

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
APRIL 21, 2022
3:00 PM**

Office	Address	City	Meeting
Department of Education	2080 E. Flamingo	Las Vegas	Room 114
Department of Education	700 E. Fifth St.	Carson	Board Room
Department of Education	Virtual/Livestream	n/a	n/a

SUMMARY MINUTES OF THE BOARD MEETING

BOARD MEMBERS PRESENT

Felicia Ortiz, President
 Mark Newburn, Vice President
 Katie Coombs
 René Cantú
 Dr. Katherine Dockweiler
 Christina Nguyen
 Tamara Hudson
 Tim Hughes
 Mike Walker
 Russel Fecht

DEPARTMENT STAFF PRESENT

Jhone M. Ebert, Superintendent of Public Instruction
 Dr. Jonathan Moore, Deputy Superintendent of Public Instruction
 Heidi Haartz, Deputy Superintendent for Student Investment
 Jessica Todtman, Deputy Superintendent for Educator Effectiveness and Family Engagement
 Dr. Seng Dao Keo, Chief Strategy Officer
 Christy McGill, Director, Office for a Safe and Respectful Learning Environment
 Jeff Briske, Director, Office of Educator Development, Licensure, and Family Engagement (EDLiFE)
 Anabel Sanchez, Education Programs Professional, EDLiFE

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

Brian Lee, Nevada State Education Association (NSEA)/ Education Support Employees Association (ESEA)
 Clark Garner, ESEA
 Chris Daly, NSEA
 Ken Paul, W. Mack Lyon Middle School
 Autumn Tampa, community member
 Kathleen McDonald, ESEA
 Karen Berney, ESEA
 Rex Rivers, Clark County School District
 Hawah Ahmad, Clark County Education Association (CCEA)
 Ed Gonzalez, Hickey Elementary School
 Eva White, community member
 Jeff Horn, Clark County Association of School Administrators & Professional Technical Employees (CCASAPE)
 Lindsey Dalley, Community Education Advisory Board (CEAB)

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Meeting called to order at 3:01 P.M. by President Felicia Ortiz. Quorum was established. President Ortiz led the Pledge of Allegiance and provided a land acknowledgement.

2. PUBLIC COMMENT #1

Brian Lee, Executive Director, NSEA/ESEA, provided public comment regarding agenda item 9. *(A complete copy of the statement is available in Appendix A)*

Clark Garner, Vice President, ESEA, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Chris Daly, Nevada State Education Association, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Ken Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Autumn Tampa, community member, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Kathleen McDonald, ESEA, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Karen Berney, ESEA, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Rex Rivers, teacher, CCSD, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Hawah Ahmad, Clark County Education Association, provided public comment regarding agenda items 7,9, and 10. *(A complete copy of the statement is available in Appendix A)*

Jordana McCudden, Assistant Principal, Jydstrup Elementary School, provided public comment regarding agenda item 9. *(A complete copy of the statement is available in Appendix A)*

Kellie Ballard, Chief Strategy Officer, CCSD, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Kay Barlow, community member, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Syrissa Jolley, community member, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Ed Gonzalez, SOT member, Hickey Elementary School, provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

Jeff Horn, Executive Director, CCASAPE provided public comment regarding agenda item 10. *(A complete copy of the statement is available in Appendix A)*

3. APPROVAL OF FLEXIBLE AGENDA

Member René Cantú moved to approve the flexible agenda. Member Tamara Hudson seconded. Motion passed unanimously.

4. PRESIDENT'S REPORT

President Ortiz reported that Washoe County School District is in search of a new superintendent and Jhone Ebert is a finalist for the position. President Ortiz noted as a reminder that when the State Superintendent position is vacated the procedure is the State Board of Education floats the position and narrows down the candidates to their top three and then present those to the Governor and the Governor then chooses their appointment.

President Ortiz commented on school violence and behavior issues stating that she feels it is not just a school district issue but a community issue that impacts all regardless of how it is handled. President Ortiz stated that it is upon all of us, not just the school district employees and superintendent. It is important for all of us as a community to do our part to make sure that our kids know that they are cared about and that there is other means to express their frustration besides taking it out on their fellow students and teachers.

5. SUPERINTENDENT'S REPORT

Jhone Ebert, Superintendent of Public Instruction reported that she had the pleasure of having a conversation with the Lieutenant Governor and decided to hold a roundtable. They met with teachers, community members, administrators, and school police in Carson City and Las Vegas to determine how to bring the talent, resources, and skillsets together to solve the school violence crisis and to discuss restorative justice. Superintendent Ebert noted two take-aways from these roundtables. The first is that the public does not know what restorative justice is and what it is not. Individuals state that because of restorative justice educators can not protect themselves and this is false. Any employee can protect themselves if they are in a situation where there is an attack. The second take-away is that the public believes that students are not allowed to be expelled or suspended because restorative justice came into play. Educators are trying to learn how not to over identify certain children. However, there are consequences when it is needed to enact disciplinary measures and expulsion and suspension are part of those consequences. Superintendent Ebert stated that the roundtables determined that the Department needs to do a better job explaining and defining what restorative practice is, repairing harm, working with the community, and getting more adults on school campuses.

Superintendent Ebert reported that she along with Deputy Superintendent Dr. Jonathan Moore, Superintendent Summer Stephens, and Senator Mo Denis to represent Nevada at South by Southwest EDU Conference.

Superintendent Ebert reported that she along with Deputy Superintendent's Jessica Todtman and Dr. Jonathan Moore, and Andrew Schneider attended the FIRST Robotics Competition at the Thomas and Mack Center.

6. CONSENT AGENDA

Vice President Mark Newburn moved to approve the consent agenda. Member Tim Hughes seconded. Motion passed unanimously.

7. INFORMATION AND DISCUSSION REGARDING RATIOS OF SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL

Christy McGill, Director, Office for a Safe and Respectful Learning Environment, provided a PowerPoint presentation regarding [Specialized Instructional Support Personnel Ratios](#).

