

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

**August 10, 2011**

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

**MINUTES OF THE BOARD RETREAT**

**BOARD MEMBERS PRESENT:**

Chris Wallace, President  
Dave Cook, Vice President  
Willia Chaney, Member  
Stavan Corbett, Member  
Dr. Cliff Ferry, Member  
Adriana Fralick, Member (arrived 11:15 a.m.)  
Sandy Metcalf, Member  
Craig Wilkinson, Clerk  
Annie Wilson, Member

**BOARD MEMBERS ABSENT:**

Gloria Bonaventura, Member (excused)  
Daniela Sanchez, Student Representative (excused)

**DEPARTMENT STAFF PRESENT:**

Dr. Keith Rheault, Superintendent of Public Instruction  
Donnell Barton, Interim Deputy Superintendent of Instructional, Research and Evaluative Services  
Greg Weyland, Deputy Superintendent, Administrative & Fiscal Services  
Roger Rahming, Director, Administrative & Fiscal Services  
Marcia Calloway, Assistant Director, Elementary & Secondary Education Programs  
Rick Larson, Director, Fiscal Services  
Karen Johansen, Assistant to the State Board of Education

**LEGAL STAFF PRESENT:**

Dr. James E. Irvin, Senior Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

Jim Endres, K-12 Inc & Nevada Virtual Academy  
Kathleen Conaboy, K-12 Inc.  
Nicole Rourke, Clark County School District  
Joi Davis, Program Analyst, Legislative Counsel Bureau  
Kerry Pope, Douglas County School District  
Lyn Gorrindo, Assistant Superintendent of Education Services, Douglas County School District  
Bryn Lapenta, Senior Director, Washoe County School District  
Dale Erquiaga, Senior Advisor, Office of the Governor

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

President Wallace called the meeting to order at 10:30 a.m. with attendance as reflected above.

**Department staff will review all new or changed requirements and responsibilities of the State Board as a result of legislation passed during the 2011 Legislative Session, to include, but not limited to:**

- **AB113 The required development of a five-year strategic plan**
- **AB222 Adoption of regulations establishing a statewide performance evaluation system for teachers and school administrators**
- **AB230 Evaluation of Alternative Route to Licensure program providers**
- **SB14 Development of a model curriculum in English Language Arts and Mathematics**
- **SB197 Revisions to state school improvement plan to include clearly defined goals and benchmarks for improving pupil achievement and development of an annual report of accountability for K-12 public education and transitioning to a new superintendent.**
- **SB212 Discussion on a transition plan for charter school sponsorship from the State Board to the State Public Charter School Authority**

Dr. Keith Rheault, Superintendent of Public Instruction and the Board held an informal discussion regarding the above listed six 2011 legislative bills requiring work the Board will need to complete by December 2011, which will include additional reports and responsibilities.

**Input from the Governor's office on legislation required by the Board to include but not limited to K-12 Governance changes.**

Dale Erquiaga, Senior Advisor, Office of the Governor, discussed portions of SB 197 and the process of selecting the Superintendent of Public Instruction and the Board's role to provide three candidates to the Governor for the appointment. He stated Governor Sandoval thinks the appointment of the Superintendent of Public Instruction will be the most important appointment of his career. He added they would like to begin the search on or around October 1, 2011.

Mr. Erquiaga commented on recent legislation regarding the Charter School Authority. He stated the Governor was happy to appoint Dr. Steve Canavero as the director of the authority. The governing board of the authority will be appointed by the end of 2011, and will be effective January 1, 2012. Mr. Erquiaga reported the Governor has received all of the nominations for the Teachers and Leaders Council from AB 222. A number of entities in education provided nominees to the Governor who will make a series of appointments. Governor Sandoval has identified a grant he will apply for through the National Governors Association that can provide assistance for teacher and leader councils.

Dr. Rheault said the AB 222 has an ex-officio slot on the council for the superintendent or a designee and he will designate Rorie Fitzpatrick, Director of Special Education and Title programs to the council. She has been working with districts in this area during the past year and will be able to provide consistency. Dr. Rheault announced that his two additional appointments would be Bob McCord from Clark County and Mary Peterson, who was a former State Superintendent, and has been working with the NDE in teacher effectiveness.

Mr. Erquiaga informed the board that Governor Sandoval will reconstitute the P-16 Advisory Council, which was created by statute during the prior administration. It has not met the past 18 months; however, Governor Sandoval and the Legislature will fill council appointments the next month. The governor will direct this council to examine the longitudinal data system needs of the state, which includes K-12 education, post secondary education, early childhood education and workforce development. Recommendations for statutory changes and resourcing will be delivered to the governor by this council, June 2012.

