

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS—NRS 233B.066**  
**Informational Statement**  
**LCB File No. R142-16**

**1. A clear and concise explanation of the need for the adopted regulation:**

Existing law provides for the creation of an advisory committee for the purpose of developing a plan to reorganize the Clark County School District into local school precincts. Existing law also requires the state Board of Education to adopt regulations that are necessary and appropriate to carry out the plan developed by the advisory committee and further provides that the plan must not be carried out until the regulations are adopted. (A.B.394, Chapter 543, Statutes of Nevada 2015)

**2. Description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on July 27, 2016: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada 89701-5096.

**3. The number of persons who:**

- (a) Attended each hearing: 78    Testified at each hearing; 25**
- (b) Submitted written comments: 5**

**4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the Hearing: (SEE ADDITIONAL PAGES)**

- (a) Name:**
- (b) Telephone number;**
- (c) Business Address;**
- (d) Business telephone number;**
- (e) Electronic mail address;**
- (f) Name of entity or organization represented:**

**5. A description of how comment was solicited from affected businesses, a summary of their response and an explanation of how other interested persons may obtain a copy of the summary.**

The Notice of Intent to Act Upon a Regulation for public hearing and adoption of Proposed Amendments was filed at the following locations on May 11, 2016: The offices of the Nevada Department of Education in Carson City and Las Vegas, at the 17 Nevada School District Superintendent's Offices, the 17 county main public libraries, the Nevada State Library and Archives, the Department of Education website and the Legislative Council Bureau website.

A summary may be obtained by contacting Karen Johansen, Administrative Assistant, Nevada Department of Education, 775-687-9225 or by writing to the Nevada Department of Education, 700 East fifth Street, Carson City Nevada, 89701-5096

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**
- 7. The estimated economic effect of the regulation on the business which it is to regulate and on the public:**
  - (a) Estimated economic effect on the businesses which they are to regulate**  
None.
  - (b) Estimated economic effect on the public which they are to regulate**  
None
- 8. The estimated cost to the agency for enforcement of the proposed regulation: None**
- 9. A description of any regulations of other State of governmental agencies which the regulation overlaps or duplicates and a statement explaining why the duplication or overlap is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency. None.**
- 10. If the regulation includes provisions that are more stringent than a federal regulation that regulates the same activity, a summary of such provisions. None.**
- 11. Of the regulation provides a new fee or increases an existing fee, the total annual amount of the agency expects to collect and the manner in which the money will be used. None.**

NEVADA DEPARTMENT OF EDUCATION  
STATE BOARD OF EDUCATION  
THURSDAY, SEPTEMBER 1, 2016

**Meeting Locations:**

Office	Address	City	Meeting Room
Department of Education	9890 S. Maryland Pkwy	Las, Vegas	Board Room (2 <sup>nd</sup> Floor)
Department of Education	700 E. Fifth St	Carson City	Board Room

SUMMARY MINUTES OF THE REGULAR MEETING  
(*Video Conferenced*)

**Public Hearing and Possible Adoption of Proposed Regulation R142-16, to Chapter 388G NAC, relating to education; deeming each school within the Clark County School District a local school precinct; prescribing responsibilities relating to funding and operation of each local school precinct; prescribing the duties of a school associate superintendent; providing for the establishment of an organizational team and a plan of operation for each local school precinct; requiring the Superintendent of the Clark County School District to cause the administration of certain surveys and prepare a report; and providing other matters properly relating thereto.**

**Public Comment**

- (a) **Name:** Amy Rose  
(b) **Telephone number;**  
(c) **Business Address;** 601, S. Rancho St, B-11, Las Vegas 89106  
(d) **Business telephone number;** 702-366-1536  
(e) **Electronic mail address;** rose@aclunv.org  
**Name of entity or organization represented** ACLU of Nevada

Ms. Rose stated they are pleased to see that the August 19, 2016, R142-16 added protection for civil rights enforcement. However, they have some procedural and substantive concerns:

- The Administrative Procedures Act has specific rules and regulations for how rules and regulations can be adopted. A problem is this regulation has only been available to the public for 12 days. They are supposed to be available for 30 days for the public to review before any action is taken. She urged to not adopt the regulations today because they possibly deny Nevadan's proper review.
- In addition they have some substantive concerns. One is the break-up of individual schools could possibly violate Title 7 of the civil rights act by promoting segregation. There are issues that the regulations do not address, who will be in charge of curriculum that is taught to the students, especially sex education.

