizens of today can provide for the state tomorrow and make it thrive and grow, the education system needs to be fully funded. Student Representative Okuda-Lim said on behalf of 430,000 students in Nevada; please provide adequate funding for education

Mr. Erquiaga responded the governor considers all the facts, including the economic and business climate. Two years ago, the legislature raised \$800 million in new taxes to alleviate cuts. Nevada's economy worsened, and more people lost their jobs. That is a concern and raising taxes has unintended consequences. It delays some difficult decisions in government but it causes difficult decisions in the private sector. There is no good answer, only tough decisions. All services will face cuts.

Member Cook suggested an immediate and direct way to enhance choice in public education is to develop the charter school system. At this time, charter schools are not funded through the DSA at the same level as other schools. He asked if the governor has a plan to correct the inequality.

Mr. Erquiaga replied they heard from charter schools and their association regarding the impact of budget costs. An average loss of \$275.00 per pupil is dramatic. The hope is for charter schools to have more access to federal dollars by creating a State Board of Charter Schools or a Charter School Institute structure. Approximately 12,000 students attend charter schools, which makes them the third or fourth largest school district. The governor supports charter schools, believes they must be treated as a school district and they must have a voice.

Member Corbett stated programs might be cut or diminished in post-secondary education, and asked what is going to happen to individuals that want to become teachers in Nevada. Mr. Erquiaga responded that budget cuts would affect higher education. He said the governor was pleased the Board of Regents took the idea of institutional closures off the table, however, there will be losses and degree programs will change. The Board of Regents addressed it in a realistic way based on the advice of their administrators. A piece of the governor's budget that offers long term help for the university system is that proposed property tax dollars in the two largest counties be permanently assigned to the university system. For the first time higher education would have an inside source of local property tax. Part of the BDR to implement that shift would also include what the Regents have long asked for in terms of autonomy and their ability to move funds freely between institutions and programs, and to differentiate their tuition.

Presentation on Overview of Special Education in Nevada

Rorie Fitzpatrick, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs, conducted a PowerPoint presentation about the basic tenets of special education and related services for students with disabilities. The points discussed include:

- There are Federal laws, Individuals with Disabilities Education Act (IDEA), Federal Regulation 34 CFR, Part 300 and State laws, Nevada Administrative Code (NAC), Chapter 388, that guide the service provision for Special Education and give specific directions on how statute is to be implemented.
- Special Education is designed for infants, toddlers, children and youth. Early Intervention Services through the leadership of the Department of Health and Human Services include 1-3 year olds. The Department of Education has oversight for the provision of services for children and youth from 3-22, or until they graduate. There are 13 categories of disabilities.
- The basic foundational premise for special education is access to Free Appropriate Public Education (FAPE). Provisions are included for students with disabilities to have access to the general education curriculum.
- Accountability and Reporting is expected relative to the provision of Special Education and related services. The report is titled the State Performance Plan and Annual Report, which includes 20 federally specified indicators required under IDEA.
- The role of the NDE includes providing technical assistance and professional development, general supervision and resource allocation.

Member Chaney inquired about the connection between Special Education and Child Find. Ms. Fitzpatrick explained Child Find is a requirement that exists for early childhood students and is an expectation that a school district or state sponsored charter school finds any student with suspected disabilities, and then conduct an eligibility process to determine if the student requires special education.

Member Corbett inquired about how parents are informed of their right to a grievance process. Ms. Fitzpatrick replied when a parent has questions or concerns regarding services for special education; a packet of information referred to as the Procedural Safeguards document, available on the NDE and school district websites is provided. The document clarifies requirements along with procedural safeguards for a parent who has a child with disabilities. She added Nevada Parents Encouraging Parents (PEP) is a federally funded organization in the state that offers parent training and includes an information center to provide assistance, training courses and advocates if required. Their contact information is www.nvpep.org or 800-216-5188.

Member Cook asked how needs of hearing impaired students with regard to American Sign Language (ASL) interrupters are being met. Ms. Fitzpatrick explained there are supplemental regulations that speak to the requirements for educational interrupters. They are required to pass a stringent test to become a licensed hearing-impaired interrupter.

