

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

June 13 and 14, 2008

Department of Education  
Second Floor Conference Room  
1820 East Sahara  
Las Vegas, Nevada

And

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

**MINUTES OF THE REGULAR MEETING - June 13, 2008**

**BOARD MEMBERS PRESENT:**

Anthony Ruggiero, Acting President  
Jan Biggerstaff, Clerk  
Dr. John Gwaltney, Member (left meeting at 4:45 p.m.)  
Sharon Frederick, Member  
Dr. Merv Iverson, Member  
Barbara Myers, Member  
Greg Nance (via telephone)  
Cindy Reid, Member  
Becky Childs, Student Representative

**BOARD MEMBERS ABSENT:**

Marcia Washington, President (excused)  
Dr. Cliff Ferry, Member (excused)

**DEPARTMENT STAFF PRESENT:**

Dr. Keith Rheault, Superintendent of Public Instruction  
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services  
Bill Arensdorf, Director, Office of Fiscal Accountability  
Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs  
Lisa Ford, Special Education Consultant, Nevada Department of Education  
William Strader, Education Consultant for Library Learning Resources  
Dr. Richard Vineyard, Assistant Director, Assessment, Program Accountability and Curriculum  
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction

**LEGAL STAFF PRESENT:**

Janet Hess, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

Dr. Gregory Schraw, Professor, University of Las Vegas  
Jodi Stephens, Legislative Director, Office of the Governor  
Stacey Lewis, Governing Body Vice President, Insight School of Nevada  
Hadassa Lefkowitz, Governing Body Secretary, Insight School of Nevada  
Hon. William S. Potter, Governing Body Chairman, Insight School of Nevada  
Allison C.A. Wallace, Liaison, Imagine School at Mountain View  
Dr. Bryn Lapenta, Senior Director, Washoe County School District  
Brenda Larsen-Mitchell, Executive Director, Curriculum and Professional Development Division (CPDD),  
Clark County School District  
Diane Reitz, Director of Literacy, CPDD, Clark County School District  
Lianne Jackson, Standards Program Coordinator, Washoe County School District  
Edie Grub, Governing Body President, Silver State High School  
Val Olsen, Candidate for the State Board of Education  
Kristine Miller, Imagine School at Mountain View  
Mary Pike, Clark County School District  
David Miller, Clark County School District  
Holli Kalaleh, Clark County School District  
Hugh V. Wallace, One Hundred Academy of Excellence  
Vicki Frazier-Williams, Imagine Schools  
Cindy Kerr, Clark County School District  
Ricci Rodriguez-Elkins, CFCSD  
Steve Knight, Silver State High School

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

Acting President Ruggiero called the meeting to order at 3:28 p.m., with attendance as reflected above. He announced the Pledge of Allegiance had already been conducted. A flexible agenda was moved by Member Nance, seconded by Member Reid, and carried unanimously. Acting President Ruggiero introduced and welcomed the State Board's new Student Representative, Becky Childs. He requested agenda items 1 and 13 be deferred to a future meeting due to President Washington's absence.

**1. President's Report**

- **Introduction of New State Board Student Council Representative: Rebecca (Becky) Childs**
- **Report on Meeting with Clark County School District Superintendent Walt Rulffes**

This item was deferred to a future meeting.

**2. Report from the Governor's Office**

Jodi Stephens, Legislative Director, Office of the Governor, reported there would be a special Legislative session held on June 23, 2008 regarding the current budget shortfall. She stated that, at this point, two percent would have to be cut from education.

Member Gwaltney requested to know if the Governor was planning to make an address that would outline the special session. Ms. Stephens reported an executive order may be issued early next week, but she was not sure if

a public address would be made. She stated they were working with everyone and requested to be e-mailed regarding any ideas or suggestions for the special session.

Acting President Ruggiero asked if suggestions from Board members should be made individually or as the State Board as a whole. Ms. Stephens stated she would welcome individual suggestions as soon as possible due to the fact that the executive order would be issued on Tuesday.

### 3. Superintendent's Report

- **Update of the Commission on Educational Excellence Meeting of May 13<sup>th</sup>** - Superintendent Rheault reported the Commission acted on revisions to the 400+ grants. Input was received to continue assessment with the same contractor, The Reeves Group. The only condition from the Legislative Committee on Education was to cut the funding allocated for the assessment in half due to the recent economic situation. The Commission also discussed holding Best Practice Fairs, which would present schools with the best practices to other schools in the State to share their knowledge. The next Commission on Educational Excellence meeting would be held in August.
- **Update of the P-16 Council Meeting of May 14<sup>th</sup>** - Superintendent Rheault reported a presentation was given to identify skills a student would need to enter college or the workforce. There would be another P-16 Council meeting on Monday at 9:30 a.m. to present recent graduation rates. The Legislative Commission would meet on Monday at 1:30 p.m. to consider adoption of the charter school regulations passed by the State Board. The Academic Standards meeting would be held on Tuesday, June 17, 2008 at 10:00 a.m. in Las Vegas to discuss Health Education standards and the revised Social Studies standards.
- **Update of the Parental Involvement Council Meeting of May 16<sup>th</sup>** - Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services, reported there was no meeting due to the lack of a quorum, but they briefly discussed the Educational Summit that was held in Las Vegas.
- **Update of the Commission on Educational Technology Meeting of May 16<sup>th</sup>** - Superintendent Rheault reported another meeting had been scheduled for Wednesday, but it had been cancelled due to the lack of a quorum. The agenda had included a presentation of the assessment results with all of the school districts.
- **Update of the Legislative Committee on Education Meeting of May 22<sup>nd</sup>** - Superintendent Rheault reported the meeting next week would be the last regular meeting. July or August meetings would determine Bill Draft Requests. Agencies and organizations would be given additional time to submit additional items for consideration. Superintendent Rheault reported he would submit several statutory changes to teacher licensing authority to deny license renewals for individuals with felony convictions. The May 22<sup>nd</sup> meeting focused on middle schools and the Department presented the uniform grading regulations adopted by the State Board. Other presentations given regarded: the 4-year academic plan proposed by certain school districts; eighth grade regulations required for promotion to high school and the youth risk behavior survey. The next meeting would be held on Thursday at approximately 9:00 a.m. or 9:30 a.m. at the Legislative Building and would be teleconferenced between Carson City and Las Vegas.