Mr. Erquiaga offered suggestions for the five-year strategic plan task given to the Board by the Legislature. He stated the Board of Regents will also begin a strategic planning process the first week of September, simultaneous to the Board of Education working on their plan. He suggested communication between the boards. As the administration meets with their cabinet, they will likely request a liaison from each board to speak to the governor's office regarding their plans. The State Workforce Investment Boards will also revisit their plan as will the new Board of Economic Development and the Office of Economic Development. Mr. Erquiaga suggested open communication between all groups as they work toward the same goals. He recommended the plan include:

- Job creation and career technology;
- third grade proficiency in reading;
- methods to improve graduation and dropout rates;
- Science, Technology, Engineering and Mathematics (STEM), linked to workforce development;
- accountability reporting and roll out of the growth model;
- exit exams and use of CRT's for employee evaluation;
- transition to the Common Core Standards, and professional development of teachers to use the new standards;
- use of longitudinal data systems;
- alignment with the Nevada System of Higher Education to ensure that Nevada graduates do not need remediation when they reach the state system of higher education;
- alignment with economic development sectors in the workforce investment effort.

**Using the current State Improvement Plan as a guideline, the State Board will review, discuss and identify areas in need of revision to address new 2011 legislation requirements or responsibilities.**

Donnell Barton, Interim Deputy Superintendent, provided an overview with highlights of the Nevada State Improvement Plan (STIP). The STIP will be a key piece in developing the required five-year strategic work plan by the Board.

Dr. Rheault explained there is a separate section in the STIP that describes each Board goal and how it is being addressed. He discussed the data in the 2009-2010 State Accountability Summary, or the Nevada Report Card, and informed the Board the 2010-2011 Nevada Report Card will be available on August 15, 2011. The Board held an informal discussion around the Nevada Report Card.

Dr. Rheault discussed the following bills in further detail:

- **AB 113** - changes the date the State Improvement Plan is due to January 31. It adds a section requiring a five-year strategic plan but retains the previous components of the STIP.
- **AB 138** - addresses that the NDE may develop a plan with goals and benchmarks to ensure high school pupils are adequately prepared for post secondary education, and successes. Regulations were adopted in 2010 for college readiness, but there is question whether they are workplace or career readiness standards.
- **SB 197** - adds new elements of the STIP, expands statutory requirements from a biennial to an annual report, deliverable the same date as the STIP.

Dr. Rheault asked the Board to think about legislative requirements and how they can be addressed through one integrated process and delivered annually to meet the requirements for:

- ✓ the annual STIP
- ✓ the five year strategic plan
- ✓ the annual report required by SB 197
- ✓ an embedded high school plan per AB 138

Dr. Rheault suggested some current Board goals may need to be revised to better align with new statutes, and he discussed language for the Board to consider.

The Board discussed areas they would like to address during the retreat tomorrow. There was no public comment. The meeting was adjourned at 3:55 p.m.

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

**August 11, 2011**

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

**MINUTES OF THE BOARD RETREAT**

**BOARD MEMBERS PRESENT:**

In Carson City:

Chris Wallace, President  
Dave Cook, Vice President  
Willia Chaney, Member  
Stavan Corbett, Member  
Dr. Cliff Ferry, Member  
Adriana Fralick, Member  
Sandy Metcalf, Member  
Craig Wilkinson, Clerk

**BOARD MEMBERS ABSENT:**

Gloria Bonaventure, Member (excused)  
Annie Wilson, Member (excused)  
Daniela Sanchez, Student Representative (excused)

**DEPARTMENT STAFF PRESENT:**

Dr. Keith Rheault, Superintendent of Public Instruction  
Donnell Barton, Interim Deputy Superintendent, Instructional, Research and Evaluative Services  
Greg Weyland, Deputy Superintendent, Administrative & Fiscal Services  
Roger Rahming, Director, Administrative & Fiscal Services  
Marcia Calloway, Assistant Director, Elementary & Secondary Education Programs  
Dr. Steve Canavero, Director, Office of Charter Schools  
Karen Johansen, Assistant to the State Board of Education

**LEGAL STAFF PRESENT:**

In Carson City:

Dr. James E. Irvin, Senior Deputy Attorney General - Carson City

**AUDIENCE IN ATTENDANCE:**

**In Carson City:**

Kathleen Conaboy, K-12 Inc.