Member Bonaventure asked about the involvement of Special Education for private and charter schools. Ms. Fitzpatrick said state sponsored charter schools are required to follow federal statute and regulations as well as Nevada regulations. Technical assistance and support is provided for state sponsored charter schools. School

districts provide support for district sponsored charter schools. Private schools have specific requirements in IDEA for their students that have been identified with a disability.

Discussion of results from the National Association of Charter School Authorizers (NACSA) Evaluation

William Haft, Vice President of Authorizer Development, National Association of Charter School Authorizers and Dr. Steve Canavero, Director, Office of Charter Schools presented the findings and recommendations from the Authorizer Evaluation report conducted by NACSA.

Dr. Canavero informed that he applied for a competitive authorizer evaluation grant from NACSA seven months ago. He explained it is valuable to have the expertise of NACSA conduct an evaluation through a desk audit of material, focus group interviews and by observation. They evaluate our practices against NACSA standards and principles for quality authorizing state public charter schools.

Mr. Haft stated the evaluation was conducted over the past two months and he would present the results in broad terms. The intention of the evaluation is to identify areas where the authorizer has strengths and to identify priorities for improvement. Mr. Haft said the mission of NACSA is to improve student achievement through responsible charter oversight and public interest. They are a national not for profit membership association and the only charter organization that focuses on authorizing. He said the role of authorizer makes at least two critical decisions in the life a charter school: whether to approve the application and whether to renew the school. Ultimately, the focus is on improving education outcome.

Mr. Haft explained the authorization quality is rated in two categories:

- Establishes - Refers to the authorizer's practices as set out "on paper" whether by policy, protocol, or other means. It also addresses the way that the authorizer communicates information about its practices to relevant stakeholders within the authorizing agency and to schools. This category rates the authorizer based on what it plans to do.
- Applied - refers to the authorizer's practices as applied. This category rates the authorizer based on what it actually does.

The target rating is well-developed or fully meeting NACSA's principles and standards.

Mr. Haft shared the summary of results of the evaluation in the four major categories:

- **Application Decision-Making** - Does the authorizer approve applications based on demonstrated preparation and capacity to operate a quality charter school?
 - Established - Partially Developed
 - Applied - Minimally Developed
- **Monitoring Operations** - Does the authorizer establish and monitor school compliance with rigorous operational expectations?
 - Established - Partially Developed
 - Applied - Partially Developed
- **Performance Based Accountability** - Does the authorizer use comprehensive academic, financial and operational performance information to make rigorous, merit-based accountability decisions?
 - Established - Minimally Developed
 - Applied - Partially Developed
- **School Autonomy** - Do Schools have the autonomy to which they are entitled?
 - Established - Undeveloped
 - Applied - Partially Developed

Mr. Haft said the information is intended to be an informative evaluation with the purpose of giving guidance in improving as an authorizer. He summarized the evaluation and discussed the positives as well as the criticisms.

Dr. Rheault suggested the Board accept the report containing general principals of standards for quality rather than approve recommendations. Dr. Canavero added the intent is to improve the practice of the Office of Charter Schools through constructive feedback.

Mr. Haft discussed the next steps in two parts. First, practical authorizer improvements can be made with quick fixes, some high priority fixes and action items that refer to recommendations in the report. Short-term fixes include working on the evaluation criteria for the application and evaluation criteria related to Education Management Organizations (EMO) to tighten up the application process for the upcoming cycle. Medium term is high priority to develop a charter contract as a separate document from the application that governs the relationship once the school is in operation. Connected to that is the accountability plan which can take time, it includes the educational performance expectations. Organizational performance is complying with law. Longer term is to delineate the relationship between autonomy supports, such as the technical assistance side of the department work and accountability, then balance those three. There are three questions on the strategic side that the department is encouraged to think about as an ongoing process.

- What are the priorities for chartering statewide?
- How do charter priorities connect with broader public education goals and strategies?
- What does the agency structure and capacity need to look like to support quality authorizing and strategic goals?

Dr. Canavero explained he submitted a letter of intent to apply for an implementation grant to secure funds and expertise in areas related to the application and decision-making process of the application, as well as performance based contracting. If the proposal were accepted then an invitation to create a full application for an implementation grant would be received from NACSA.