Member Biggerstaff suggested revisiting the Social Studies requirement credits for middle school to equal the Math and English requirements. Superintendent Rheault stated a follow-up had been planned after the first year of implementation to see if the credit requirement needed to equal Math and English.

Member Biggerstaff requested Superintendent Rheault discuss the budget and how it would affect schools. Superintendent Rheault mentioned he attended a special cabinet meeting yesterday and that no decisions had been made, but there would be a \$64 million budget shortfall for fiscal year 2009; \$30 million of which was from this fiscal year. Two percent from K-12 would have to be cut which would equate to \$22 million if other agencies such as the university system, health and human services, and the prison system did not make up the \$64 million shortfall. Member Biggerstaff commented that the reversions should be reviewed during the next Legislative session. Superintendent Rheault reported there was support to consider a Bill that would freeze unused funds for K-12 to be used only for future shortfalls in K-12.

Member Ruggiero requested to know if the Legislative Committee on Education has discussed possible restructuring of charter school requirements and if the Department has provided any recommendations regarding those requirements. Superintendent Rheault reported that in LCE's July meeting there will discussion on the issue. They will also discuss the Bill Draft Request to put into place an 18<sup>th</sup> District or a special oversight committee to approve charter schools. The Department has not provided information on whether or not they would support the Bill Draft Request.

#### **4. Approval of Consent Agenda**

##### **A. Approval of Minutes:**

- **August 16-18, 2007**
- **October 5-6, 2007**
- **November 30-December 1, 2007**
- **January 25-26, 2008**

Member Myers requested that "In response to Member Myers' question" and "In response to Member Myers' comments" be removed from the October meeting minutes wherever noted.

Member Iverson suggested removing all comments that begin with "In response to Member Myers' question" and "In response to Member Myers' comments" from the October meeting minutes wherever noted.

Member Biggerstaff noted that on page 8 of the October meeting minutes, under agenda item 5, second paragraph, seventh line, "LCD" should be changed to LCB. She suggested approval of the minutes excluding the October meeting minutes until the corrections were made.

**Member Myers moved to approve the August, November, and January meeting minutes. Member Biggerstaff seconded the Motion. Motion carried unanimously.**

**Member Reid moved to hold approval of the October meeting minutes until the next meeting until corrections have been made. Member Myers seconded the Motion. Motion carried unanimously.**

##### **B. Approval of upcoming State Board Member Travel:**

- **Anthony Ruggiero to attend the NASBE New Member Orientation, held in July in Virginia**

**Member Nance moved to approve the State Board Member Travel. Member Reid seconded the Motion. Motion carried unanimously.**

**C. Approval of the 2008-2015 Elementary and Secondary textbooks adoption lists for the Adoption period June 16, 2008 to June 20, 2015**

**Member Myers moved to approve the 2008-2015 Elementary and Secondary textbooks adoption lists for the Adoption period June 16, 2008 to June 20, 2015.**

Discussion followed.

Member Myers requested to know when there would be assurances regarding the alignment of state academic standards with the textbooks adoption lists. William Strader, Education Consultant for Library Learning Resources, reported the assurances were already a part of the policy and procedure that the Department approves. Brenda Larsen-Mitchell, Executive Director, Curriculum and Professional Development Division (CPDD), Clark County School District, stated she certified that all textbooks were aligned with Nevada State standards and the CCSD curriculum. Mr. Strader added it was also Washoe County School District policy to obtain School Board of Trustees approval of the lists.

Regarding Member Myers' concerns about the use of a rubric formula in the future, Ms. Larsen-Mitchell reported they supported the option for school districts to create and submit their own rubric formula to use on the selection of textbooks. She assured Member Myers that the process proposed in agenda item 11 was used for the adoptions.

**Member Nance seconded the Motion. Motion carried unanimously.**

**D. Approval to relicense the following Las Vegas area schools for two years: Citibank Family Center and Kids' Campus Learning Center on Simmons Street. Also, approval to relicense the following Las Vegas area schools for four years: Academy for Learning, Alexander Dawson School, All Saints' Day School, Challenger School at Lone Mountain, Grace Christian Academy in Boulder City and Kids' Campus Learning Center on Tropicana Avenue**

**Member Biggerstaff moved to approve Consent Agenda Item D. Member Reid seconded the Motion. Motion carried unanimously.**

**5. Approval of the Nevada Alternate Scales of Academic Achievement Revised (NASAA-R) Cut Score**

Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs, reviewed information provided in Board packets such as questions and samples regarding alternate assessments and the final cut scores for Board approval beginning on page 56.

Lisa Ford, Special Education Consultant, Nevada Department of Education, explained the cut scores determine levels of proficiency.

Dr. Gregory Schraw, Professor, University of Las Vegas, explained how the process in determining cut scores was determined by an expert panel.

Member Myers requested to know why page 55 was not complete. Dr. Schraw reported the information provided on page 55 was only the draft document. Ms. McCabe stated the final document was not provided to the Board due to the fact that the final document was not completed until information was provided from the peer reviewers, but the final document could be sent to the Board, if requested.

Member Myers asked if the bottom 1% of children would be addressed on page 63. Ms. McCabe explained the bottom level of skills had been removed because the U.S. Department of Education peer reviewers did not approve those skills. She stated they were making it known that an assessment had been built that a small percentage of children could not access.

Member Myers requested to know if the new revised assessment still included videotaping and, if so, how long tapes would be kept. Ms. McCabe reported there would still be videotaping and that the manual was revised to make clear the length of time that videos would be available. The manual also made clear accommodations that would be made if a student was unable to perform a skill within the timeframe that the assessment was standardized. Member Myers expressed concern about the timeframe.