Member Katherine Dockweiler noted that when discussing ratios and the number of school psychologist positions that need to be filled, Nevada needs approximately 740 school psychologists across the State to meet the recommended ratios. Nevada's current pipeline programs while wonderful and produce incredible practitioners, there are just not enough to fill the positions. The current pipeline produces approximately a dozen per year. Member Dockweiler noted that this problem is not unique to school psychologists. School counselors, social workers, and nurses have the same problem. Member Dockweiler asked in regard to Medicaid, if there is a way to use those funds generated to support higher education training programs, or do those funds need to be generated and directly backed to pre-k through 12. Director McGill responded that the Medicaid funds that come into schools is a discussion for the district to decide how best to implement. For example, a district could look at hiring more people, recruitment strategies, retention strategies, or develop partnership with NSHE.

8. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE TEACH NEVADA SCHOLARSHIP AWARDS

Jeff Briske, Director, Office of Educator Development, Licensure, and Family Engagement (EDLiFE) and Anabel Sanchez, Education Programs Professional, EDLiFE, provided a PowerPoint presentation regarding the [Teach Nevada Scholarship](#).

Member Hughes noted that he would recuse himself from this discussion and vote because his employer runs a teacher prep program.

Vice President Newburn noted the difference in what is being requested and what can be awarded and asked what the difference represents. Director Briske responded that currently it is springtime and the institutions do not have an exact number of how many students may be enrolled, they have given their best estimate of how many students or how many scholarships they may possibly be able to give out. It is possible that those students who would enroll and would not get the scholarship because the funds are not available, during round two, they would have the opportunity to request additional scholarships and those students would be able to receive that funding.

President Ortiz moved to approve the Teach Nevada Scholarship awards per Cohort 2023 Table 2 from the Teach Nevada Scholarship presentation. Vice President Newburn seconded. Motion passed unanimously.

9. INFORMATION AND DISCUSSION REGARDING THE EDUCATOR RECRUITMENT NEEDS AND EFFORTS

Nathan Trenholm, Founding Partner, Data Insight Partners, provided a PowerPoint presentation regarding [The Nevada Teacher Workforce](#).

President Ortiz noted that only data for CCSD has been presented and asked if there are any efforts underway to acquire data for the rest of the State. Mr. Trenholm responded that phase two of this work is the acquisition of data for the entire State. Mr. Trenholm noted that the current data was approved recently and Data Insight Partners was limited to publicly available data in order to approve their contract.

Member Hughes asked if the data was adjusted for declining student enrollment. During the pandemic some communities experienced large numbers of student leaving from 10% - 20% in some cases. Mr. Trenholm responded that the national numbers seen are based on what is being reported. There is not a national repository database to be that specific. Member Hughes noted that he has spoken with superintendents across the country who are concerned about the teacher vacancy rate, however they are more concerned about the support professional's vacancy rate. Member Hughes suggested tracking the support professional's vacancy rate in addition to teachers. President Ortiz agreed.

Member Cantú asked Mr. Trenholm his opinion on what should be done to attract enough teachers to Nevada. Mr. Trenholm responded that the situation requires bold action, and everything should be on the table. Mr. Trenholm gave an example that if Nevada wanted to hire 10,000 teachers to reach the national ratios, and wanted five applicants per position, 50,000 teachers would need to be recruited. The entire country puts out 150,000 education program completers a year. If Nevada wants to reach the national average and pick from multiple applicants, it will need to convince a third of the country's output to apply. This is how bold the solutions need to be. Mr. Trenholm noted that he says this to express that there is no easy answer.

Jeff Briske, Director, EDLiFE, provided a PowerPoint presentation regarding [Supports for Recruitment and retention of Nevada Educators](#).

Member Hughes noted that Nevada focuses on inputs and not as much effort around outcomes and results. There were several of initiatives, but not enough discussion whether or not the initiatives lead to the intended impact.

Vice President Newburn noted that his concern with this issue is that it is a generational problem. It appears that the newer generations do not want to enter the field of education. Member Newburn suggested that potentially changing the nature of the profession to be more appealing to the new generations. Superintendent Ebert noted that the Blue-Ribbon Commission is engaged in this type of work.

Member Dockweiler asked what the plan is to include other professionals in the Teach Nevada Scholarship. Director Briske responded that he was referring to the incentivizing pathways to teaching grant. Director Briske noted that he is currently working with Director McGill and her staff to gather the contact information from all the prep institutions to determine where they are currently, and where to expand upon at a rapid pace. The applications have already been sent out for this upcoming fall for the grant and there will be funding to send out another round for other educational personnel. Deputy Superintendent Jessica Todtman noted that this program is federally funded in one time. When those funds expire in 2024 the program expires as well. The Department does anticipate potential requests to the legislature to expand such programs like that from the Teacher Recruitment and Retention Advisory Task Force.

10. INFORMATION, DISCUSSION, AND POSSIBLE ACTION REGARDING THE IMPLEMENTATION OF ASSEMBLY BIL (AB) 469 (2017)

Felicia Gonzales, Consultant to the State Superintendent, NDE, provided a PowerPoint presentation regarding [Assembly Bill \(AB\) 469 National Non-Compliance Policy Examples and Proposed Regulatory Language](#).

President Ortiz asked what the next steps for these regulations if the Board were to approve the draft regulatory language. Ms. Gonzales responded that once approved, the language would go to workshop following that it would come back to the Board for a formal public hearing, following that any language that is approved during the hearing would be sent to the Legislative Commission for final review and adoption.

Vice President Newburn noted that CCSD has been in open defiance of the legislature for five years, and he does not feel that without the real threat of receivership, there is any chance of ever getting CCSD into full compliance. Vice President Newburn noted that before the statue, some of the language came from the Board.

Member Hughes moved to send the regulatory language regarding Dispute Resolution Revision, and the regulatory language regarding Training to a regulatory workshop. Member Dockweiler seconded. Motion passed unanimously.