Dr. Rheault remarked this is good information for the Office of Charter Schools to use as they move forward. Looking at changes to NAC regulations may be required; however, there is a legislative bill that takes the authorizing of charter schools away from the Board and gives it to another entity. He added the Board is not being asked for an official endorsement or approval of the report, rather the intent is to keep them aware of what is being done to improve the authorizing and approval of charters in schools. The Board will be kept informed and updated about legislative outcomes.

President Wallace clarified the NACSA report is for informational purposes and the Office of Charter schools will move forward with suggestions from the report. When policy changes occur that need to be made in NAC regulation, they will be brought back to the Board for approval.

Discussion of results from the Financial Literacy Survey distributed to Social Studies teachers in School Districts.

Stephanie Hartman, Education Programs Professional, K-12 Social Studies, stated a survey was conducted with the school districts regarding the development of the implementation of Senate Bill 317 (S.B.317), curriculum on personal finance. The survey questions were drafted with input from Sue Davis, Washoe County School District, Melissa Scott, Business Consultant, NDE and Karlye Mull, Social Studies Coordinator, Clark County School District. Ms. Hartman gave an overview of the respondents. The survey was received by 38 individuals, with 14 responses.

Personal Finance was primarily integrated into the U.S. Government course, at the senior level, because it is the only required course taken by all students. Therefore, most school districts have implemented a stand alone, 4-5 week Personal Finance curriculum in the U.S. Government course. Personal Finance does not align with math content in terms of algebra, geometry, calculus or statistics. Some districts have adopted pre-packaged financial literacy curriculum, and two districts have adopted the basics of saving and investing. Much of the financial literacy curriculum, aligned to the language of S.B. 317, is free resulting in districts being able to adopt them at no cost. Washoe, Clark and some of the smaller districts provide financial literacy training for their teachers. All students must take senior U. S. Government to graduate, however not all students sit in a classroom. There is an

online version of the curriculum available that students must complete as well as an adapted version of the curriculum to meet the needs of special needs students in the districts. Some districts faced challenges implementing S.B. 317 because there was no fiscal note or financial backing to the requirement. A lack of staffing to create resources for teacher training left some districts scrambling.

Member Metcalf inquired if training would be provided to teachers that have not received training. Ms. Hartman explained in some cases smaller districts have brought specialists in to work with the teachers rather than give formal training. There is no cost for personal finance organizations in education to supply resources and technical assistance. Some respondents said they have no plan for training teachers in personal finance.

Member Chaney asked if financial literacy is being taught in all schools. Ms. Hartman responded that all districts are implementing the program; however, not all teachers have been formally trained.

Member Corbett inquired if opportunities exist for school districts to work with the NDE to identify funding through grants to assist in the implementation of training. Ms. Hartman responded she worked with a group of people including Melissa Scott and Karen Chessell from the NDE to create a translation document that provides alignment with S.B. 317 and included content to be taught. A list of free resources was provided to the schools and districts to assist in the implementation of the bill. The districts have not requested funding to implement financial literacy.

Dr. Rheault remarked the survey provides good information for the NDE if districts need additional training; however, he stated it is the districts responsibility to implement the curriculum.

Member Cook stated math is not taught in U.S. Government classes and that personal finance standards from economics should include math. He recommended the Board move forward with information about personal finance and math finance curriculums that would create an effective model for a personal finance graduation requirement of .5, with appropriate math orientation. He suggested financial literacy should include math for lending and loans as well as simple and compound interest. Member Cook said it is his opinion social science majors cannot teach the course but math majors can, and he requested the discussion continue at the May board meeting.

Review and possible action regarding 2011 Legislative bills affecting State Board responsibilities to include but not limited to: A.B.64, A.B.169, A.B.171, S.J.R.1, S.B.14, S.B.116, S.B.197.

Dr. Rheault explained he would discuss sections of the above listed bills that affect the board. If the Board chooses, they can take action to support or not support the bill. Then the Board's review and action can be presented when the bill is heard in committee at the Legislature.