Member Reid made the following motion, seconded by Member Fredrick:

**That the Nevada State Board of Education approves the Nevada Alternate Scales of Academic Achievement.**

The motion carried unanimously.

Member Ruggiero reminded the public to fill out public comment cards if they wish to speak on an agenda item. He stated he would impose a three-minute time limit for public comment due to meeting time constraints. He requested candidates for the 2008 State Board elections introduce themselves.

Val Olsen introduced herself by stating she was a Boulder City resident running for District 7.

#### **6. Approval of the High School Proficiency Exam (HSPE) Science Cut Score recommended by the Standard Setting Committee as proposed by Assessment, Program Accountability & Curriculum staff**

Dr. Richard Vineyard, Assistant Director, Assessment, Program Accountability & Curriculum, reviewed the Standard Setting Panelists as listed on page 66 of Board packets. He reported the cut scores were determined by the bookmark method. He explained how the cut score was determined by the Standard Setting Panelists taking and reviewing the High School Proficiency Exam for Science. He reported the panel recommendation included setting the raw score at 28 on a 60-item test. The cut score between approaching the standard and meeting the standard would be at a raw score of 36. The highest score would be 50 on a 60-item test. He stated the cut scores would result in fifty-nine percent of students meeting or exceeding standards by passing the test on the first attempt. The recommendation of the panel was to adopt the raw score of 36 which would be set at 300 as a passing score on the 100 to 500 point scale.

Member Biggerstaff requested to know if the agreement on the cut scores was determined by a majority or a consensus. Dr. Vineyard replied the agreement did not have to be determined by a consensus. It was an average across all of the participants.

Member Reid made the following motion, seconded by Member Frederick:

**That the Nevada State Board of Education approves the High School Proficiency Exam Science cut score at 36.**

The motion carried unanimously.

At this time, Member Gwaltney left the meeting. A quorum still remained.

#### **7. Update on Imagine School at Mountain View Charter School Application**

Bill Arensdorf, Director, Office of Fiscal Accountability, provided timeline information regarding the application. He reported the Department received a letter on June 9, 2008 requesting more time to revise the application and that the applicant requested presenting the application at the August meeting. He stated the letter was not required as there was no formal denial of the application. It also was not urgent to agendaize the issue for the August meeting since the school was not slated to open until September 2009.

Allison Wallace, Liaison, Imagine School at Mountain View, thanked Jim Wells for attending their May 20, 2008 meeting and the State Board for allowing additional time to revise the application. She stated the application may be re-submitted at the August meeting even though the school was not going to be opened until September 2009.

#### **8. Possible Conversion of the Subsection 7 Charter to a Full Charter for Nevada Insight Charter School**

Bill Arensdorf, Director, Office of Fiscal Accountability, reported the State Board granted a Subsection 7 Charter at the May meeting to Insight School of Nevada, which was a distance education program for 9-12. He reported the applicant had obtained a facility. There was a certificate of occupancy which was adequate for the needs of this type of school. Budget concerns had been rectified. Employee status regarding if employees would be retired and receiving retirement benefits from PERS had been cleared. There was a letter from the EMO that the funding provided to the school was a donation and was not a part of the budget or the revenue. The Committee to Form was converted into a Governing Board on June 12, 2008 and included the required three members with a Nevada Teaching License. Mr. Arensdorf requested this item be deferred to tomorrow's meeting in order to have more time to review the insurance documents received today.

Acting Chair Ruggiero requested postponement of the agenda item until tomorrow's meeting. Gary Waters, Executive Director, Insight School of Nevada, stated a postponement of the agenda item would be fine. He briefly introduced Governing Board members. Acting Chair Ruggiero stated Superintendent Rheault requested Mr. Waters remain behind at the end of today's meeting to review the insurance documents with him and Mr. Arensdorf.

Member Iverson made the following motion, seconded by Member Frederick:

**That the Nevada State Board of Education postpones this agenda item until tomorrow's meeting.**

The motion carried with one opposition from Member Nance.

The following Governing Board members introduced themselves as they would not be able to attend tomorrow's meeting: Honorable William S. Potter, Governing Body Chairman; Stacey Lewis, Governing Body Vice President; and, Hadassa Lefkowitz, Governing Body Secretary.

**9. Approval of dual credit courses for Washoe County School District. NRS 389.160 credit toward graduation from high school for community and college courses**

Superintendent Rheault reported the Board of Trustees approved the dual credit courses at their May 13, 2008 meeting. He stated the dual credit courses were broken down into UNR; Truckee Meadows, and Sierra Nevada College and seemed appropriate based on his review.

Member Myers stated she disagreed with Superintendent Rheault's assessment and that the following dual credit courses be removed from the list: English 98 on page 88; Math 96 on page 92; English 80-90 on page 111; Math 80-90 on page 116; English 80-90 on page 125; and, Math 80 on page 126.

Dr. Bryn Lapenta, Senior Director, Washoe County School District, reported courses below the 100 level were added because UNR provided summer programs for remediation. Member Myers pointed out that was the reason why the dual credit courses had been denied before.

Member Reid requested to know how UNR's summer remedial classes would work. Dr. Lapenta explained a student could take their remedial classes during the summer as opposed to during the fall as a college freshman.

Member Biggerstaff requested Member Myers' expand on her comments. Member Myers explained there had been concern about giving dual credit for course work that was high school level course work and that the Board had been consistent in removing all the courses below the 100 level over the past five or six years. Superintendent Rheault acknowledged that the courses below the 100 level should not be included for approval.

Member Reid requested clarification that if a student takes the summer remediation course, they would not have to take remedial college courses. Dr. Lapenta stated that was correct. The intent was to offer the incentive to students to take remedial courses sooner.

Member Iverson requested clarification as to the Superintendent's recommendation. Superintendent Rheault clarified he was recommending that the State Board approve dual credit courses above the 100 level.