Nicole Rourke, Washoe County School District

Bryn Lapenta, Senior Director, Washoe County School District

**RECALL TO ORDER; ROLL CALL;**

The Board Retreat was recalled to order on **Thursday, August 11, 2011** at 8:30 a.m.

There was no public comment.

**Discussion regarding updated State Improvement Plan, five year strategic plan, and revisited annual report of accountability plan for the State Board of Education.**

Dr. Rheault reported the Board selected the following five areas for further discussion; however, formal action will not be taken until a later date.

- The superintendent selection process
- The five year strategic plan
- Teacher performance evaluation system
- Transfer of the Charter Authority
- College and Career Readiness

**Transfer of the Charter Authority**

Dr. Steve Canavero, Director, Office of Charter Schools stated he will officially be appointed as the Director of the new Charter Authority on October 1, 2011. He said much has been done for charter schools in the past couple of years and the new authority is the next step to develop a board that is solely dedicated to improving and expanding quality choices for students in Nevada. The new Charter Authority will not be controlled by the Department of Education; however, the State Board will have authority until the end of December. Once the new authority is in place and current department staff has moved, it will be transferred to the Department of Administration. Dr. Canavero reported there would likely be one additional charter application coming to the Board for possible approval before December 30, 2011.

**The Superintendent selection process**

Following a discussion regarding the process of selecting the new superintendent, the Board concluded the best option to locate candidates for the position would be to use State Personnel for the search. The Board will interview the candidates then select three names for the governor to make the appointment for superintendent. The Board discussed appointing a liaison to work with the governor's office for better communication during the process.

**The five-year strategic plan**

Dr. Rheault stated AB 113 requires the Board to develop a five-year strategic plan that addresses recurring issues to improve the academic achievement of students. The five-year plan needs to be part of the STIP, which is due January 31 of each year, and will need to be reviewed annually. Dr. Rheault discussed the requirements of the bill and the data to be included in the plan. Achievement on the Criterion Reference Test (CRT), how well eighth graders are prepared for high school, graduation rates and advanced diplomas are some items that need to be tracked with

a five-year plan. The Board suggested further discussion at a special meeting for possible approval of a liaison to the State Improvement Plan Revision Committee tomorrow.

Marcia Calloway, Assistant Director, Elementary & Secondary Education Programs provided context on how schools and districts are approaching improvement practices. No Child Left Behind provided school support teams to help schools that are in need of improvement for year three or beyond. In the beginning that was effective, however, the number of schools needing improvement increased and the needs became more varied. An evaluation of the school support system showed the same results, not all schools can be fixed with the same model. The change from school support teams to differentiated support and consequences came out of the 2009 Legislative Session. New statute required the development of a curriculum audit to determine if the curriculum was being taught and the Nevada Comprehensive Curriculum Audit Tool for Schools was developed. They look at three categories; curriculum instruction, assessment and accountability, and leadership. Then consequences and supports are based on data from the evaluation. In addition, schools and districts are going to strategic planning and looking at multi-year plans.

#### **Teacher performance evaluation system**

Dr. Rheault stated that AB 222 gives the Board the responsibility to adopt regulations regarding teacher and administrator evaluations. The bill creates a 15 member Teacher and Leaders Council that will provide recommendations to the Board no later than June 1, 2012 and then regulations need to be adopted by June 1, 2013. Dr. Rheault confirmed that Rorie Fitzpatrick from the NDE would be his designee to the council. Once recommendations are received, there will probably be many discussions requiring compromises and edits to develop the regulations.

The Board agreed they would not change their Vision and Mission statement, but would slightly modify the language of their goals to align with new statutes.

President Wallace said Ms. Fitzpatrick could provide updates from the Teacher and Leaders Council at each board meeting as a standing agenda item. He said in an effort to be efficient, the Board could hold workshops and public hearings to pass the regulations soon after the recommendations are received in June 2012.

Member Ferry stated he would prefer an action item on each agenda from now until June 2012 with council updates. He said he wanted to be informed as a group and to continue with discussions about using standardized testing to evaluate teacher and administrator performance. President Wallace responded that using standardized testing to evaluate teachers is out of the Board's control, the 2011 Legislature passed the stipulation in AB 222, but they can continue discussions about the evaluations.

Dr. Rheault said these regulations are the most critical the Board will adopt and whether they are adopted by the old board or the new board, they will not take effect until the 2013-2014 school year. The regulations will be implemented by the school districts.