Assembly Bill 64 (A.B.64)

Dr. Rheault said this bill was heard once in the Assembly Education Committee on behalf of the Clark County School District and it relates to two types of high school diplomas. Section 8 of the bill states: *a pupil, who wishes to exit high school after completion of 3 years of high school, may receive a diploma designated as a career preparatory diploma. The pupil would need to complete 18 units of credit for the diploma as prescribed by the State Board, pass the high school proficiency examination and obtain the consent of his or her parent or legal guardian. In addition, a pupil must indicate their plan to pursue this option a year in an advance or after they complete 12 units to qualify.*

The second type of diploma is regarding, *a pupil who wishes to exit high school after 12 units of credit and enroll in a postsecondary educational institution may receive a diploma designated as a move-on-when-ready diploma. The pupil would be required to complete 12 units of credit as prescribed by the State Board, pass an examination prescribed by the State Board and obtain consent of his or her parent or legal guardian. The State Board shall ensure that the examination prescribed is more rigorous than the high school proficiency examination.*

Dr. Rheault said when he attended the hearing on the bill he suggested the Board review the overall diploma requirements in the State including the standard and advanced diplomas during the interim. Then the bill could be amended stating the Board will consider reviewing the mandates and may come back with recommendations. He recommended an overall review of diplomas.

The bill also allows an alternative way to pass the high school proficiency exam. He stated an alternative method is already in place, if a student fails the high school proficiency examination at least twice, beginning with grade 12, and identified requirements are met, an alternative assessment in writing is required in writing and science. The bill asks if a student has failed to pass one subject area in high school at least six times, and if the student has 22 credits and a 2.75 grade point average, a cumulative score on the required tests would be used. The remainder of the bill concentrates on student attendance, truancy, and linking that to holding a valid driver's license.

President Wallace recommended the Board re-evaluate high school diplomas in general as opposed to adopting new diplomas. He stated he supports the cumulative testing scores for obtaining diplomas.

Member Chaney inquired if the bill addresses whether an employer can hire a student that does not have a high school diploma.

Nicole Rourke, Clark County School District informed the Board A.B.64 includes an employment component requiring school attendance and passing grades to be employed. A student must provide proof of school attendance when applying for a job. In addition, the bill reduces the number of hours a student under the age of 16 could work during the school year. Currently in statute, a student under the age of 16 can work a maximum of 48 hours. The bill proposes to lower it to 20 hours when school is in session. Another component of the bill is to require when counties require work permits for students under 16, parents are given the option of indicating the maximum number of hours the student can work and when they can work during the week versus the weekend.

Member Cook moved to support Assembly Bill 64 (A.B.64) with the exception of section 8, subsection 3 regarding alternative diplomas. Member Chaney seconded the motion. The motion carried.

Assembly Bill 169 (A.B. 169)

Dr. Rheault stated the bill has not been heard in committee yet. Assembly Bill 169 would add a new section in statute under subsection 2, *if the governing body of a charter school enters into a contract with an educational management organization (EMO) pursuant to subsection 1, the governing body of the charter school shall ensure that the contract:*

- a) *Is for a term which does not exceed the term of the written charter of the charter school*

Dr. Rheault informed this has been regulated for 15 years in the NAC. The wording is identical except the current regulation states the initial contract with an EMO cannot exceed two years. There was a good reason to limit the contract for two years when the regulation was made. A new school may not know enough about the EMO to give them a six-year contract, and it was thought to be worth starting out slow with a two-year contract. After that time, they could come back and extend the contract to four years. The other change is in subsection 8, which adds a definition for an educational management organization. Dr. Rheault stated this bill supersedes the Board's authority to regulate and is mandating without a board discussion.

President Wallace agreed, this is already covered in NAC and there is no need for a statute.

Member Metcalf moved to oppose A.B. 169. The motion was seconded by Member Cook. The motion carried.