Member Hughes asked if the current Non-Compliance Policy/Consequences language gives the Superintendent of Public Instruction broad authority to take actions to address noncompliance. Senior Deputy Attorney General (DAG) David Gardner responded yes, the actual language is “The Superintendent shall take such actions as deemed necessary and appropriate to ensure that the large school district is in compliance.” Member Hughes asked if right now with no changes to the language could take action by implementing any of the suggested consequences in the proposed language. DAG Gardner responded yes. Member Hughes stated that some individuals believe that the Board is trying to introduce something new and in fact the intent of the Board is to set parameters.

Member Hughes suggested adding a phrase to paragraph *f* of the Non-Compliance Policy/Consequences proposed language to ensure the large school district can only be placed in receivership under the purview of AB 469. Ms. Gonzales responded that this would be an easy addition and agreed to adjust the language.

Member Cantú suggested adjusting the proposed regulatory language to include the ability to appoint more than one compliance monitor for different areas of expertise. Vice President Ortiz suggested adding a (s) to the end of Monitor in the proposed regulatory language. Ms. Gonzales agreed to make the revision.

Ms. Gonzales noted that the AB 469 Subcommittee requested to ensure that the compliance monitor have requisite skills that align to the deficiencies. President Ortiz agreed and noted that the Superintendent should have flexibility to appoint a couple of individuals instead of one if the required skillset is not found in the one individual. President Ortiz noted that the compliance monitor has a heavy burden, and it would be beneficial to have multiple individuals to focus on their areas of expertise. Ms. Gonzales agreed and noted that it would be an easy addition to make before the item moves to workshop.

Member Cantú moved to send the regulatory language regarding Non-Compliance Policy/Consequences with the additions and changes requested by the Board to a regulatory workshop. Member Katie Coombs seconded. Motion passed unanimously.

Regarding the definition of other staff under the direct supervision of the principal regulatory language, Member Hughes noted that he has not been able to find a discussion point about why the term “direct” has been included. President Ortiz responded that the intent of the law was to give the principal and the school organizational team (SOT) control over choosing the people in the school and working with students. The principal and the SOT are trying to establish a culture and a climate that best suits the students that they’re serving. Whoever is contributing to outcomes of the students in that building should be under the control of the SOT and the principal because they are determining what the climate and culture of the at school is going to be.

Ms. Gonzales noted that the recommendations from the advisory committee to develop a plan to reorganize the Clark County School District under letter C the transfer of authority to local school precincts states “the minimum authority which the school district must transfer to each local school precinct include the authority to; select the staff for the local school precinct.” Number 2 states “provide direct supervision of staff including addressing certain disciplinary actions that do not involve a violation of the law or require investigations.” Ms. Gonzales noted that she reached out to former CCSD Superintendent Pat Skorkowsky to ask him if he had knowledge of who submitted this language. It was Superintendent Skorkowsky and CCSD at the time. Ms. Gonzales asked Superintendent Skorkowsky to explain the language and his response was “the intent was all support staff assigned to a school, but not for those from central like landscapers.” Ms. Gonzales noted that the intent was to address the selection of staff for the school precinct and because “other staff” was not very clear, they were worried that it may be interpreted that central employees were also included.

Member Cantú moved to send the regulatory language regarding Other Staff Under the Direct Supervision of the Principal Definition to a regulatory workshop. Member Tamara Hudson seconded. Member Hughes opposed the motion. Motion passed with 10 votes in support and one opposed.

President Ortiz noted that all the regulatory language will go to a regulation workshop where there will be additional opportunities for public comment and discussion then it will return to the Board for a public hearing then sent to the Legislative Counsel Bureau for final approval and implementation.

11. FUTURE AGENDA ITEMS

Given the concerns across the State regarding mental health and safety, member Dockweiler requested a workgroup or a discussion to determine what the Board could do to provide support in this area.

12. PUBLIC COMMENT #2

Autumn Tampa, community member, provided public comment regarding teacher licensure pathways. *(A complete copy of the statement is available in Appendix A)*

Chris Daly, NSEA, provided public comment regarding school violence. *(A complete copy of the statement is available in Appendix A)*

Kathleen McDonald, ESEA, provided public comment regarding teacher licensure pathways. *(A complete copy of the statement is available in Appendix A)*

13. ADJOURNMENT

Meeting was adjourned at 6:54 P.M.

APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT

1. Brian Lee, Executive Director, NSEA/ESEA, provided public comment regarding agenda item 9.
2. Clark Garner, Vice President, ESEA, provided public comment regarding agenda item 10.
3. Chris Daly, Nevada State Education Association, provided public comment regarding agenda item 10.
4. Ken Paul, Principal, W. Mack Lyon Middle School, provided public comment regarding agenda item 10.
5. Autumn Tampa, community member, provided public comment regarding agenda item 10.
6. Kathleen McDonald, ESEA, provided public comment regarding agenda item 10.
7. Karen Berney, ESEA, provided public comment regarding agenda item 10.
8. Rex Rivers, teacher, CCSD, provided public comment regarding agenda item 10.
9. Hawah Ahmad, Clark County Education Association, provided public comment regarding agenda items 7,9, and 10.
10. Jordana McCudden, Assistant Principal, Jydstrup Elementary School, provided public comment regarding agenda item 9.
11. Kellie Ballard, Chief Strategy Officer, CCSD, provided public comment regarding agenda item 10.
12. Kay Barlow, community member, provided public comment regarding agenda item 10.
13. Syrissa Jolley, community member, provided public comment regarding agenda item 10.
14. Ed Gonzalez, SOT member, Hickey Elementary School, provided public comment regarding agenda item 10.
15. Jeff Horn, Executive Director, CCASAPE provided public comment regarding agenda item 10.
16. Autumn Tampa, community member, provided public comment regarding teacher licensure pathways.
17. Chis Daly, NSEA, provided public comment regarding school violence.
18. Kathleen McDonald, ESEA, provided public comment regarding teacher licensure pathways.

APPENDIX A, ITEM 1: BRIAN LEE

Hello, I'm Brian Lee, I'm the executive director of the United States Education Association and the executive director of the Education Support Employees Association in Las Vegas.