#### **College and Career Readiness**

Dr. Rheault provided background on AB 138. He asked, how are Nevada graduates analyzed to be college or career ready and said defining career readiness needs to be addressed. He suggested the new Career Tech Advisory Council that is being formed address the entire issue as an

advisory group, then provide feedback. He would like recommendations brought to the Board as soon as the group meets. The Board could nominate a task force to work on regulations if they agree with the recommendations. Dr. Rheault said discussion could continue tomorrow when Mike Raponi, Director, Office of Career, Technical and Adult Education requests approval for State Board representation on the new State Council for Career & Technical Education.

There was no public or board member comment.

The meeting was adjourned at 11:33 a.m.

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

**August 12, 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 Carson City:**

Chris Wallace, President  
Willia Chaney, Member  
Dave Cook, Vice President  
Stavan Corbett, Member  
Adriana Fralick, Member  
Sandy Metcalf, Member  
Craig Wilkinson, Clerk  
Annie Wilson, Member

**BOARD MEMBERS ABSENT:**

Gloria Bonaventura, Member (excused)  
Dr. Cliff Ferry, Member (excused)  
Daniela Sanchez, Student Representative (excused)

**DEPARTMENT STAFF PRESENT:**

**In Carson City:**

Dr. Keith Rheault, Superintendent of Public Instruction  
Mike Raponi, Director, Office of Career, Technical & Adult Education  
Richard Vineyard, Assistant Director, Assessments, Program Accountability & Curriculum  
Steve Canavero, Director, Office of Charter Schools  
Greg Weyland, Deputy Superintendent, Administrative & Fiscal Services  
Roger Rahming, Director, Administrative & Fiscal Services

**In Las Vegas:**

Diana Hollander, Program Officer for Pupil Transportation

**LEGAL STAFF PRESENT:**

**In Carson City:**

Dr. James E. Irvin, Senior Deputy Attorney General

**In Las Vegas:**

Robert Whitney, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Carson City:**

Pete Chapin, Director of Curriculum & Accountability  
Scott Lommori, Director of Testing & Educational Technology  
Bryn Lapenta, Senior Director, Washoe County School District  
Kathleen Conaboy, K-12 Inc.  
Cy Ryan, Carson City Bureau Chief, Las Vegas Sun  
Jennifer Dukek, Nevada Connections Academy  
Steve Knight, Executive Director, Silver State Charter School

**In Las Vegas:**

Dan Tafoya, Clark County School District  
Mary Pike, Clark County School district  
Kristine Miller, Imagine at Mountain View  
Faith Leggett, Imagine at Mountain View  
Tiffany Ferguson, Quest Academy  
Jenhon Hendrix, Quest Academy  
Tammy Bass, Brooks Soar Academy  
Ryan Reeves, Academia NV/Somerset Academy  
Robert Howell, Academia NV/Somerset Academy

**RECALL TO ORDER; ROLL CALL;**

On Friday, August 12, 2011, the regular meeting of the State Board of Education was called to order by President Chris Wallace at 8:30 a.m.

**Member Cook made a motion for a flexible agenda. Member Wilkinson seconded the motion. The motion carried.**

There was no public comment.

**President's Report**

President Wallace reported on the board retreat held during the past two days. He commented that there is much work to be done transitioning to the new board and the new charter authority in the next 16 months.

**Superintendent's Report**

Dr. Rheault, Superintendent of Public Instruction, reminded the Board that the Nevada Report Card will be released on Monday, August 15, 2011 and access to the data will be available on the NDE website. He complimented NDE staff who has worked overtime with Washoe and Clark counties to release the first growth model. The first release will be for students in grades four through eight, and the goal next year is to include high school in the growth model. Dr. Rheault informed the Board that he was invited as one of the state superintendents to attend an international conference on education in Brazil, September 9-17, 2011.

**Consent Agenda**

- A. Minutes
  - June 23-24, 2011
- B. Private School Licensing:
  - Licensing of a new Fernley School for a two-year period: A Step Ahead
  - Licensing of a new Incline Village School – Tahoeprep – for a two-year period.
  - Relicensing Reno/Sparks Schools for a two-year period: The Goddard School - Sparks, The Child Garden of Reno and KinderCare Learning Center – Sparks.
  - Relicensing a Reno School for a four-year period: Child & Family Research Center, UNR.
  - Relicensing Las Vegas/Henderson Schools for a four-year period: Henderson International School, Foothills Montessori School, Kids Campus on MLK, Cornerstone Christian Academy and Wassell Academy.
  - Relicensing Las Vegas/Henderson Schools for a two-year period Candil Hall School, The Achievement Academy, Spring Valley Montessori School and Montessori Children's World - Sunset.
- C. Changes made to the State of Nevada 2011-2012 Out-of-Service Bus Manual
- D. Special education discretionary units to the listed school districts for instructional programs during the 2011-2012 academic year.