- (a) **Name:** Dr. Brian Myli  
(b) **Telephone number;**  
(c) **Business Address;**  
(d) **Business telephone number;** 702-799-1042  
(e) **Electronic mail address;**  
**Name of entity or organization represented** Director, Leadership Institute, Public Education Foundation,

Mr. Miley spoke to Section 36 of R142-16, which tasks the board with determining whether additional credentials and or training is required for local precinct schools, and he offered a partnership with the Leadership Institute of Nevada. Five years ago they developed an innovative executive level leadership academy for principals and other leaders. Over the past five years they have delivered a program that is innovative in its curriculum and in its national all-star faculty. They would be honored to partner with the

Board should it be determined that additional training and/or endorsements are required for principals at local precinct schools.

**(a) Name:** Jenn Blackhurst  
**(b) Telephone number;** 702-265-5366  
**(c) Business Address;**  
**(d) Business telephone number;**  
**(e) Electronic mail address;** Jenn@hopefornevada.org  
**Name of entity or organization represented:** Honoring Our Public Education (HOPE)

Ms. Blackhurst stated their group supports many new legislative changes in Nevada's K-12 system and said they attended all of the town hall meetings. Their 108 HOPE members are enthusiastic about the proactive decision-making at individual schools based on student needs along with family community involvement and changing unsuccessful practices. However, there are still concerns that must be addressed. (See written comments– Attachment 1)

**(a) Name:** Caryne Shea  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;** 323-610-6412  
**(e) Electronic mail address;** Caryne@hopefornevada.org  
**(f) Name of entity or organization represented:** HOPE  
Karen read comments into the record from Attachment 1

**(a) Name:** Julie Vigil  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;** HOPE  
**(e) Electronic mail address;** Julie@hopeforNevada.org  
**Name of entity or organization represented**  
(see written comments, Attachment 1)  
Julie read comments into the record from Attachment 1.

**(a) Name:** Annette Dawson Owens  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;**  
**(e) Electronic mail address;**  
**Name of entity or organization represented:** Break Free CCSD

Ms. Dawson stated their group is 100 percent behind this plan and believe it is the right thing to do. With 20 public meetings, eight town halls and six community forums there were many

opportunities to provide comment. However, they are concerned about how committed the CCSD school board is to a plan when they mischaracterized the process as flawed and passed many resolutions opposing the plan. They have heard rumors that members of the central administration office may not make a good faith effort to implement the plan due to their personal opposition.

- (a) Name:** Ruben Murillo
- (b) Telephone number;**
- (c) Business Address;** 3511 E. Harmon Ave
- (d) Business telephone number;** 702-376-1892
- (e) Electronic mail address;**
- (f) Name of entity or organization represented,** President of Nevada State Education Association

Mr. Murillo spoke about his experience with empowerment schools. He applauded the efforts of the Advisory Committee and the legislators who worked hard on the Task Force. The NSEA appreciates that the commission heard their concerns about their support professionals and made adjustments.

- (a) Name:** Mayor Carolyn Goodman
- (b) Telephone number;**
- (c) Business Address;** S. 495 Main St, City Of Las Vegas, NV
- (d) Business telephone number;** 702-467-0125
- (e) Electronic mail address;** [bmcallen@lasvegasnevada.gov](mailto:bmcallen@lasvegasnevada.gov)
- Name of entity or organization represented:** Mayor of the City of Las Vegas

Ms. Goodman stated she is in support of the proposed regulation regarding the reorganization of the CCSD. We need to fix what is broken rather spending dollars on multitudes of alternatives. The current structure is not working and has not been working, Involving local government officials who are accountable to tax payers, local citizens are heard and the schools are responsive to their concerns. The involvement of local officials ensures accountability to tax payers. It is imperative to ensure that a new transparent easily discernable budget is created which details expenditures for individual schools and for the central office. The time to act is now.

- (a) Name:** Commissioner Chris Giunchigliani
- (b) Telephone number;**
- (c) Business Address;** 1717 S. 15, Las Vegas, NV
- (d) Business telephone number;** 702-521-1663
- (e) Electronic mail address;**
- Name of entity or organization represented,** Individual

Ms. Giunchigliani stated she is speaking as an individual and that she is a special education middle school teacher from CCSD. She has attend as many meetings and town halls about the CCSD reorganization as possible. She said when people are scared or do not have the ability to understand the outcome of the regulations, there will be a fear factor. She has not heard from a single parent other than those that are concerned about when it is going to happen. If we are not careful the disparity will continue. Until the DSA is fixed, there will be continued disparity because the principals will not have the ability to hire the qualified people they need. They will need to spend money to maintain buildings and facilities. She said to slow it down and do it

right. There is no reason this has to be implemented by 2017 other than it is an election issue. Kids should not be used as hostages. The reorganization is conceptually a good thing, but she urged caution in moving forward. Make sure it is methodical and done right for all the right reasons.

