

**NEVADA DEPARTMENT OF EDUCATION
NEVADA STATE BOARD OF EDUCATION
FEBRUARY 25, 2022
2:00 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
Dr. René Cantú
Katie Coombs
Dr. Katherine Dockweiler
Tamara Hudson
Tim Hughes
Cathy McAdoo
Mike Walker

DEPARTMENT STAFF PRESENT

Jhone Ebert, Superintendent of Public Instruction
Dr. Jonathan Moore, Deputy Superintendent of Public Instruction
Jeffery Briske, Director, Office of Educator Development, Licensure and Family Engagement
Dave Brancamp, Director, Office of Standards and Instructional Support
Jayne Malorni, Education Programs Professional, Office of Standards and Instructional Support

LEGAL STAFF PRESENT

David Gardner, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE

Via videoconference

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

Meeting called to order at 2:03 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

Chris Daly, Nevada State Education Association, provided public comment regarding agenda item 3. (*A complete copy of the statement is available in Appendix A.*)

Dr. Kristen McNeil, Superintendent, Washoe County School District, provided public comment regarding agenda item 3. (*A complete copy of the statement is available in Appendix A.*)

3. 2:00 P.M. PUBLIC HEARING FOR REGULATION #R028-21

Jeffery Briske, Director, Office of Educator Development, Licensure, and Family Engagement provided an update from the February 24, 2022, Commission on Professional Standards meeting regarding regulation #R028-21.

Mr. Briske noted that the Commission on Professional Standards adopted regulation 028-21 at their February 24, 2022, meeting. This regulation makes amendments to Nevada Administrative Code 391.0896 – licensing of Emergency Substitutes. These changes allow a school district whose enrollment is 9,000 students or more, or a charter school located with the geographic boundaries of such a school district, to hire an emergency substitute teacher to serve as a teacher in kindergarten through 12th grade as needed, during a state of emergency. A person employed pursuant to this subsection may serve as a teacher for the remainder of the school year in which the state of emergency is proclaimed, regardless of when the state of emergency is terminated. Each school district or charter school shall provide one hour of training to each emergency substitute teacher that includes classroom management strategies and behavior management techniques that must be completed before they may serve as a teacher.

Mr. Briske noted that section 1 of NAC 391.0896 has not changed. The minimum requirements to serve as an Emergency Substitute teacher is a high school diploma or its equivalent.

Mr. Briske noted there was much discussion from the Commission about the urgency for this regulation to be adopted and the timeline that is pending with the State Board of Education and the Legislative Commission.

The Commission was concerned with the amount of training required in the current regulation as written. There was, however, consensus to:

1. Increase the training from 1 to 8 hours that includes classroom management strategies and behavior management techniques;
2. Have districts conduct ongoing evaluations of Emergency Substitutes; and
3. Have districts submit annual reports that may include the following: how many were hired, number of days in assignment, in what schools, and in what assignments such as elementary, middle, secondary, and or special education.

Mr. Briske noted that the Commission would like to bring amendments to NAC 391.0896 in a future workshop to address the aforementioned training, evaluations, and reporting.

Mr. Briske noted another point for consideration is to limit employment placement to PK-8 for Emergency Substitutes who are less than 21 years of age.

President Ortiz asked if there was consideration going forward for creating a pathway for emergency subs to

eventually become fully certified teachers. Mr. Briske responded yes; discussions are taking place on developing pathways for emergency substitutes to become fully certified teachers. President Ortiz suggested placing the emergency substitutes in a classroom with a fully licensed teacher as part of the increased training to not only train the emergency substitute but provide additional support to the licensed teacher for the duration of the training. Mr. Briske responded that he would bring the suggestion back to the Commission on Professional Standards.

Member Tim Hughes asked for clarification on the process of becoming an emergency substitute teacher. Mr. Briske responded that on the licensing side, a prospective emergency substitute teacher would log onto NDE's licensing system and submit an application. In order for a candidate to receive a license they must have a high school diploma or equivalent, have permission from the district they wish to be employed through, and complete a background check. Mr. Briske noted that the application is processed within a week, and the background check could take upwards of four to six weeks.

Member Hughes asked if non-emergency substitutes were required to go through a training process. Mr. Briske responded that there is not a requirement for non-emergency substitutes that have acquired 60 college credits in the licensure regulations. Member Hughes suggested implementing training requirements for non-emergency substitute teachers, noting that the 60 college credits potentially have nothing to do with classroom management.

Member Hughes noted the statement in the regulation language that a principal could keep an emergency substitute teacher for the remainder of the school year regardless of when the emergency is terminated. Member Hughes asked if there are conflicts with the conversations the Board has been having with Assembly Bill 469 regarding hiring substitute teachers. Senior Deputy Attorney General David Gardner responded that the Board has not defined what to the greatest extent possible means. DAG Gardner believes emergency substitute regulations would not supersede the AB 469 regulations. If the Board decides to move forward and create new regulations that could cause issues. If the Board decides to define "to the greatest extent possible," the Board could explain that those regulations would be superior to others or something to that effect.

Member Mark Newburn asked for clarification on why the Commission on Professional Standards decided to adopt the regulation as it currently stands with only one hour of training required for an emergency substitute, vs. the eight hours the Commission would prefer. Mr. Briske responded that after discussion with the Deputy Attorney General, changing the language of the regulation from one to eight hours would be a substantive change that would require the regulation to be sent back to a workshop without moving it forward.

Superintendent Jhone Ebert noted that the background check process in Nevada is a paper process and during the 2021 Legislative Session, she testified in support of an automated process for background checks because the State was losing possible candidates because the paper process took so long. President Ortiz asked that the Board be kept abreast of any additional attempts for funding for an automated background check system so that they may advocate in support. Superintendent Ebert agreed.