Member Myers made the following motion, seconded by Member Frederick:

**That the Nevada State Board of Education approves the Washoe County School District Board of Trustees courses at UNR, Truckee Meadows Community College, and Sierra Nevada College for dual credit that were over the 100 and 200 level.**

Discussion followed clarifying the incentive was to offer students the opportunity to take remedial courses during the summer rather than during the fall as a college freshman.

The motion carried with one opposition.

At this time, Acting Chair Ruggiero announced agenda item 11 would be heard next due to Member Myers' concerns.

## **11. Approval of Revisions to the State Textbook Adoption Program for 2009 covering both the elementary and secondary textbook alignments to the State Content Standards**

William Strader, Education Consultant for Library Learning Resources, deferred the initial overview and preliminary comments to Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services. He re-introduced Dr. Brenda Larsen-Mitchell, Executive Director, Clark County School District, and Lianne Jackson, Standards Program Coordinator, Washoe County School District.

Deputy Superintendent Dopf provided an overview of the process for alignment. She reported they were also recommending allowing school districts to utilize their own rubric formula as long as it conformed.

Mr. Strader added there were other changes incorporated within the draft, but emphasized the importance of a developing a rubric at the school district level that would be attached with submissions.

Ms. Jackson reported the template provided in Board packets was similar to the Washoe County School District form. Current standards were downloaded from the State Department onto the standard rubric, which were the standards that were used to align textbooks. In addition, school district criteria were also used including a needs assessment. In Washoe County, only one textbook was selected for each subject area for consistency across the school district.

Dr. Larsen-Mitchell reported the Clark County School District (CCSD) also used a rubric to ensure that textbooks were aligned with Nevada State standards and the CCSD curriculum, but they were requesting forty-five days for review.

Member Iverson requested to know the recommendation. Superintendent Rheault stated the State Board was being asked to approve the draft forms used for textbook adoption and that, on page 349, under item 2, it was requested to reduce the time from 60 days to 45 days. Mr. Strader commented that 60 days was helpful to him to properly process submissions. Superintendent Rheault stated he would be willing to make exceptions approved by the State Superintendent if submissions were less than 60 days.

Member Biggerstaff commended Washoe County School District for the use of one textbook.

Member Iverson explained different skill levels require different textbooks and that there had always been a controversy regarding whether state standards guide teaching or textbooks guide teaching.

Member Reid made the following motion, seconded by Member Iverson:

**That the Nevada State Board of Education approves the revisions to the State Textbook Adoption Program for 2009 including the exception as mentioned by Superintendent Rheault.**

The motion carried.

## **10. Approval of the 2008 Nevada School Bus Driver Training Manual**

Gloria Dopf, Deputy Superintendent, Instruction, Research & Evaluative Services, reported the Board received the 2008 Nevada School Bus Driver Training Manual beginning on page 129 of Board packets including the revisions to the manual such as updates to the training process and special education section.

Member Reid made the following motion, seconded by Member Biggerstaff:

**That the Nevada State Board of Education approves the 2008 Nevada School Bus Driver Training Manual.**

The motion carried.

### **12. Discussion and possible recommendation on members for Emeritus Status to the Nevada State Board of Education**

Acting President Ruggiero reported Member Biggerstaff requested this item be postponed until tomorrow's meeting. He stated for the record that he was requesting everyone sing Happy Birthday to Superintendent Rheault.

### **13. Approval of Appointments to the Subcommittee on Standing Rules**

This item was deferred to a future meeting.

At 5:40 p.m., Member Reid moved to recess the meeting until Saturday, June 14, 2008 at 8:30 a.m. Member Frederick seconded the Motion. Motion carried unanimously.

## **MINUTES OF THE REGULAR MEETING, June 14, 2008**

### **BOARD MEMBERS PRESENT:**

Anthony Ruggiero, Acting President  
Jan Biggerstaff, Clerk  
Dr. John Gwaltney, Member  
Sharon Frederick, Member  
Dr. Merv Iverson, Member  
Barbara Myers, Member  
Greg Nance (via telephone)  
Cindy Reid, Member  
Becky Childs, Student Representative

### **BOARD MEMBERS ABSENT:**

Marcia Washington, President (excused)  
Dr. Cliff Ferry, Member (excused)

### **DEPARTMENT STAFF PRESENT:**

Dr. Keith Rheault, Superintendent of Public Instruction  
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services

Bill Arensdorf, Director, Office of Fiscal Accountability  
Frankie McCabe, Director, Office of Special Education, Elementary and Secondary Education and School Improvement Programs  
William Strader, Education Consultant for Library Learning Resources  
Dr. Richard Vineyard, Assistant Director, Assessment, Program Accountability and Curriculum  
Doris Arnold, Executive Assistant to the Superintendent of Public Instruction

**LEGAL STAFF PRESENT:**

Janet Hess, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

Vernon Law, Member, Imagine School in the Valle  
Vickie Frazier-Williams, Vice President, Imagine Schools, Inc.  
Shaundell Newsome, Imagine School in the Valle  
Connie Burch, Principal, Imagine School in the Valle  
Holli Kalaleh, Clark County School District  
Chris Wallace, District 7 Candidate, State Board of Education  
Gary Waters, Insight School of Nevada  
Allison C.A. Wallace, Imagine School at Mountain View  
Hugh V. Wallace, One Hundred Academy of Excellence  
Val Olsen, Candidate for the State Board of Education  
Berta Norwood, Imagine School in the Valle  
Blythe Everett, Imagine School in the Valle  
Edie Grub, Silver State High School  
Silvia Marin, Ace Charter School

**RECALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE**

Acting President Ruggiero recalled the meeting to order at 8:30 a.m. with attendance as reflected above. The Pledge of Allegiance was conducted. A flexible agenda was moved by Member Biggerstaff, seconded by Member Nance, and carried unanimously. Acting President Ruggiero announced agenda item 8 from yesterday's meeting would be heard first.