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

Mike Raponi, Director, Office of Career, Technical and Adult Education requested the Board nominate a State Board of Education member to the new Council for Career & Technical

education that will be formed in the fall. Once established, the council will meet no less than two times per year to provide guidance and leadership to ensure career and technical education is aligned to the workforce and economic development needs of the State. Member Corbett expressed interest in being appointed to the council. Dr. Rheault asked if the council could develop the definition of career readiness skills plus academic or skill standards that would go with the definition, and then give their recommendations to the board. Mr. Raponi responded that would highly appropriate.

**Member Cook moved that President Wallace nominate Member Corbett to serve on the new State Council for Career and Technical Education. Member Metcalf seconded the motion. The motion carried.**

**Approval of Conversion of the Subsection 7 Charter of the Imagine at Mountain View Charter School to a full charter.**

Dr. Steve Canavero, Director, Office of Charter Schools stated Imagine at Mountain View Charter School was approved by the Board on January 26, 2011, and received a Subsection 7 Charter. They have satisfied all the requirements in their Subsection 7. He recommended approving the conversion of the Subsection 7 Charter to a full charter.

Member Cook disclosed that he is a part-time math instructor for Beacon Academy Charter School, sponsored by the State Board of Education and he will not discuss or vote on this item.

**Member Chaney moved to approve conversion of the Subsection 7 Charter of the Imagine Mountain View Charter School to a full charter. Member Wilkinson seconded the motion. The motion carried.**

**Approval of Conversion of the Subsection 7 Charter of the Somerset Academy Charter School to a full charter.**

Dr. Canavero stated Somerset Academy Charter was approved by the Board on January 26, 2011, and received a Subsection 7 Charter. They have satisfied all the requirements in their Subsection 7. He commented that Somerset Academy's final enrollment numbers on August 9 was 990 students. He recommended approving the conversion of the Subsection 7 Charter to a full charter.

Member Cook disclosed that he is a part-time math instructor for Beacon Academy Charter School, sponsored by the State Board of Education and he will not discuss or vote on this matter.

**Member Corbett moved to approve the conversion of the Subsection 7 Charter of the Somerset Academy Charter School to a full charter. Member Metcalf seconded the motion. The motion carried.**

### **Future Agenda Items**

President Wallace reported during the retreat the board considered scheduling a special board meeting to discuss the criteria for the selection of the new superintendent of public instruction, a liaison to the governor's office for the superintendent selection and a liaison to the State Improvement Plan Revision Committee. The Board decided to hold a special board meeting on Wednesday, September 7, 2011 at 3:30 p.m.

President Wallace agreed to schedule a joint meeting with the Commission on Professional Standards at the December board meeting.

Member Fralick said the Public Education Foundation had contacted requesting to schedule an informational item about the foundation on the board agenda.

**Recognition of the 2011 Nevada Teacher of the Year award - Cheryl Macy**

Dr. Rheault introduced Cheryl Macy, the 2011 Teacher of the Year. She is an English Teacher at Carson High School in Carson City and she credits her success to her colleagues and the student body at Carson High. President Wallace presented her with a check for \$500.00 on behalf of the NDE.

Ms. Macy commented there are many teachers in Nevada that deserve this honor. She spoke about traveling to Texas where she received training from the National Department of Education, then to Washington D.C. to meet President Obama and finally to Huntsville, Alabama where she attended space camp. Her last trip will be in September for additional training in Princeton.

**WORKSHOP to Solicit Comments on Proposed Regulation, NAC 387.193, Pupil Enrolled in Program of Distance Education**

President Wallace opened the Workshop at 9:32 a.m. There were nine individuals in attendance in Carson City and seven individuals in attendance in Las Vegas.