The Nevada State Education Association has been the voice of Nevada educators for over 120 years. These comments are directed to item #9 on today's agenda and the staffing crisis facing Nevada schools. Unfortunately, there is no sugarcoating it. The state of public education is dire. For decades, Nevada has ranked near the bottom of states in education funding and quality. With the additional challenges of the last two years, we are amidst an unprecedented shortage of educators to teach our kids and make our schools run. There are thousands of vacant positions across the state in addition to the structural educator shortage with the largest class sizes in the country. Nevada needs bold action to address the crisis in public schools. It's time to adequately fund public education in Nevada. It's *Time for 20*.

Time for 20 means a 20% increase in educator pay and at least \$20/hour for the workers who make our school run. *Time for 20* means reaching an average class size of 20 students in core academic subjects. Let's consider the severity of the situation for Nevada educators.

- The Economic Policy Institute reports public school teachers are paid 19.2% less than similar workers in other occupations.
- According to the National Education Association's Ranking of the States, Nevada public school teachers make nearly \$7500 below the national average and \$27,000 less than neighboring California.
- Nevada has some of the largest class sizes in the country, with some of the highest concentrations of at-risk students and English learners.
- Educator safety is a growing concern, as horrific violence in classrooms dominates the news.
- A substitute teacher shortage has left countless classrooms with no teacher at all, forcing remaining staff, or even our Lt. Governor, to cover additional classes.
- A chronic bus driver shortage has caused serious delays, sometimes stranding students for hours. Multiple districts have canceled routes and adjusted schedules to mitigate the issue.
- Thousands of education support professionals across the state earn significantly below a living wage, with starting salaries as low as \$10 to \$11 per hour.
- The latest inflation data shows prices are climbing at the fastest pace in 40 years, with CPI now at 8.7%. Home and rent prices have skyrocketed across Nevada, with average rents up 20-25% over the last year alone.

There are efforts across the country right now to raise educator pay to address the educator shortage. This year, New Mexico increased educator pay by an average of 20%. When talking about low education funding, Nevada is frequently compared to Mississippi, but this may no longer be fair to Mississippi, as they just passed legislation to raise teacher pay by more than 10% this year!

It's *Time for 20* to invest in our educators, and to truly meet this moment of crisis in Nevada schools.

APPENDIX A, ITEM 2: CLARK GARNER

My name is Clark Garner. I am vice president of ESEA. I am a 30-year employee of CCSD and I'm here today as an ESEA elected official and an ESP a father, a grandfather, and finally, as a taxpayer. The proposed changes to the language of AB 469 by the subcommittee formed by this body literally is overstepping their bounds. Our ESEA president had sent a very important email to the chair of the subcommittee to share with the entire subcommittee members and it wasn't, this wasn't just an email, it was the voices of our members by the chair of the subcommittee not reading and sharing this email our voices weren't heard. This email was printed and made available to the subcommittee members prior to their voting on the proposed changes. No subcommittee member suggested to take the time to read this email prior to taking the vote. Therefore, the reason I'm here today is to voice my concerns. AB 469 was written very clearly for teachers and administrators because the primary function of the principal is to educate our kids. When getting to the section addressing ESP staff, there is a distinction of under the direct supervision of. Now this phrase may see ambiguous however, it carries some strong ramifications if it's taken out of context. There are binding CBAs already in place that protect the ESP staff which have been negotiated over many years. Modifying elements of this law to focus on ESP staff will negate those CBAs. How does this information I am referring to have a real-life application? You might ask yourself if you had a daughter working as an ESP staff member and she was affected by this, how would you feel? Would you care more about this decision? Would you want her seniority to matter? So she could pick a job located and closer to her home? So she could be happy that she got to choose where she works. Would you want to stand up for her rights? Knowing your daughter struggles with social situations, would you want her career to be altered because she didn't interview well? After 15 years of employment, wouldn't you want her to have the protection of eight pages of a CBA versus having to prove herself in an interview. Yes, I am also a father to an ESP staff member. Please listen today because our voices haven't been heard and this affects our lower paid staff members who usually already struggle to make ends meet. Thank you.

APPENDIX A, ITEM 3: CHRIS DALY

Thank you, Madam Chair. Chris Daly.

The Nevada State Education Association has been the voice of Nevada educators for over 120 years. On item #10, NSEA strongly objects to proposed draft regulation language recommended in a split vote of the AB469 subcommittee to define “other staff who work under the direct supervision of the principal”.

In the current 55-page Negotiated Agreement between the Clark County School District and ESEA, nearly 8 pages are dedicated to the issue of reassignment, either due to a surplus or a reduction in force. This language has been negotiated and agreed to by the parties to give the district the flexibility it needs to operate schools, while also protecting the rights of workers. It may not be perfect, but it is much better than other processes which could invite unfairness, discrimination, or even corruption and nepotism.

AB469 is not a perfect law, but it is the product of years of political compromise. NSEA was actively engaged on this bill in Carson City during the 2017 legislative session and had many conversations with legislators about the language in the bill, including specifically about Section 16 of the bill, now known as NRS 388G.610...

The superintendent shall transfer to each local school precinct the authority to carry out the following responsibilities: (a) Select for the local school precinct the: (1) Teachers; (2) Administrators other than the principal; and (3) Other staff who work under the direct supervision of the principal.

As the April 8th letter from Sue Matuska of Dyer Lawrence to the subcommittee stated, “By using the word ‘direct’ in the manner it did, the Legislature plainly state that the principal of a local school precinct has the selection authority only over the support staff employees that the principal ‘directly supervises,’ meaning there is no intervening supervision by another CCSD employee.” If the Legislature only wanted to only exclude staff of central services from this section, it could have specifically done so.

Despite this, draft language recommended by the subcommittee would make this selection authority applicable to nearly all education support professionals at a school site, disrupting the carefully balanced reassignment process at the Clark County School District, harming union rights, and violating the plain meaning of the law.