**8. Possible Conversion of the Subsection 7 Charter to a Full Charter for Nevada Insight Charter School (Continued)**

Superintendent Rheault reported he, Mr. Waters, and Mr. Arensdorf met after yesterday's meeting to discuss the insurance documents for Insight School of Nevada. Technical changes need to be made to the listing showing the Department of Education as the sponsor, instead of the State Board. Superintendent Rheault recommended approval for the actual Charter with signatures upon receipt of the amended insurance documents.

Mr. Arensdorf noted that a full charter could be granted in July if the school complied with providing the amended insurance documents, but the school would need to have twenty school days of instruction during the first school month in order to receive apportionment.

Member Myers expressed concern about dual credits being offered with the University of Phoenix and the use of the verbiage "authorized by the Board". Mr. Arensdorf pointed out "sponsor" was the correct word.

Member Biggerstaff made the following motion, seconded by Member Nance:

**That the Nevada State Board of Education approves a full charter for Insight School of Nevada with the corrections as noted by Superintendent Rheault.**

Discussion followed.

Gary Waters, Executive Director, Insight School of Nevada, reported they would like to offer dual credits with a post-secondary school either on-line or on-site. Member Myers pointed out the school's May 2008 brochure reported dual credits would be offered only with the University of Phoenix. Mr. Waters the reason that occurred was because they did not have time to develop relationships with other schools before the time of publication of the brochure in May. Member Myers reiterated she had concerns regarding dual credits and would not approve of a full charter for that reason. She also expressed concern about the lack of information regarding special education. Mr. Waters stated the brochure was only informational and that full packets of information are provided on-line. There was also a document being developed regarding special education services.

Member Gwaltney requested to know what percentage of students would take dual credit courses. Mr. Waters replied one to two percent due to the fact that the focus of the school would be on 'at-risk' students completing high school.

Member Gwaltney asked what percentage of students would be taught on-line or on-site. Mr. Waters reported there was no self-taught instruction. There were many opportunities for students to have real time experience with teachers on-line including pop-up questions that had to be answered in a certain amount of time.

Member Gwaltney requested an estimate of the student to teacher ratio. Mr. Waters reported the ratio was approximately 20:1 depending on the class. He reported a student would have three individuals involved in their educational plan: an instructor; an I-mentor who monitors students on a daily basis; and a school counselor. In addition, students would also be provided with a tutor if they were struggling through foundation courses.

Member Nance requested to know if Mr. Waters would be involved in the day-to-day operation of the school. Mr. Waters reported he would be involved with the school as Executive Director.

Edie Grub, Governing Body President, Silver State High School, expressed concern that the school was not portrayed accurately in the brochure for the school. Mr. Waters replied Apollo Management Group was a separate issue and that their affiliation was noted in the brochure only to make individuals aware of that fact. He also stated he would be happy to address any further concerns regarding dual credits, but there was no preference or hidden relationship with the University of Phoenix.

Acting President Ruggiero clarified the State Board was considering approval of the Subsection 7 Charter into a Full Charter and reminded the Board to stay focused on that consideration and not to base votes on certain comments made.

Member Biggerstaff requested to know if dual credit courses would need to be approved by the State Board before they were accepted. Mr. Waters replied yes and that they would offer it and present it to the State Board for approval if there was interest in dual credit courses.

Member Reid requested to know if there was a financial connection to the University of Phoenix. Mr. Waters reported there was a management fee set by state law, but a profit could not be made. Superintendent Rheault reported the EMO listed in the charter was Insight and that the University of Phoenix was not listed at all. There may be a possible fee in the future if dual credit courses were offered through the University of Phoenix.

Member Myers asked if the school could be incorporated. Mr. Arensdorf reported the school may not be incorporated, but the EMO, Insight Inc., could be incorporated.

Acting President Ruggiero reminded the Board there was a motion on the floor to approve the conversion of the Subsection 7 Charter to a full Charter for Nevada Insight Charter School with the provisions mentioned by Superintendent Rheault and one concern from Member Myers regarding changing the word "authorized" to sponsor.

The following roll call vote was taken:

Member Biggerstaff: yes  
Member Gwaltney: yes  
Member Frederick: yes  
Member Iverson: yes  
Member Myers: yes  
Member Nance: no  
Member Reid: no  
Acting President Ruggiero: yes

The motion carried by a vote of six to two.

Acting President Ruggiero stated he would be signing the Subsection 7 Charter agreement in President Washington's absence.

Mr. Waters commended Mike Robison's efforts with respect to Insight School of Nevada.

#### **14. Update of the 2010-2011 Biennial Budget including prioritization of enhancements and identification of possible budget reductions**

Superintendent Rheault reported enhancements for consideration to be included in the budget began on page 375-A of Board packets. Jim Wells met with directors individually for input regarding the enhancements. Dr. Rheault noted that there will be a 14.12% reduction for the 2010-2011 Biennial Budget from the base budget of fiscal year 2009. He requested the Board "pick and choose" which enhancements to pull as he reviewed them in order to forward the list to the Legislature.

Member Biggerstaff requested to know where fees would go if additional individuals could not be hired. Superintendent Rheault reported the fees would sit in reserve in the Department of Education budget account.

Member Gwaltney asked if the State Board could contract out partial services without State approval if they were not allowed to hire individuals. Superintendent Rheault stated that could be done, but there would be concern about stability of who was contracted. They would find out how committed the State was to support the State Board's request for additional help. Mr. Arensdorf clarified the grants analyst being requested for the 2010-2011 biennium was in addition to the regular management analysts being requested.

Member Myers requested to know if the State Board had the option to hire “professional” employees. Superintendent Rheault stated that was unique to the university system. For the record, Member Myers questioned if there would be a new women’s basketball coach hired at UNR given the current hiring freeze.

Member Frederick asked if the staffing level was sufficient for charter school applications. Superintendent Rheault stated that, in his opinion, it would be sufficient due to the fact that it would provide 400% more staff than there was currently.