Dr. Rheault explained this regulation was reviewed and adopted during the temporary regulation period and must be heard again for permanent adoption. He provided a quick review of the regulation. A past problem with regulations for distance education programs was that the system for count day had not caught up with technology. The only way auditors could verify a student was eligible for funding was to prove a teacher met or communicated with the pupil on a weekly basis. Communication was interpreted as not only sending an email from the school, but the student had to acknowledge receiving the email and respond with documentation of what they had completed. Electronic work was not accepted as documentation. These regulations delete that portion and now allow evidence of work progression by the pupil in each course as documented through the electronic learning management system used in distance education programs. In addition, if a pupil is admitted into the distance education program during the calendar week prior to count day, and the pupil has not had work progression in each course, the pupil will be counted as enrolled if there is evidence of work progression in each course documented by the electronic learning management system the following week.

There was no public comment. President Wallace closed the workshop at 9:40 a.m.

**WORKSHOP to Solicit Comments for Common Core Standards in Mathematics and English Language Arts**

President Wallace opened the workshop at 9:40 a.m. There were nine individuals present in Carson City and seven individuals present in Las Vegas.

Dr. Rheault stated this was also a temporary regulation adopted during the temporary period and must be heard again for permanent adoption. The Common Core standards have been in place while Nevada phases in their implementation.

He explained the Common Core Standards are a thick document with many pages. In the past, Legislative Counsel Bureau's (LCB) legal division would convert the common language of the standard into legal language. This time, because Common Core Standards are national standards, LCB advised the document could be adopted by reference rather than adding another 150 pages of regulation.

There was no public comment. President Wallace closed the workshop at 9:44 a.m.

**Silver State Charter Schools response to the noncompliant items noted in the conditional approval at the June 24, 2011 meeting of the State Board of Education**

Dr. Canavero provided a brief update regarding the conditional approval that was granted at the June 24, 2011 board meeting. He reported Silver State Charter School has moved forward by resolving the non-compliant items and the last step is for Silver State to submit a finalized promissory note and security interest when they select a lender. Dr. Canavero confirmed the school would not be moving into their new building until after count day, September 23, 2011.

Steve Knight, Executive Director, Silver State Charter School stated they had made a commitment to keep the old building until the move was complete, and there would be no additional fiscal impact. Member Fralick asked if the students would be moving mid-semester. Mr. Knight responded they do not want the move to be disruptive, the biggest challenge will be moving the technology part of the school.

**WORKSHOP to Solicit Comments on Proposed Revision of NAC 389.670 to amend criteria that districts may use for students to be granted credits for specific courses of study without having attended the regularly scheduled classes in the course**

President Wallace opened the workshop at 9:55 a.m. There were four individuals in attendance in Carson City and nine individuals in attendance in Las Vegas.

Dr. Rheault explained this is a new regulation.

Dr. Richard Vineyard, Assistant Director, Assessments, Program Accountability & Curriculum reported that in 2009 the Board approved an amendment to NAC 389.670. The amendment has expanded credit by examination to include a pupil may be granted credit for a specific course of study without having attended the regularly scheduled classes, if the pupil demonstrates competence to meet the objectives of the course through performance on an examination. The legislature expanded the existing regulation this year with AB 233 to include credit recovery for students who failed a portion of the course, without attending the full course. The new proposed regulation allows students to take a test developed at the school site to recover credit, without retaking the entire course. This must be done one academic year after the course was taken. He explained this regulation proposes adding sections to the existing NAC.

Dr. Rheault explained the original regulations authorized the school district to decide whether to allow testing for students without attending a course and the new bill specifies that a principal or teacher will determine if a student could receive credit. Oversight is required to assure testing is equivalent to a normal test without lowering the standard and to meet the proficiency standard on the examination upon approval from the district.

Bryn Lapenta, Washoe County School District said this allows for academic credit. When a credit by exam was previously taken, it did not affect the GPA. The class was graded with an S or no mark and now it will be counted as taking the class. She thanked Dr. Vineyard for his quick work on the regulation to help students this year. She added whenever choices are added to recover academic options for children, graduation rates can be increased.

Member Fralick asked for a clarification in the language in 7 (a) and 7 (b), both are needed to receive credit but it reads as one or the other. Dr. Vineyard agreed that the language at the end of 7 (a) should read *or* instead of *and*.

The workshop was closed at 10:05 a.m.