Member Mike Walker noted that some of the substitutes at his school could not afford to renew their license every year and asked Superintendent Ebert if it was possible to extend the renewal timeframe of a substitute license. Superintendent Ebert responded yes, that is something that the Department can consider and will do so.

Member Mark Newburn moved to approve regulation #R028-21. Member Katie Coombs seconded. Motion passed unanimously.

4. CANDIDATES FOR THE STATE BOARD OF EDUCATION HOLOCAUST SUBCOMMITTEE

Jayne Malorni, Education Programs Professional, Office of Standards and Instructional Support, provided a review of Assembly Bill (AB) 231. AB 231 states that the State Board of Education will form a subcommittee to review and ensure that all districts are providing age appropriate and historically accurate instruction about the Holocaust and other genocides that include Armenian, Cambodian, Darfur, Guatemalan, and Rwandan in areas of social studies and language arts. The Board will appoint members to the subcommittee that will review four areas. The subcommittee will ensure the curricula is aligned to standards and provide instruction on the Holocaust and other genocides as well as provide an inventory of resources for Nevada educators to use that are age appropriate and historically accurate. The Subcommittee will ensure that Nevada educators have professional learning available to provide strategies on how to hold these conversations and pose questions around these controversial topics that will not create further tension or animosity. The subcommittee will consider any other instruction tools or tool kits that are needed for Nevada educators. Ms. Malorni noted that AB 231 specified the Holocaust, Armenian, Cambodian, Darfur, Guatemalan, and Rwandan however, the subcommittee is not limited to those areas alone.

President Ortiz suggested the subcommittee include in the professional learning for teachers, social emotional skills/toolset to deal with the potential trauma that could be a trigger for students when studying this curriculum. President Ortiz noted that unfortunately there are students within Nevada schools that have experienced genocide firsthand. Ms. Malorni agreed and suggested including family engagement strategies.

Member René Cantú asked what guidelines the subcommittee will be utilizing to ensure the information is accurate and age appropriate. Member Cantú expressed concern that in an attempt to ensure the content is age appropriate might over abridge the information being provided. Ms. Malorni responded that the subcommittee will be comprised of individuals who have expertise in these areas and will have background as far as understanding the materials that are in front of them and whether or not it is age appropriate. Ms. Malorni noted that it is not the responsibility of the subcommittee to create materials but to provide recommendations for material that is age appropriate and historically accurate and then standard align.

Member Cantú stated he would like to ensure there is diversity in the slate of names being considered. Ms. Malorni responded that there is diversity amongst multiple arenas, not just race and age but also religion. Ms. Malorni noted that because of the nature of different types of genocides, diversity was taken into account for membership of the subcommittee very carefully so that all voices could be heard.

Member Hughes asked what is already being taught about the Holocaust and other genocides and what is going to be added. Ms. Malorni responded that Nevada has Multi-cultural K-12 standards in social studies but the work of the subcommittee will be to align the standards to the materials that teachers need in their classroom to teach them effectively so that Nevada students become thoughtful individuals on why genocide should no longer take place.

President Ortiz noted that the Board can place one of its members on the subcommittee and asked if any members of the Board were interested in being a part of the subcommittee. Member Walker volunteered.

Member Katherine Dockweiler moved to approve the provided list of subcommittee members with the addition of Member Walker. Member Tim Hughes seconded. Motion passed unanimously.

5. PUBLIC COMMENT #2

No public comment.

6. ADJOURNMENT

Meeting was adjourned at 2:59 P.M

APPENDIX A: STATEMENTS GIVEN DURING PUBLIC COMMENT

1. Chris Daly, Nevada State Education Association, provided public comment regarding agenda item 3.
2. Dr. Kristen McNeil, Superintendent, Washoe County School District, provided public comment regarding agenda item 3.

APPENDIX A, ITEM 1: CHRIS DALY

The Nevada State Education Association has been the voice of Nevada educators for over 120 years. Today we are commenting on item #3 related to emergency substitute teachers in Clark and Washoe counties. 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, and we are now amidst an unprecedented shortage of educators to teach our kids and make our schools run. Regulations to allow emergency substitute teachers in Clark and Washoe may be necessary, but they amount to little more than rearranging deck chairs on the Titanic.

Nevada needs bold action to address the crisis in Nevada public schools. 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 in the country.
- While the educator shortage is nationwide, it is especially bad in Nevada. Today the Clark County School District lists 1361 vacant licensed positions with record separations.
- Meanwhile 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.
- The latest inflation data shows prices are climbing at the fastest pace in 40 years, with CPI now at 7.5%. Home and rent prices have skyrocketed across Nevada, with average rents up over 20% over the last year.

There are efforts across the country right now to raise educator pay to address the educator shortage. In New Mexico, SB1 unanimously passed the state legislature and will increase pay by an average of 20%. Nevada's school crisis requires a response of this magnitude. We can no longer expect Massachusetts results while spending Mississippi money. 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: DR. KRISTEN MCNEIL

Washoe County School District is in full support of agenda item 3 and asking for your support. We would like to thank Superintendent Ebert and her staff for bringing this forward to address the critical need for substitute teachers in our schools today. We experienced a crisis during the Omicron surge and didn't have the ability to access guest teachers through this process and in some cases, it meant sending students home for distance learning due to a lack of teachers. While we acknowledge these measures are not ideal, they are important to have available if our state is truly committed to keeping schools open for in-person learning as we move through future variants of this virus. I want to ensure the State Board that we continue to have a robust human resources hiring process in place for substitute teachers that include screening, training and other measures to ensure well vetted and prepared adults are in classrooms with students. This regulation simply broadens the pool in which we can recruit candidates, as our rural districts are able to, and honors other education and work experience in addition to college credits. Thank you again to Superintendent Ebert and we ask for your support.