**(a) Name:** David Cherry representing Andy Hafen  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;** 702-768-4948  
**(e) Electronic mail address;** david.cherry@cityofhenderson.com  
**Name of entity or organization represented:** Mayor Andy Hafen, Henderson

Mr. Cherry read into the record comments prepared by Mayor Andy Hafen of Henderson, NV,  
(See Attachment 2)

**(a) Name:** Adrianna Martinez  
**(b) Telephone number;**  
**(c) Business Address;** 812 Sweeney Ave, Las Vegas, NV  
**(d) Business telephone number;** 702-400-1735  
**(e) Electronic mail address;** lvadriana@aol.com  
**Name of entity or organization represented** Outreach on Government Affairs, Educate Nevada Now (ENN)

Ms. Martinez explained their group is present to discuss fair and authentic representation in the organizational team. They are concerned about recruiting parents in schools with no PTA or PTO.

Ms. Martinez read comments into the record from Attachment 3.

**(a) Name:** Amanda Morgan  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;** 702-682-9090  
**(e) Electronic mail address;** amorgan@educatenevadanow.com  
**Name of entity or organization represented** Legal Director, Educate Nevada Now

Ms. Morgan said ENN shares concerns regarding the process in which this regulation was promulgated, and issues about the amount of time these regulations have been available to the public.

Ms. Morgan read comments into the record from Attachment 3.

**(a) Name:** Sylvia Lazos  
**(b) Telephone number;**  
**(c) Business Address;**  
**(d) Business telephone number;** sylvialazos@gmail.com  
**(e) Electronic mail address;**  
**Name of entity or organization represented** Policy Director, Educate Nevada Now

Ms. Lazos recalled when the Empowerment study was conducted in Las Vegas, and a through empowerment evaluation was done by UNLV. Their conclusion was that empowerment does not automatically lead to better results. It is the people, principal, leadership, parents and the right

teachers teaching the right curriculum in school that leads to better results. This Board has power to regulate and rethink, and unless those pieces align with the regulation and local governance there will be another reform that is not thought out. This may not be ready to implement. Ms. Lazos read comments into the record from Attachment 3

**(a) Name:** David Gomez, Parent of 4 children

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;**

**(e) Electronic mail address;**

**Name of entity or organization represented** President, Nevada Peace Alliance

Mr. Gomez stated he supports the reorganization of CCSD for the sake of the children. He said not to reinvent the wheel, but lets retread it. He said his three year old daughter is showing she wants to learn, but he fears that she will receive the same teaching and education his son received. As a Latino and biracial parent he hopes the right thing is done.

**(a) Name:** Guerimo Vasquez

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 210-900-2247

**(e) Electronic mail address;** guillermo.vazquez@nsea.nv.org

**Name of entity or organization represented:** Executive Director, Education Support Employee's Association (ESEA)

Mr. Vasquez said his association represents 11,579 support professionals. During the hearings and town hall meetings on S.B. 394, his organization stated many concerns about the plan to reorganize CCSD. Their priority has always been for the support staff to have a voice in the process of delivering quality services to CCSD and the students. They are parents and family members of thousands of students in the system and they are the backbone of education. They are invested in the community and have an important role ensuring students succeed. They foster their children's education and make sure they are in a safe and healthy environment in school. He worked with Senator Roberson and Assemblyman Gardner and his leadership at ESEA is comfortable with the language and supports the process of moving forward as is. His union understands the purpose of the plan is to help students and do everything possible to improve the education delivery system in CCSD. Having a voice in the school organizational teams, he is confident and believes the community will see that they are vital to delivering services central to the system. ESEAs leadership supports the plan and looks forward to continue to education students.

**(a) Name:** Theo Small,

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-371-3811

**(e) Electronic mail address;**

**Name of entity or organization represented** Vice President, Clark County Education Association, teacher on leave of absence in CCSD.

Mr. Small said as an organization representing all the teachers and licensed professionals in CCSD, he wants to clarify they embrace the language to go forward and believe they are the

professionals to do this. They have implemented trainings about the new evaluation system, he participates in the Teacher and Leaders Council, is passionate about improving instruction at the classroom level, and they are partners working on culture and climate. The biggest concern is, will this really happen, will we train administrators, will we train teachers and support staff, and we will train parents. He is working with partners and entities in the community that work to improve the community. They are leaders of the profession. This work is about training and follow-up from the assistant superintendents supervising principals, and principals supervising teachers.