As this Board contemplates the current staffing crisis in Nevada schools, we would hope you would think twice about taking away more rights from education employees. NSEA is in full support of the language submitted by the Education Support Employees Association. This would define “other staff who work under the direct supervision of the principal” as “support staff employees who report directly to the principal without any intervening supervisor or evaluator. In a typical school setting, examples of such employees would include, but not necessarily be limited to a school office manager, a head custodian, and a building manager.”

APPENDIX A, ITEM 4: KEN PAUL

Agenda Item #10: Implementation of Assembly Bill (AB) 469 (2017) [NRS388G.500-810]

As a principal, SOT member, and rural community member, I wholeheartedly support this Board moving forward with the proposed regulatory language of the **new non-compliance policy**, the **revised Dispute Resolution Regulation**, and the **latest definition of** “other staff who work under the direct supervision of the principal”

It is time for central leadership and the trustees to promote, fight for, and get passionate about a decentralized governance model that [in the words of NV state legislators] *“is better structured to educate efficiently, effectively and successfully the diverse and varied populations of pupils within large school districts because a site-based operational model encourages decision-making that is more innovative, proactive and responsive to the particularized, specialized or localized circumstances, needs and concerns of each local school precinct.”*

AB469/NRS388G is a governance model. It was intended to decentralize **decision making** and **money**. From a recent conversation, I am painfully aware that from early on, the central leadership (Superintendent & Trustees) knew they were not providing money, control, or discretion to precincts in regards to purchasing equipment, services, and supplies. With SOTs, it was smoke and mirrors, an illusion took place when it came to Service Level Agreements.

In December, when pressure was mounting to place dollars, control, and discretion in precinct budgets, this current leadership convinced Trustees, in a rushed decision, to re-centralize nearly **all** central services.

There is a need for a compliance monitor, possible receivership, and a dispute resolution process. *All this would not be necessary if central leadership (Superintendency and Trustees) will promote, fight for, and get passionate about NRS388G to increase achievement and vastly improve operational efficiency.*

APPENDIX A, ITEM 5: AUTUMN TAMPA

Please vote AGAINST the language from the Assembly Bill Subcommittee today!!

This Committee has been talking and asking about the "spirit" of the law. And about the "intent" of the law. They are NOT following that intent!!

The original bill of AB469, now NRS 388.610, was first known as AB 394. I followed this bill through the Legislative Website, at Legislative hearings, and then by going to every Townhall meeting that was held. I had serious concerns from the very beginning. The bill seemed to create an extra mandatory layer of bureaucracy at the Administrative levels at CCSD that were UNNECESSARY, while taking away Employee Rights that had been fought for and won over 60 years ago!! That is why I followed the bill so closely, speaking up for Fairness and Equity for Education Employees!!

On June 16, 2016; I attended an INTERIM ADVISORY COMMITTEE TO DEVELOP A PLAN TO REORGANIZE THE CLARK COUNTY SCHOOL DISTRICT meeting. At that meeting part of the Comments were:

Ms. Tampa: Is that 357 precincts? Then there are 25 associate superintendents overseeing it, and each precinct can negotiate its own staffing and services?

Chair Roberson: Public comment is probably not the time to have the dialogue, but that is not exactly the case. Collective bargaining agreements will not be affected by this and will still be handled at the central office. And, I did not hear anything about mass layoffs today

Ms. Tampa: I am glad to hear that; I am glad to be wrong about those kinds of things"

(Please note that close to 1000 Education Support Employees have lost positions because of AB 469 since then.)

The statement made on the public record at a public meeting seems to say that Collective Bargaining Agreements were NOT intended to be affected. Yet with the new regulation language this will assuredly happen! How can that be if it was stated at the public meeting that was NOT the intention?? and at the EXPENSE and HARM to Education Support Professional Employees and Teachers!! Of course, unless it was a deliberate misrepresentation of the law to get the public to go along with it!!

The other point I want to make is that when the 2nd draft of the bill went through with the Legislature with majority support, it was NOT the same bill as AB394. It was a DIFFERENT bill with DIFFERENT language. Language that was changed DELIBERATELY, by collaborating with Collective Bargaining Agents and Democratic Leadership. **It did NOT and does NOT have the same intention as the original bill!!**

What does "direct supervision" mean?: "Direct supervision is a term that is used to refer to situations in which a supervisor is present at all times. The supervisor oversees activities as they occur and provides constant direction, feedback, and assistance. "

"Direct supervision generally means to be physically present, or within an immediate distance,..."

A principal or other Administrative staff does NOT provide "direct supervision". They are NOT physically present watching the activities of an ESP. And principals do NOT provide constant direction, feedback or assistance to an ESP. I know because I am an ESP.

Signing someone's Evaluation is NOT "direct supervision". It is signing off on something that someone else provides supervision over. It is saying that they trust the judgement of the supervising party, but it is NOT "direct supervision" to sign an Evaluation. Even if the principal is responsible for the occurrences at his school. Being responsible for the school is NOT the same as "directly supervising" all personnel.

Many Administrators have signed my Evaluations when they were hardly ever present, and who did NOT have "direct supervision" over me!!

Please consider these comments and definitions when voting today; and **vote AGAINST this language!!**

Respectfully,

Autumn Tampa

APPENDIX A, ITEM 6: KATHLEEN MCDONALD

Good afternoon, madam Chair and Board members. I am Kathy McDonald I am a bus driver and a member of ESEA which represents over 8000 professional support staff in Clark County. ESEA has been engaged in the issue of reorganization since the discussion started in 2015 and later was adopted in AB 469 in 2017. Members and representatives of ESEA have come before this Board numerous times to speak regarding AB 469. ESEA has been a fully engaged partner in reorganization and we continue to want to be done right Recently. The Nevada State Board of Education Assembly Bill 469 Subcommittee adopted a definition of AB 469 that will essentially eliminate ESEAs collective bargaining agreement with Clark County school district that allows for the reassignment process through surplus and reduction enforced language in our current contract. Our collective bargaining agreement is 55 pages long. Nearly eight pages of this agreement is dedicated to the issue of reassignment. The language was negotiated and agreed to by all parties involved. It provides protection for workers and it allows flexibility for the school district. Our agreement is based on fairness and seniority, and it works for the employer and the employee. I can add to our agreement was recently renewed or renegotiated and the surplus language your committee is suggested being eliminated was not brought to the table by either party. If this Board agrees with the subcommittee's recommendation, you will be interfering with the collective bargaining rights that have been well established in Nevada and with ESEA since it formed in 1967. This attack on ESEAs collective bargaining agreement essentially attack on all collective bargaining agreements in Nevada and ultimately an attack on the thousands of professional support employees who fall under the collective bargaining agreement. I am asking for you not to accept this recommendation of the Board of Education Subcommittee on AB 469 and reject the proposed anti-union anti worker language. Thank you.