Assembly Bill 171 (A.B. 171)

Dr. Rheault said this bill has not been heard yet and the requirements were from a 2009 bill. The NDE, K-12 school districts and charter schools have agreed on the provisions of the bill and it was brought back because it

was not finalized during the 2009 Legislative Session. A major change in the bill is included in subsection 6. Currently charter schools submit their applications to the department and they are reviewed for compliance then the application is approved or denied. The change says; *the department would determine whether the application is substantially complete and compliant*. If an application is determined not to be substantially complete and compliant, written notice would be provided, then the department *shall meet with the applicant to confer on the method to correct the identified deficiencies*. Section 2 says upon *determination by the Department that an application is substantially complete and compliant*, they would then go to the State Board for consideration. The bill does not say all of the application must be complete and compliant.

Assembly Bill 171 eliminates the statutory requirement that the State Board have a Subcommittee on Charter Schools. In addition, there is a change that the governing body of a charter school *must consist of at least one parent or legal guardian of a pupil enrolled in the charter school who is not a teacher or an administrator at the charter school*. Dr. Rheault added there might be an amendment that suggests the change include representatives, parents or legal guardian who previously had students in school. He explained the NDE and board approved a bill draft, now A.B. 41 that contains many of the same items. The bills are very similar and the assembly legislative staff was asked if the bills could be heard the same day.

Member Cook asked what areas of the bill the Board would not want to support. Dr. Rheault said a minor piece of the bill, regarding homeschooling, says *the parent of the child shall notify the superintendent of schools of the school district in which the child resides that the parent requests that the notice of intent to homeschool filed pursuant to the section be withdrawn. If the child enrolls in a charter school, the charter school shall notify the board of trustees of the school district in which the child resides of the child's enrollment in the charter school*. He explained the wording is identical to A.B. 41. Districts do not know if students enroll in charter schools because there is no communication. An application is made once to withdraw a student for homeschooling, and they are not required to report to the school district.

Counting students in the fall can be inaccurate. If a charter school enrolls a formally homeschooled student the bill would require the charter school to notify the student's school district so the list can be changed.

Dr. Rheault said he agreed with the homeschool parents, if they enroll their children back in the district, they would not need to report to the district. He said if A.B. 41 were to be heard, he would delete the reporting requirement for homeschool parents to advise the district the student is enrolled back in the district. He would leave the piece regarding if the child enrolls in a charter school, the charter school would be responsible to notify the district.

Member Wallace asked for clarification that A.B. 41 is identical to A.B. 171. Dr. Rheault confirmed it is the same wording. He agreed with the homeschool parent associations to pull the sentence on page 19 of the bill beginning with subsection 9.

Member Cook moved to support A. B. 171 and the superintendent's recommendation to accept the exclusion of homeschool parent notification, subsection 9. Member Metcalf seconded the motion. The motion carried.

Senate Joint Resolution 1 (S.J.R. 1)

Dr. Rheault said this bill is on behalf of the Nevada Youth Legislature and proposes an amendment to the constitution to allow a state lottery to support public education. It is a concept, and not necessarily a resolution.

Member Wilkinson asked how successful state lotteries have been in other states. Dr. Rheault responded that quite a few states have a lottery for education. In almost every case, after the first few years, the lottery runs out of money to fund education.

Student Representative Okuda-Lim, member of the Nevada Youth Legislature, said he wanted to clarify the bill does not establish a lottery. Rather, it amends part of the State Constitution, section 24, article 4 that says the State may not have a lottery except for charitable purposes. This bill would add the state could have a lottery for charitable purposes or education. The Legislature would determine the details in a bill to operate a state lottery for the support of public education. In addition, the Legislature would establish a committee to oversee the operation of the lottery. The process to amend the state constitution takes five years. The bill could bring in \$50 to \$80 million a year. It will not solve the problem; it is a long-term way to help support education.

Member Cook moved to support S.J.R. 1. Member Chaney seconded the motion. The motion carried.

Senate Bill 14 (S.B.14)

Dr. Rheault stated S.B. 14 was heard Wednesday in the Joint Senate and Assembly Education Committee. The bill is coming forth from the Youth Legislature and would require the State Board to develop model curriculum for English Language Arts and Math. The curriculum would be provided to the districts and they would disseminate it to the schools. The board is responsible for adopting courses of study and the standards, the districts are responsible for implementing the standards and developing the curriculum. The NDE supports the bill, it is part of the adoption of the common core standards and 43 states are developing materials for the common core. Nevada has had standards since 1997 and statute requires they are revised every seven years. Whether or not Nevada adopted the common core, school districts are required to implement revised standards. It is no different from the procedure in place for the last 14 years when the standards were revised. The bill has no additional fiscal payment by the state.