### **Approval of Conversion of the Subsection 7 Charter of the Willie H Brooks Soar Academy to a full charter**

Dr. Canavero stated his recommendation today regarding the conversion of a Subsection 7 Charter of the Willie H Brooks Academy to a full charter is based on financial viability and limiting potential disruption to students. It is not about Willie Brooks (Soar) core mission, vision or a dismissal of the hard work put in by the committee to form and their board. He said his recommendations must be based on what he has today and not upon future promises. On January 26, 2011, the Board approved Soar for a Subsection 7 charter. It is a unique school proposing to serve male students, enrolling in grades 6-8. The charter was amended on May 11 to serve grades 6 only. Consistent with NRS 386.570 Soar submitted enrollment numbers July 1 upon which to base the August payment. Their enrollment was 12 students.

He said there are two options for first year start-up charter schools. One is to submit enrollment on June 1 for early an early payment in July, or submit enrollment on July 1 for payment in August. The NDE sent a letter to SOAR on July 27 noting in Soar's charter, item 3.6, the fiscal plan for operation, they state, *In the event we do not meet our enrollment predictions; we will modify and adjust our levels of personnel and staffing accordingly. If the school does not enroll, at least 100 students we will revisit the charter and possibly entertain the postponement of the opening.*

In section 2.5 of the charter application, anticipated enrollment for the first year of operation was the following enrollment projection: *our expectation is to begin with four sixth grade classes of 20 students each, for seventh grade classes of 20 students each, and four eighth grade classes of 20 students each.(total 240 students)* Soar amended their charter to serve grade sixth in the first year of operation, reducing the expected enrollment from 240 to 80.

The NDE recognized that students might continue to enroll at Soar; however, the concern is that the July 1, 2011 enrollment number represents only 15% of the target enrollment of the projected 80 students. Recognizing that Soar could continue to enroll students, but at the same time mindful of NDE's obligation to limit potential disruption to students should the school fail to be financially viable due to low enrollment, the following was stated:

1. The NDE waived NRS 386.570 and allowed Soar an additional 5 ½ weeks of enrollment, from July 2011 to August 9, 2011. The revised enrollment number would replace the 12-student count and must be submitted on or before 5:00 PM, August 9, 2011.
2. In order to make an August payment to Soar the NDE expects the August 9, 2011 enrollment number to be reasonably close to Soar's target enrollment of 80.

3. Soar will receive no state funding until it is approved by the State Board of Education for a full charter.
4. If Soar wishes to pursue a full charter and commencement of operation for the 2011-12 school year, they will need to submit an amendment of its charter application to the NDE consisting of:
  - A budget and cash flow statement received by the NDE no later than 5:00 pm, August 9, 2011, built upon the August 9 enrollment number, which must be close to or more than, 80

The Soar Board met on August 4, 2011. According to the minutes, their Board would like to move forward with an opening on August 29, 2011 because they anticipate future enrollments. In addition, the budget was modified and approved at the August 4 meeting to reflect one class of 22 students. The result is, a budget was built on 22 students, but would be paid on 16 students for their August payment. The budget includes \$10,000 in donations, and NAC 386.204 does not accept applications reliant on donations so they are backed out. When considering their budget, Soar would have \$63.00 at the end of September and would go negative \$13,000 by October. The NDE concludes Soar is not in a financially viable position with a potential for bankruptcy and the disruption to students is high.

Dr. Canavero recommended not taking action today on the Willie H. Brooks Soar application. This would permit their Subsection 7 charter to remain active until June 2013 allowing them the necessary time to develop communication channels further and establish relationships with other groups to generate sufficient enrollment. If they are approved today for a full charter and if they are not successful they will go bankrupt and the charter will be gone. He emphasized this is not condemning the hard work they have done trying to open this unique program.

Tammy Bass, Founder of Brooks Soar, stated she appreciates the work of the NDE Office of Charter Schools. She explained that students do not register for school in Southern Nevada until the end of August. She said they have developed a marketing plan and will have a huge outreach at the College of Southern Nevada tomorrow with more events planned in the next two weeks for enrollment. She reported the school has entered a new lease with a church for the school, and will only lease one room, which has reduced the budget significantly. The community has rallied behind the school and they have received many volunteers to help with clerical work. She said the school would serve a population that is easily forgotten and needs to be addressed. She asked the Board to reconsider their recommendation and support Brooks Soar.

Member Cook disclosed he is an employee of a state sponsored charter school, Beacon Academy and will refrain from discussing or voting on the item.

Dr. King Duncan, Chief Academic Officer of Soar Academy stated his Ph.D. focus was school choice in charter schools. He reported many parents do not want their child defined as *at risk*, therefore, they changed their marketing campaign and the enrollment plan is focusing on children who are *at promise*. Every child in this area is representing low graduation rates with minority males. They want to fill a niche and help kids that fall through the cracks to provide them the opportunity to graduate from college. He said this population needs specialized attention and they want to empower them with an educational plan that is sound, rigorous, and determined to see them graduate from college.