Member Biggerstaff requested to know if enhancements should be pulled or to submit the full list. Superintendent Rheault stated enhancements could be pulled if there were some that were not supported. The budget submitted would have to show the 14% base budget reduction and that enhancements would be an addition if there were additional revenue.

Member Frederick requested to know if the two consultants listed on page one of the enhancements would be needed if funding for enhancements 44 and 45 were not approved. Superintendent Rheault reported the two consultants would not be needed if funding was not approved.

Member Biggerstaff asked if a Bill Draft Request could be submitted that would keep reversion funding in education. Superintendent Rheault reported that had been a part of the InVest plan. A Bill Draft Request would be more efficient if submitted by school districts or the school boards associations.

Member Gwaltney commented the ending fund balance was a good reward behavior and that, as a candidate of District 24, he would abstain from voting on this issue.

Member Myers expressed hesitation about requesting new positions due to the current economic situation.

Member Frederick requested clarification that there still was no position for a Board Assistant and that meeting minutes had to be outsourced. Superintendent Rheault clarified the Board position had not been eliminated, but was not filled before the hiring freeze.

Member Biggerstaff asked if there was a budget for the Academic Standards Council and their outsourcing. Superintendent Rheault explained there was, but it does not show up in the State Board budget. The funding is provided by the Legislative Committee on Education, for use by the Council.

Acting President Ruggiero stated he agreed with Member Myers’ concerns regarding positions 8, 9, 10, 11, and 12. He requested that positions 10, 11, and 12 be included in enhancements 44, 45, and 46. He stated he would be inclined to exclude positions 8 and 9 if they were not beneficial to the Department. He asked if the Commission on Excellence had their own budget for position 18, Grants and Project Analyst. Superintendent Rheault reported a portion of their trust fund was allowed for operating costs. Acting President Ruggiero requested further explanation regarding item 52 on page 3. Superintendent Rheault reported the additional funding reflected the proposed increase for a school support team leaders in year three. Acting President Ruggiero stated he found items 53 and 54 problematic since we already have the Office of Child Nutrition and School Health and the work should not be contracted out. He requested the Superintendent and Deputy Superintendent receive a cost of living increase as the rest of the public employees.

Member Myers suggested eliminating everything on pages 1 and 2 rather than supplementing the items in other areas, which would still not equal the two percent budget cut proposed for education.

Member Reid made the following motion, seconded by Member Iverson:

**That the Nevada State Board of Education approves the updated 2010-2011 Biennial Budget and to exclude the following items: 8, 9, 10, 11, 12, 18, 53, and 54.**

The motion carried with one abstention from Member Gwaltney.

At 10:10 a.m., Acting President Ruggiero called for a ten-minute break. At 10:20 a.m., the meeting resumed.

**15. Time 9:15 a.m., PUBLIC HEARING and possible Board action regarding Hearing on Petition and Recommendation and Right to Hearing for Revocation of the Nevada Teacher's License for Mark R. Zana (Case #08-03)**

Superintendent Rheault stated Mr. Zana had been notified of the hearing. Superintendent Rheault asked if representation for Mr. Zana was present at today's meeting. Seeing no representation come forth, Superintendent Rheault continued by stating the charges against Mr. Zana were listed on page 382 of Board packets. Mr. Zana was convicted on one felony of open and gross lewdness; three counts of lewdness with a child under 14; and five counts of possession of visual presentation depicting sexual conduct of person under the age of 16. Superintendent Rheault stated the Department's recommendation of revocation was based on the charges and convictions. Superintendent Rheault noted that on page 378 was the response from Mr. Zana requesting a hearing.

Member Biggerstaff commented that she was appalled by the time it took to revoke Mr. Zana's license and that previous convictions should not be erased from an individual's record. Superintendent Rheault reported a revoked license would be entered into the national database and would not be removed.

Member Reid made the following motion, seconded by Member Frederick:

**That the Nevada State Board of Education revokes the Nevada Teacher's license of Mark R. Zana.**

The motion carried.

**16. Time 9:30 a.m., PUBLIC HEARING and possible Board action regarding Hearing on Petition and Recommendation and Right to Hearing for Revocation of the Nevada Teacher's License for Carl E. Leiner (Case #08-01)**

Superintendent Rheault reported Mr. Leiner was notified of today's hearing as listed on page 467 of Board packets. No correspondence from Mr. Leiner was received regarding the hearing. Superintendent Rheault asked if representation for Mr. Leiner was present at today's meeting. Seeing no representation come forth, Superintendent Rheault continued by stating that charges against Mr. Leiner began on page 471; Mr. Leiner plead guilty to the crimes of coercion sexually motivated and possession of visual presentation depicting sexual conduct of a child. The Department's recommendation of revocation was based on conviction of these crimes.

Member Reid made the following motion, seconded by Member Iverson:

**That the Nevada State Board of Education revokes the Nevada Teacher's license of Carl E. Leiner.**

The motion carried.

**17. Time 9:45 a.m., PUBLIC HEARING and possible Board action regarding Hearing on Petition and Recommendation and Right to Hearing for Revocation of the Nevada Teacher's License for Phillip J. Depaoli (Case #08-02)**

Superintendent Rheault reported Mr. Depaoli had been notified of today's hearing. Superintendent Rheault requested to know if there was representation for Mr. Depaoli present at today's meeting because the Department had not heard from Mr. Depaoli. Superintendent Rheault reported Mr. Depaoli was a substitute teacher in Lyon County in Fernley. The convictions against Mr. Depaoli were listed on page 491 under Article IV. Mr. Depaoli plead guilty and was convicted of two counts of possession of visual presentation depicting sexual conduct of person under 16 years of age. The Department's recommendation was to revoke Mr. Depaoli's license.

Member Reid made the following motion, seconded by Member Iverson:

**That the Nevada State Board of Education revokes the Nevada Teacher's license for Phillip J. Depaoli.**

Discussion followed.