Member Fralick moved to support S.B. 14. Member Corbett seconded the motion. The motion carried.

Senate Bill 116 (S.B. 116)

Dr. Rheault stated the bill would add an additional diploma called the Adjusted Adult Diploma, and it is supported by Nevada State Education Association. It requires that *the State Board shall adopt regulations that prescribe an adjusted adult diploma*. School districts and some NDE staff have concerns about the bill. Students up to 22 years are entitled to special education services under the K-12 system. If they meet their Individualized Education Program (IEP), there is an adjusted high school diploma. One concern is it may imply the student was entitled to certain services under K-12 that no longer exist because they are over 22. It refers to an adjusted adult diploma for people who are over 22 years old. If they are under 22, they could get the adjusted high school diploma. He said in discussions with the Nevada State Education Association, it was suggested that if the Legislature changes the other bill and allows the Board to review the high school diplomas within the State, this bill could be added for discussion. Dr. Rheault stated his staff does not support the bill as presented because it mandates the additional diploma be adopted without discussion and review of ramifications. Currently there is an adult diploma; this would be a new diploma.

Member Cook moved to oppose S.B. 116. Member Corbett seconded the motion. The motion carried.

Senate Bill 197 (S. B. 197)

Dr. Rheault explained S.B. 197 is work that was done during the interim by the Legislative Commissions Committee to Study the Governance and Oversight of the System of K-12 Public Education. It has not been scheduled for a hearing yet, and there will be competing bills coming to the Legislature. A piece of the bill eliminates the current makeup of the Board and would eliminate the 10 member elected board to be replaced with a seven-member board. Four of the positions would be elected, three would be appointed, and there would be four appointed non-voting members. The bill would change the name of the State Board to the Nevada Commission on K-12 Public Education. It proposes, *one meeting of the Commission would include a discussion with the superintendents of schools, school districts, presidents of the boards of trustees of the school districts, representatives of the governing bodies of university schools for profoundly gifted pupils and the chairs of all boards, commissions and councils in the public education system in this State.*

Dr. Rheault explained the bill would leave the Superintendent of Public Instruction to be appointed by the State Board, however additional duties would be required giving the superintendent further authority. In addition, the bill eliminates some of the councils, commissions and boards that have been established over the last 14 years, including the Commission on Educational Excellence and the Educational Technology Commission. The Academics Standards Council would also be eliminated. Section 47 of the bill says the Superintendent of Public Instruction would be responsible for the oversight of the state council, doing the state coordination at the state level and there would still be regional governing boards that oversee the day-to-day operations. Section 55 describes the terms of all members on the State Board of Education who are incumbent on December 31, 2012. Current board members would be done on that date and the new State Board would be in effect January 1, 2013.

Student Representative Okuda-Lim explained the current process of how the Student Representative is chosen to serve on the State Board. The State Board and the NDE have had a long-standing relationship with the Nevada Association of Student Councils. The Student Representative must be a member of their local high school student council. Students that wish to serve on the State Board must attend the state conference at which point they would be elected by the delegates by their student council peers. He explained he is directly accountable to students through student councils across the State. This bill proposes the Student Representative be appointed. He stated his concern is the proposal changes the way the Student Representative has been selected for many years. The Nevada Association of Student Councils prefers they have the sole authority with regard to appointing the new student commissioner on the board.

President Wallace suggested if non-voting ex officio members of the Board have objections regarding how their members are selected for the new make-up of the Board; it would be up to their respective organizations to make comments at the Legislature.

Member Chaney stated an elected board member should have contact with their constituents. A congressional wide race can be expensive and would potentially leave out many qualified people that would like to serve. She suggested appointed members might share similar political opinions of the Governor, Majority Leader of the Senate and Speaker of the Assembly and added she does not agree with that process.

Member Wilson said she agrees with Member Chaney. The voters elect who they want to represent their community.