Member Corbett said he appreciates the passion Ms. Bass has for the school. He said the Board has supported Soar Academy moving forward by approving a Subsection 7 charter and he would like to ensure they succeed without impediment even if it means approving their full charter at a later date. He asked Dr. Canavero if his office has had similar charter applications with low enrollment.

Dr. Canavero replied he has not had a school come this far into August with such a small enrollment number, and there has not been a single gender, charter school application until now. If they were to move forward, they would be paid for 16 students, and the students would be counted on September 23, 2011, which is count day. They would not be paid again until the next quarter. Based on their cash flow statements, they would go bankrupt.

Member Corbett asked for clarification, if the Board does not approve the conversion of a Subsection 7 today, then the Subsection 7 charter is valid until June 2013. Dr. Canavero responded that is correct.

Member Wilson stated she works on donations for non-profit organizations, and they are uncertain in this economy. She said she is concerned that if they do have the funding, and cannot add the seventh grade, students will be disrupted. If they move forward now and do not make it, all their hard work is lost.

President Wallace said he concurred with Member Corbett, and appreciates their passion and vision. He said it is a painful decision but he agrees with Dr. Canavero's recommendation not to take action today. With a bad economy and diminishing funds for education, the risk for failure is too high. It would be a choice to wait another year to get the word out and begin their school in 2012.

Member Wilkinson stated he agreed with President Wallace. He said he is a PE teacher at Wendell Williams elementary, a Title I school, and he sees a high transitory rate. He asked Dr. Canavero, what is the minimum amount of students needed to stay open? Dr. Canavero responded many states have settled on the number of 50 students to open a school and be financially viable, which is reasonable amount with anticipation of some transient loss. He said he is passionate about teaching this unique population and wants to see them succeed by waiting until next year.

Member Fralick stated there is no doubt about their passion and echoed the other board members thoughts. She said in time they would have the enrollment numbers they need by getting the word out. Students need consistency and security, especially the group they are targeting. She said she was not comfortable approving a charter today and letting the students down.

Member Chaney said she applauds their efforts to serve this population. She said she operated a daycare center for many years and knows how difficult it is to run a business. She echoed the Board decision, and said she felt bad because that population needs to be served, and in time predicted they will be successful. She said she could not approve the conversion of a Subsection 7 to a full charter today.

Dr. Rheault said he supported the recommendation from the Charter Office. The NDE has worked with the school and allowed a five-week extension for enrollment. He agreed to waive

the requirement and allowed them to recruit. There was a critical deadline for the Board meeting today and only four students signed up in five weeks. He clarified it is not the program or the passion; they must enroll students to have a school.

President Wallace tabled the item.

### **Public Comment**

There was no public comment in Carson City

Tiffany Ferguson, teacher liaison for Quest Academy, formerly Imagine School in the Valle, thanked the Board for all the work they have done for Imagine in the Valle. They are excited to begin the new school year and she invited board members to attend their Open House Orientation on Thursday, August 18 at 6:00 PM.

### **Board Member Comment**

Member Metcalf thanked the Board for sending the new board members to the NASBE, New State Board Member Institute in Washington D.C. She said it was very informative.

Member Chaney asked if the model curriculum, taken from the Common Core standards referenced in SB 14 can be incorporated into their five-year plan. Dr. Rheault responded the model curriculum required under SB 14 must be built on the Common Core Standards in English and Math and will be built into the five-year strategic plan. It will be phased in along with training teachers to teach to the Common Core Standards. An assessment will follow to determine if students have learned the new standards.

Member Fralick echoed Member Metcalf's comment about the NASBE training. She suggested members of the NDE speak about core curriculum or related subjects at future retreats.

Member Corbett agreed with Member Fralick and said information provided by staff is very helpful and said he appreciates all the hard work and assistance that staff provides to the board.

Member Wilkinson commented that it was a positive discussion during the retreat.

Member Cook commended the board on the difficult decision regarding Soar Academy and said that charter schools are a major component of education reform.

President Wallace thanked the Board for their work and efforts during the retreat and the board meeting.

Member Wilson echoed Member Corbett and said the NASBE conference was excellent and very informative. She thanked staff for their help.

The meeting was adjourned at 11:11 A.M.