Member Myers expressed concern that Mr. Depaoli could have applied to other schools as a substitute teacher given the length of time that it took for a revocation of his license. Superintendent Rheault stated he would be asking for the authority for the Department or the Board to immediately suspend a license upon hearing of charges against a teacher and to have that information available on-line for other school districts or states. He stated a license would be revoked upon conviction.

The motion carried.

Acting President Ruggiero reminded the public to fill out public comment cards if they wished to speak on an agenda item and that public comment would be limited to three minutes.

Deputy Attorney General Hess reported she would notify Deputy Attorney General Irvin of the revocations as soon as possible.

Member Iverson introduced Chris Wallace. Mr. Wallace introduced himself by stating he was running for the State Board of Education for District 7.

**18. Time 10:00 a.m., PUBLIC HEARING and possible Board adoption of Proposed Revision to Regulation Language, LCB File No. R064-08 - Proposed amendments to Chapter 388 - Modification to the following existing regulations in the area of special education: NAC 388.150; 388.195; 388.380; 388.387; 388.390; 388.395; 388.400; 388.402; 388.405; 388.407; 388.410; 388.415; 388.420; and 388.430 (NOTE: This is the first and ONLY Public Hearing with possible action to adopt may be taken)**

Frankie McCabe, Director, Special Education, Elementary and Secondary Education and School Improvement, reviewed the information beginning on page 518 of Board packets of the four regulatory changes being proposed for Chapter 388.

Acting President Ruggiero opened up the item to public hearing. Hearing no comments, Acting President Ruggiero closed the public hearing.

Member Reid made the following motion, seconded by Member Iverson:

**That the Nevada State Board of Education adopts the proposed revisions to regulation language LCB File No. R064-08.**

Discussion followed.

Member Myers requested information regarding age of majority. Ms. McCabe clarified the proposed regulatory change for age of majority regarded a parent retaining IDEA rights for their child in spite of their child turning 18 if they were successful with the application process.

The motion carried.

#### **19. Possible Conversion of the Subsection 7 to a Full Charter for Imagine School in the Valle Charter School**

Bill Arensdorf, Director, Office of Fiscal Accountability, reported the school was not ready for conversion, but the Subsection 6 Charter would expire in October 2008. The school was required to have three licensed teachers on the Governing Board, but the documents showed the school only had one licensed teacher at the current time. The school would also be using a temporary facility for a year or two. Documents regarding the facility would be needed including insurance documents. On Thursday, Christina Fuentes, Governing Board Chairperson, called to request the agenda item be pulled due to the fact that the school was not yet ready for conversion. The Department recommended discussing the item at a special meeting in July so the school could begin in August. The other school waiting for conversion from a Subsection 6 Charter was ETEHS, a high school located in Reno for grades 9-12 focusing on technology, math, science, and engineering which Ricci Elkins is recommending. Mr. Arensdorf mentioned the fact that ETEHS may not get the enrollment they anticipated if the conversion was not completed in August, therefore hindering the 20-day instruction requirement needed to receive apportionment. If they accomplish the enrollment they anticipate, they may request holding a special meeting in July, by telephone.

Member Iverson stated he believed in the concept of charter schools to provide alternative education, but the highest standards should be required for charter schools. He stated he thought charter schools were not being formed to benefit children.

Member Biggerstaff agreed with Member Iverson's comments. She requested that the issue not be presented to the Board until everything required was completed.

Member Reid agreed with Member Biggerstaff's comments. A special meeting should only be called for special circumstances.

Member Iverson expressed concern that charter schools were “wearing down” the State Board until the State Board complies.

Regarding Member Biggerstaff’s comments, Mr. Arensdorf reported the Department was amending the application process this summer to strengthen the process and not have so many “missing pieces”. He stated he did not recall an application ever being approved the first time it was presented.

Member Iverson complimented the Department for their efforts with charter schools. He suggested keeping the moratorium on charter schools in place until the resources were there to do the job that was intended.

Acting President Ruggiero requested clarification as to whether or not the application was complete and compliant. Mr. Arensdorf reported the application was complete and compliant for the Subsection 6 Charter approved by the Board in October 2006, but further documentation was needed for conversion from a Subsection 6 Charter. Mr. Arensdorf stated documentation would need to be provided fifteen days before a Board meeting for review. He explained the issue with Insight School of Nevada was different because the only information that school needed to provide was insurance documents, which they did at yesterday’s meeting therefore there was sufficient time to review the information for conversion at the next day’s meeting whereas Imagine School in the Valle would not have that opportunity if they provided all of the documentation needed today.

Connie Burch, Principal, Imagine School in the Valle, clarified she spoke with Tom McCormack who had stated information could not be submitted until fifteen days prior to a Board meeting. They did not receive notification that the school was agendaized for this meeting, but they were prepared to provide information such as the certificate of occupancy, insurance, and lease of their facility needed by the Department at today’s meeting. Superintendent Rheault apologized that the school was not notified that the agenda item was a placeholder and should have been pulled from the agenda.

Vickie Frazier-Williams, Vice President, Imagine Schools, Inc. commented on the May 20<sup>th</sup> meeting with Jim Wells to discuss issues and the lack of communication with the Department.

Member Nance stated Imagine School in the Valle should be provided the same opportunity as Insight School of Nevada.

Vernon Law, Member, Imagine School in the Valle, stated he wanted to publicly thank Jim Wells for his support and the information he provided to the school. Mr. Law stated that the school was prepared to meet Department goals if given in due time.

Acting President Ruggiero thanked Imagine School in the Valle and that the Board would try to hold a special meeting to convert both Imagine School in the Valle and ETEX to a full charter in a timely fashion in order for both schools to begin operation by September. Superintendent Rheault mentioned the Department would work with the Board President to schedule another meeting fairly quickly.

Member Biggerstaff requested to know that all information would be provided when the issue was again before the Board. Mr. Arensdorf stated he would hope so, but that he had documentation from March 2008 between Tom McCormack and Christina Fuentes stating what information the school needed to provide. Mr. Arensdorf reiterated he spoke with Ms. Fuentes on Thursday about pulling the item off the agenda due to the fact that the school was not yet ready for conversion. Member Biggerstaff clarified the issue should not be presented again to the Board until the Department was satisfied that all of the information needed had been provided.