APPENDIX A, ITEM 7: KAREN BERNEY

Good afternoon my name is Karen Berney and I am a Specialized Programs Teachers Assistant (SPTA) 3 with the school district. I have worked with CCSD for 19 years at the same school I stand with ESEA and I'm against AB469 Subcommittee language for the ESPs. My principal is not my direct supervisor and I support our union contract rights and stand with the fellow coworkers. Vote no on AB 469 subcommittee language for the ESPs. Thank you.

APPENDIX A, ITEM 8: REX RIVERS

Yes, my name is Rex Rivers. Can you hear me okay? Yes, I'm a teacher here at CCSD and I have uh experienced the fact that AB 469 is very necessary, and I just want to say thank you to President Ortiz and Vice President Newburn and all the members of the Nevada Board of Education for the work that they've done, especially with CCSD to implement AB 469 the reorg law. Um more than any other district. CCSD needs this law to be implemented the way that it is written, and I would encourage all of you to please vote to approve the agenda item number 10, which is AB 469 the way that it is written, please don't water it down. Our district specifically needs to have the enforcement at a local level that they implement decentralization. Over decades, our district has implemented a cookie cutter type of strategy where they try to force every school to follow the same programs from the top down. Uh that's just not good for kids. Many different communities exist within CCSD uh communities in Mesquite are different from communities in downtown Las Vegas and in the rural rural communities, smaller towns, things can be very different, and the SOTs were created for that specific purpose because the parents and teachers who are at that school are close to the students, they know the needs of the specific needs of their students at their school. And AB 469 was designed so that they could have a say in how funding should be best spent to improve education for the students at their school. Unfortunately, CCSD continues to use a cookie cutter top down force feed uh type of a strategy and that is why we need to pass item agenda item number 10 and implement AB 469 the way that it is written so that the SOTs will have the power that they need to make the best decisions for the students at a local level within each community within each school. Thank you.

APPENDIX A, ITEM 9: HAWAH AHMAD

Thank you for the record. My name is Hawah Ahmed. H.A.W.A.H. A.H.M.A.D. and I represent the Clark County Education Association. Good afternoon chairwoman Ortiz and members of the State Board of Education. CCEA looks forward to the discussion that will be had in regard to agenda items 7, 9, and 10. CCEA believes that SB 89 SB 151 and SB 352 must be implemented and funded to support our specialized instructional support personnel. Most importantly, we must fully implement, and fund mental health supports to combat the increase of school violence that we are seeing every day. In many ways, agenda items 7 and 9 are directly correlated. Without satisfactory conditions, we will remain to have an educator retention problem. If we do not address and improve our teaching conditions, it does not matter how many educated recruitment programs we have. We need mentorship, coaching, funded mental health programs, and consequences for violence in the past year. Lastly, CCEA was an active participant in the drafting of AB 469 and served on the technical advisory committee to ensure that the intent of the law would be carried out. As we move forward with the regulations from the AB 469 subcommittee, CCEA supports and believes that the language agreed upon At the February 23rd, 2022, meeting will serve as a fair compromise that will help to support our educators and administration to put student achievement at the forefront of the conversation. We believe these proposed regulations provide the appropriate guard rails to prevent an abuse that was occurring. The Clark County Education Association and the thousands of licensed education professionals we represent thank you for your hard work. As always, CCEA stands ready to assist in whatever way we can to ensure that Nevada's future, our students are prepared to bring our State forward in an environment where our educators are supported. Thank you.

APPENDIX A, ITEM 10: JORDANA MCCUDDEN

Good afternoon, my name is Jordana McCudden. I am currently an elementary school assistant principal, serving my 22nd year in education. My public comment is for item number 9: Information And Discussion Regarding The Educator Recruitment Needs And Efforts.

Across the nation, schools are struggling to fill all available teacher positions. Nevada is no exception. I applaud the consistent focus of NDE's State Board of Education on efforts to recruit and retain the education professionals vital to the success of our students. Steps are being taken, but we are running full speed into a crisis for the 2022 - 2023 school year and beyond. We must remove as many barriers as possible to ensure all of Nevada's students enjoy the benefits of qualified and dedicated education professionals.

I see in the presentation for this agenda item many scholarship opportunities available to those seeking teacher prep programs, which is fantastic. I know a young lady who graduated from high school last year who is considering a teaching career, but has little access to support for higher education. How might she learn about these opportunities? More robust outreach to high school graduates who went directly from high school to the workforce may be the catalyst in many to reconsider their current employment path.

Once in a teacher prep program, student teaching becomes a massive barrier. The required semester of unpaid full time work should be replaced with integral field experience throughout the program. Being in a classroom while learning theory is the most practical way for students to apply their learning directly to real experience.

Finally, I'll remind you that there is, in fact, no shortage of qualified teachers in this county. There is an abundance of those holding valid teaching licenses across the county who have stepped away from the classroom for various reasons. We should make it as easy as possible for those holding out of state teacher licenses to be granted Nevada teaching licenses, up to and including subsidizing the cost of licensure. Nevada is a vibrant, beautiful state with a thriving economy. Aggressive recruitment nationally should be a priority.

Thank you for your time dedication to Nevada's most precious resource, our children.