President Wallace explained the Assembly Concurrent Resolution No. 2 (A.C.R. 2) recommendations supported by the Board were based on compromise. The legislature and the governor's office want to have more input to the State Board, and that will result in appointed members. The compromise is to propose more elected members than appointed members to the Board.

Member Fralick asked if the Board has any issues with S.B. 197 other than the makeup of the Board. Member Cook responded an additional issue is the selection process of the Superintendent of Public Instruction. Dr. Rheault said part of the compromise discussion lead by Assemblywoman Parnell, included if the Board structure is modified with appointed and elected members, the Superintendent appointment would remain at the discretion of the Board.

President Wallace remarked an initial recommendation to the A.C.R. 2 committee was that State Board districts mirror the Board of Regents districts for better communication between K-12 and higher education, and suggested the State Board member makeup of appointed and elected members mirror the Board of Regents members.

Member Cook moved to support S.B. 197 with the recommendation the structure of the State Board mirror the structure of the Board of Regents. Member Wilkinson seconded the motion. The motion carried. Member Fralick voted no.

Senate Bill 212 (S.B. 212)

Dr. Rheault said this bill was heard two weeks ago, and has been pushed during the last two legislative sessions. The bill was previously called the Charter Institute bill with provisions to replace the State Board as an authorizer for State Board sponsored charter schools. The wording has changed and S.B. 212 would create a State Board of Charter Schools. Dr. Rheault said he met with Dr. Canavero and charter school groups for input on amendments to the bill. Authority for the State Board to sponsor charter schools would be removed and replaced with an entity that would be charged with sponsoring charter schools. Charter school groups do not like the name of the State Board of Charter Schools because it could cause confusion with the State Board of Education. They recommended the group be called the State Charter Schools Authority.

The bill transfers charter school responsibilities of the State Board to the new authority, and cleans up the language of schools in need of designation and the annual accountability report. The authority would consist of seven appointed board members and they would hire a director for the Charter School Office. This would be a local education agency that has authority to oversee schools and could accept federal grants for the department allowing them to be provided with Title I and Special Education funds that current state sponsored charter schools cannot receive.

Dr. Rheault added a section of the bill gives authority for the new group to establish regulations for charter schools, specific to new charter school applications and functions of the charter schools. There is a split in the decision that the new authority have authority to set regulations, some think regulations should remain under the authority of the State Board because school districts cannot set regulations.

President Wallace suggested the Board vote on supporting the concept of a charter institute.

Member Cook disclosed he is a part time teacher of a state sponsored charter school and will not discuss or vote on the item.

Member Corbett move to support the concept of a Charter Institute. Member Wilkinson seconded the motion. The motion carried. Member Cook abstained.

Dr. Rheault said the Board will be kept informed about upcoming bills through a weekly list that is distributed on Monday mornings.

Public Comment

There was no public comment.

Board Comment

Student Representative Okuda-Lim shared the news that he was accepted into the American University. He was also selected to receive the 2011 Spirit of Cesar Chavez Award for community service and leadership from the Luz Community Development Coalition in Las Vegas. He was also invited by NASBE to represent Nevada during the U.S. Department of Education National Youth summit and reported it was a great meeting. He stated he has been attending a variety of meetings including budget meetings at the Grant Sawyer Building in Las Vegas. He informed that a new student representative will be elected at the National Association of Student Council conference. He will introduce the new student representative at the May meeting, which will be his last meeting.

Member Corbett inquired about a request made during the January meeting to invite the chairs of the Legislative Education Committees. Dr. Rheault said he would invite the members however, because the Board meetings are on a Friday, they may not be able to attend.

Future Agenda Items

Member Chaney asked for more information regarding the voucher program and the cost associated with implementing the program. Dr. Rheault said the Governor's proposed bill should be available in the next couple of weeks and he will be able to address the bill at the May meeting. Dr. Rheault suggested an informational item for the Career and Technical Education Programs at the May meeting.

Member Corbett asked for presentations from organizations that work closely with school districts, specifically in the area of high school dropouts.

Member Cook asked for math-associated curriculums for personal finance for a graduation requirement be brought to the May meeting for further discussion.

The meeting was adjourned at 1:52 p.m.