Acting President Ruggiero reported no action would be taken if there were motions one way or another. Discussion followed about the Department's attempt to schedule a special meeting at a later date.

Member Nance made the following motion:

**That the Nevada State Board of Education holds a special meeting as soon as information from Imagine School in the Valle was received.**

The motion died due to the lack of a second.

At this time, Acting President Ruggiero called for a five-minute break. At 11:35 a.m., the meeting resumed.

**20. Mid-term appointment Evaluation of the Superintendent of Public Instruction regarding the "General Duties" for the position as outlined in NRS 385.175 and the Department's 2007-08 Accomplishments Report**

Superintendent Rheault reported information began on page 562-A of Board packets. He reviewed the general duties of the Superintendent and Department accomplishments beginning on page 3. He commented on the Department's efforts with charter schools and school districts and with handling the recent hiring freeze. He stated the only way the Department has met the needs of the State with a reduction in staff was through the dedication of the current staff. Superintendent Rheault reviewed the different Boards he sits on.

Member Iverson commended Superintendent Rheault on his report. He thanked Superintendent Rheault for his efforts and stated to proceed with due diligence.

Member Biggerstaff thanked Superintendent Rheault for his report and the follow-up on each department. She suggested Superintendent Rheault encourage having all charter school applications complete before being presented to the Board or to allow for more time to make applications complete, if needed.

Member Reid stated she appreciated the evaluation and that various individuals in the educational community have let her know how valuable Superintendent Rheault was to them. She pointed out she was frustrated when a speaker she had requested was not agendized.

Member Frederick commented that Superintendent Rheault's efforts were remarkable. She requested to know if recent retirements were perceived. Superintendent Rheault reported there were some retirements, but not as many as last year such as Linda Buchanan who would be retiring in July from the License Office. He stated it would actually take two individuals to match Ms. Buchanan's standards. There were approximately 35% to 40% of individuals who could retire if they chose to do so.

In response to Member Gwaltney's comments, Superintendent Rheault commented on the difficulty with acting on split decisions by the State Board. He stated he did not have a problem with providing a recommendation to the Board in the future. Member Gwaltney thanked Superintendent Rheault for his clarification and wisdom.

Member Nance commented that Superintendent Rheault did a wonderful job and that he appreciated Superintendent Rheault's help with him personally.

Member Biggerstaff requested to know what Superintendent Rheault expected from the Board. Superintendent Rheault commented on the Board being prepared to discuss issues before meetings. He valued their opinions and did not have problems with differing opinions. He suggested Board members have the best interest of the school districts and students on their mind when making decisions.

Acting President Ruggiero stated he echoed Board member comments. He asked what attributed to the better relationship with LCB this past session. Superintendent Rheault replied it was the new Legislative staff. Acting President Ruggiero complimented Superintendent Rheault on his efforts. He stressed the importance of having Superintendent Rheault as more of an advocate for the State Board and to offer more assistance in resolution of issues that go before the Board and that the Board should consider a Bill Draft Request to meet more often.

## **12. Discussion and possible recommendation on members for Emeritus Status to the Nevada State Board of Education**

Member Biggerstaff reported the list of names were on page 358 of Board packets. Discussion followed about the need for pictures for Emeritus Status. Member Nance thanked Member Biggerstaff for her efforts. Superintendent Rheault suggested revisiting the issue and having only a plaque with names on it. Acting President Ruggiero expressed concern about the cost and effort in providing pictures. Member Biggerstaff made the following motion, seconded by Member Reid:

**That the Nevada State Board of Education revisits the item at the next meeting including cost information.**

Motion carried unanimously.

## **21. Board Member Comments**

Member Reid announced she would not be running again for the State Board due to personal reasons. She stated she would miss the Board, but was encouraged by those individuals running for the State Board.

Member Iverson commented that there was strength in diversity. He encouraged the Board to continue working as a team.

Member Frederick commended Acting President Ruggiero for his efforts in running this meeting. She requested to know the status of the new building. Superintendent Rheault reported it should be ready by the end of July. The contract for the video conferencing was completed. There was a delay in the fire inspection.

Member Biggerstaff thanked Acting President Ruggiero for running the meeting. She questioned if there was a meeting of the Board's Legislative Committee.

Member Gwaltney commented on the efforts being made to work with the Board's Legislative Committee on Education.

Member Nance stated he would be running for re-election despite his recent medical condition.

Acting President Ruggiero thanked the Board members for their assistance.

Student Representative Childs commended the Board meeting procedure.

## **22. Future Agenda Items**

Future agenda items include:

- State Board Retreat
- The President's Report
- Approval of Appointments to the Subcommittee on Standing Rules
- Replacement for Member Gwaltney on Governance Board
- Discussion and possible recommendation for Emeritus Status
- Approval of upcoming State Board Travel for Member Gwaltney

Acting President Ruggiero suggested providing information to President Washington regarding a possible special meeting for Imagine School in the Valle and ETEHS conversion to a full charter as well as the discussion regarding the lawsuit.

Member Biggerstaff requested Glen Moses speak at the next meeting in Las Vegas regarding charter schools. She requested an hour be spent on a self-analyzation of the State Board at the next retreat. Discussion followed about the lack of funding for speakers and having an open forum meeting without agendizing issues. Deputy Attorney General Hess suggested that "no action" be taken at workshops. Member Iverson suggested having consultants from Clark County speak at future meetings.

Member Nance announced he would not be in attendance at the next meeting due to medical reasons.

## **23. Public Comments**

There were no public comment requests.

## **24. Adjournment**

The Nevada State Board of Education meeting was adjourned at 1:15 p.m. Member Reid moved to adjourn the meeting. Member Frederick seconded the Motion. Motion carried unanimously.