APPENDIX A, ITEM 11: KELLIE BALLARD

The Clark County School District appreciates the efforts made by the Department of Education to assist with the implementation of the provisions of NRS 388G. CCSD Superintendent Jesus F. Jara looks forward to continued collaboration with the Nevada Department of Education on the full implementation of the reorganization with the goal of improving outcomes for students.

The Clark County School District maintains that the appointment of any receiver and the instruction to pay any amounts from the Clark County School District funds is "ultra vi res" and is beyond the provisions of NRS 388G. The Nevada Legislature did not authorize a complete takeover of the Clark County School District in order to resolve a few (alleged) minor issues with compliance.

The language granting the authority for the receivership is arbitrary and capricious in that it broadly provides that the receiver may do anything that is authorized by the Superintendent of Public Instruction even if it has nothing to do with compliance (see section (f)(1) of the Possible Regulatory Language). Notwithstanding the District's current healthy financial position, unintended consequences of even the possibility of this action may result in a material negative impact on the District's ability to bond, reducing our ability to refurbish and build schools.

As to the modification of NAC 388G.100, the changes are beyond the authority granted in the Nevada Revised Statutes and potentially will conflict with the express language in NRS 388G.

Respectfully,
Kellie Ballard
Chief Strategy Officer
Clark County School District

APPENDIX A, ITEM 12: KAY BARLOW

Hello, I apologize for not being in attendance in person and/or not being able to participate in a live call-in, but my daughter is graduating from law school at the moment, so I am unavailable. I am writing in support of developing, implementing, and passing specific non-compliance regulatory language and procedures in relation to Assembly Bill 469. In addition, I support a revision to the Nevada Administrative Code to include a Dispute Resolution Regulation to handle disputes regarding the implementation of AB 469 and the resulting NRS 388G.

Accountability is key to the implementation of any law; and regulations and procedures to ensure accountability are necessary for the successful application of this very important and much-needed law. In a district as large and diverse as CCSD, it is crucial that those closest to the students (Those who have administrative functions over each precinct) have a dominant voice in the operation of each precinct. Please pass the necessary regulatory language and resolutions to guarantee the accurate execution of AB 469 and NRS 388G.

Thank you,
Kay Barlow

APPENDIX A, ITEM 13: SYRISSA JOLLEY

For the record, my name is SyriSSa Jolley. My public comment is to address agenda item 10.

I first want to express my appreciation for all the work all of you have done. I am a firm believer that if AB469 is implemented it would benefit all parties and especially our students.

When individual schools within a large school district have autonomy and control & discretion of funds it benefits students. We should all be here today for one purpose...the students! The district has had over 5 years to implement this law. They have shown no desire to implement the law, and have actually taken more control virtually eliminating autonomy for the individual schools. For example...CCSD purchasing text books for all schools, requesting the board of trustees to vote and to remove SLA's, and the new grading reform. These are examples CCSD breaking the law. What kind of example is that for our students? CCSD has not been held accountable and that's why it's imperative that a motion is made to pass a "Non-Compliance Policy." We cannot wait any longer.

In our SOT meeting yesterday it was disappointing to realized that most of our time was spent trying to navigate CCSD's policies that do NOT align with the law. Time during SOT meetings should focus on how to better educate our students, NOT how to navigating CCSD's policies. We have worked so hard to understand and request assistance from CCSD, usually nothing gets resolved. We are currently in need of large scale landscaping help. We have begged and pleaded with the district. In fact, this morning I received a picture of our principal mowing the lawn at the school. He takes pride in his school and wants to provide an environment where our students can thrive and be proud to show up every day! As you can see, a motion and vote needs to take place to implement "Dispute Resolution Regulation."

CCSD need to trust that their principles' top priority is their students! I ask this board to promptly take the necessary steps to vote to pass a "Non-Compliance Policy," and "Dispute Resolution Regulation." Thank you!

APPENDIX A, ITEM 14: ED GONZALEZ

My name is Ed Gonzalez. I'm a community member of the Hickey Elementary School Organizational Team and I want to speak on the regulations of AB 469. Can I be heard? Just if you can let me know? Okay I apologize madam Chair, I apologize. I know I'm a workaholic I'm actually calling from Disneyland because I was watching a little bit of the hearing in line of the ride. I just want to clarify some points have been made by ESEA and NSEA when we talked about this language and law from 2017 that this bill was codified in 2017 based on the hearings that we've had in the past and ESEA didn't come in until the very end of those um hearings and endorsed the language that ends up being AB 469. In fact, they said that at the State Board of Education meeting and also at the work session that they've had, you know I feel like the process here when we're talking about some of the language that the the state board is using. This has gone to the legislature in the past. Dallas Harris had a bill on the surplus issue that the legislature heard in the Senate Education Committee and chose not to act on it. So this is not something that we're, it's ambiguous of legislative intent. The Legislature has looked at the law has looked at the multiple changes that have been addressed by not only the school district, but also NSEA, ESEA and others and chosen not to amend this loss for the most part. And so I feel like some of the stuff that has been said is a little misleading and especially when it comes to the collective bargain agreement that came from language of AB 469, the original bill that mostly dealt with if there was um a breakup of the district multiple district that would not affect the collective bargain agreement, meaning it wouldn't be a decertification of the current unions in that process. So, madam Chair. I just feel like I want to sit there and and put that onto the record. So, thank you so much. I appreciate it.

APPENDIX A, ITEM 15: JEFF HORN

President Ortiz, Superintendent Ebert, members of the Board, my name is Jeff Horn and I am the Executive Director of the Clark County Association of School Administrators and Professional-technical Employees (CCASAPE). CCASAPE represents more than 1300 administrators in the Clark County School District of which approximately 98% are members. CCASAPE appreciates the work of NDE AB 469 Subcommittee to clarify and define critical areas of this law. Specifically, CCASAPE supports the proposed draft language for “Other Staff Under the Direct Supervision of the Principal” and encourages this Board to approve as submitted.

It is important to note that a principal can decide to “directly” supervise any or all employees at their site. An elementary school principal who does not have an assistant principal, directly supervises all staff both licensed and support. It is essential to not get “hung up” on the word “direct” since the principal is the one who is ultimately responsible for all site-based non-central staff.

AB 469 was created to allow local school precincts the authority to develop budgets, select staff, and contract with outside services. If the expectation is to improve teaching and learning, a principal must have the ability to hire all staff. This can only be accomplished when this authority is fully transferred from central office to each site.

Thank you for your time.

Jeff Horn, Executive Director
Clark County Association of School Administrators & Professional Technical Employees

APPENDIX A, ITEM 16: AUTUMN TAMPA

Autumn Tampa speaking as an individual. People ask me what I do for fun, this is it. I'm really grateful that I was here and that I'm able to hear all of the progress moving forward. It really warms my heart because when I first started in the district there were not many opportunities for education support professionals to move forward or have any career paths. And so I'm really grateful that's being explored a bit more. I think it really needs to continue to be explored. Um I think one of the ideas that I was thinking about is okay right now, you know, and even halfway through my career, I couldn't afford to go back to an ARL program work, you know, five days, go to school five nights, and then try to pay for it. I'm already in debt because I make less than half of what a teacher does. So certificate programs that add you know and certification um similar to us having um the two years for title one, I know that I've been working in Zoom and I actually tutor with two other girls who are not teachers. We do all the tutoring of the students who are ELL to bring them over that bubble. So that could be I think used all over the place. And um the support staff could have certifications. Um I think oh god there's so many different things. Communication is horrible. Okay. There's no time between support staff teachers, principals' administration. I go in to talk to someone now. There's been some wonderful administrators but I'm gonna tell you what the majority of administrators that I've interacted with have this concept of Downton Abbey. You have the higher ups, the elite royals, you have those in the middle which are teachers and then you have the servants and support staff are looked at as the servants. We should know our place, only speak at certain times about certain things and not talk about anything else. And I've overstepped and pushed those boundaries in every place I've been and I'm really glad I have. But that is a problem in this district. Okay. I don't feel valued by the majority of administrators I've worked for. Okay. I don't. Only as a servant who is replaceable. So that one of the problems and I think a lot of teachers feel like that the teachers in my school are burnt out. They are overwhelmed and they don't feel supported by the district or the principal at this point. He's very nice. He is, he has got good communication skills, he's new. So I got to give him a chance. But you know, 160 schools, I've been in. Multiple administrators and principals there's a lack, okay, you have professional development, support staff aren't included most of the time except to do paperwork, to stamp things to staple things to get it ready for everybody else. We need to be treated like the valuable assets and experienced people we are. I could run circles around certain people that have degrees higher than mine with children and without, so a lot of things I got to say.

APPENDIX A, ITEM 17: CHRIS DALY

The Nevada State Education Association has been the voice of Nevada educators for over 120 years.

School violence was not on the Board agenda today, but we appreciate comments by President Ortiz in the wake of the horrific event at El Dorado High School. Vickie Kreidel, teacher and President of the NEA of Southern Nevada said this. “The young woman who was attacked, her life will never be the same. You can’t cross your fingers and hope for the best. What happened shows that’s not going to work. They haven’t done enough. Whatever talks have happened is not enough. It is too late for committees. It is too late for town halls.”

The high-profile recent events are not new and not limited to Clark County or the 2013 shooting at Sparks Middle School, which took the life of teacher Michael Landsberry. NSEA has consistently heard alarming concerns about personal safety from our members across the state. That’s why we have a long history of engagement on the issue of educator safety and student disciplinary practice. NSEA spearheaded the creation of the progressive student discipline system decades ago and during the 2019 session, we were the only stakeholder group raising public concerns during the discussion of implementing restorative justice in AB168. Here’s some of our public comment from the 2019 hearing on AB168.

Unfortunately, there has been an increase in violence against educators in Nevada and across the United States. In 2016, 6% of teachers reported being physically attacked by a student from their school in the previous year. NSEA and our local affiliates have received numerous reports this year of assaulted educators with bruises, broken bones not to mention the emotional toll. We believe that a strong restorative discipline system would reduce incidents where educators sustain injuries. However, this system needs to be proactive, implemented district-wide, and will require much greater attention and significant new resources that are not reflected in AB168. Without this level of implementation, we fear that moving away from the no-tolerance policies could result in even less safety. Reduction of suspensions and expulsions is a laudable goal, but not at the expense of safety for violent offenses.

Last interim, NSEA proposed an Educator Bill of Rights to improve educator safety, but our proposal was largely disregarded. Since the pandemic, the situation in schools seems to have deteriorated further. A delayed and poor statewide implementation of AB168 has left many schools and school districts unsure about the student discipline system, opting for little to no student discipline at all. The pandemic has exacerbated mental health issues. And a historic educator shortage, with thousands of vacant positions across the state in addition to the structural shortage with the largest class sizes in the country, makes it nearly impossible to implement even the best plans for school safety and student discipline.

NSEA’s Time for 20 campaign would address many of the underlying issues of the educator shortage and go a long way to improve school climate and culture. Meaningful resources for student mental health and a real investment in implementation of restorative justice system are long overdue. Educators across the state and our students need bold action now.

APPENDIX A, ITEM 18: KATHLEEN MCDONALD

Kathy McDonald for the record. ESEA bus driver. Autumn brought up a good point about support staff um being able to get licensure. Here's the problem. Every time you talk about support staff, you talk about the paraprofessionals the people in the schools. How about us bus drivers? the bus aides? I have almost as much education as any of you sitting here. I can't get into a program because I'm not a paraprofessional, I'm a bus driver. So how how?

Superintendent Ebert: I am going to change that.

Kathy McDonald: She, she triggered it and I brought it up to NSEA and that.

Superintendent Ebert: we will make sure you have a pathway and I'm gonna come visit your classroom.

Kathy McDonald: I'm not in a classroom.

Superintendent Ebert: when you are a teacher when you become a teacher, well I can drive your bus with you.

Kathy McDonald: you want to come with me? Anytime.

Superintendent Ebert: Thank you. And thank you for sharing that idea and I definitely want to take action on that.