**(a) Name:** Tod Storey

**(b) Telephone number;**

**(c) Business Address;** 702-366-1536

**(d) Business telephone number;**

**(e) Electronic mail address;** story@aclunv.org

**Name of entity or organization represented** Executive Director, ACLU of Nevada

Mr. Rose said the Board heard from their legal director this morning about concerns in the process of this regulation. He noted regulatory language in Section 26 speaks about exempting the organizational teams from the public open meeting law (OML). He said it is improper for a regulation to create an exemption to the statutory requirements of the OML. He urged the committee to not take action on Section 26 specifically that would seek to exempt organizational teams at the school from the OML. Mr. Rose said the Administrative Code specifies the regulation is supposed to be up for public consideration for 30 days. The regulations were posted August 19. Because of the public comment that occurred at previous meetings there were material modifications made and it is their belief the clock then starts for 30 days. It does not start on July 27. He encouraged the body to not to adopt the regulations as they are but to continue according to the Nevada Administrative Code the way it is written now.

**(a) Name:** Terri Shuman

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-427-0969

**(e) Electronic mail address;**

**Name of entity or organization represented** Employee with CCSD

Ms. Schuman said she is support staff with CCSD. Change needs to begin by involving the CCSD support staff in this reorganization. The support staff has not been included and it is wrong, disrespectful, and they feel neglected.

**(a) Name:** Jose Solario

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-324-7952

**(e) Electronic mail address;**

**Name of entity or organization represented**

Mr. Solario said he agrees with Ms. Giunchigliani that the process to get this done by a certain date did not allow for public input. This is about empowering schools, and if we are not getting input from all the schools the purpose is being defeated. He supports delaying the regulation. Mr. Solario expressed concerns about funding. When more money is being spent at one school than another, it is not equal education opportunity. How much money is being spent is not shared



public information. White privileged schools are getting more money than the black and Latino inner city schools, and it is not fair.

**(a) Name:** Linda Young

**(b) Telephone number;**

**(c) Business Address;** 5100 W. Sahara Ave, School Board, Las Vegas, NV

**(d) Business telephone number;** 702-788-1072

**(e) Electronic mail address;**

**Name of entity or organization represented** President, CCSD Board of Trustees

Ms. Young read a segment of the Clark County School District Board statement, (attachment 4). She said there continues to be educational policy and legal issues and concerns as listed in the written document.

**(a) Name:** Chris Garvey

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-788-1072

**(e) Electronic mail address;**

**Name of entity or organization represented** Vice President, CCSD Board of Trustees

Ms. Garvey continued to read the CCSD Board statement into the record, (attachment 4).

**(a) Name:** Patric Tew

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-788-1072

**(e) Electronic mail address;**

**Name of entity or organization represented** Clerk, CCSD Board of Trustees

Ms. Two also continued to read the CCSD Board statement into the record, (attachment 4).

**(a) Name:** Lindsey Dalley,

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;** 702-682-5415

**(e) Electronic mail address;**

**Name of entity or organization represented**

Mr. Dalley, Chairman, Moapa Valley's Community Education Advisory Boards A.B.394 Task Force, was formed to represent his community's concerns in this reform process. He stated the process has been public and open to the point that even a small community 60 miles away, with no stop lights, has been able to involve itself from the beginning. They have worked closely with Breakfree CCSD to coordinate their education concerns with the greater Las Vegas educational concerns. They fully support the plan having had a chance to be active in the development and feel they need to begin reform as soon as possible and not let children languish in a failed system. He asked for everyone's support to reform this process including the CCSD trustees. There was unanimous and bipartisan advisory committee support of this plan. He and the community education advisory board parents have been trying to break through this current CCSD structure for 14 years. It is time for a change.

**Name:** Steve Augspurger

**(a) Telephone number;**

**(b) Business Address;** 4055 S. Spencer, Las Vegas, NV

**(c) Business telephone number;**

**(d) Electronic mail address;**

**Name of entity or organization represented:** ex director, Clark County Association of School Administrators and Professional and Technical Employees.

Mr. Augspurger stated he believes A.B. 394 is the best thing that has happened to the CCSD. Anytime change and reform comes along, there will be those who attempt to convince that nothing is wrong with the public institute that is being impacted by the change. We have heard that today. However, administrators, teachers and support staff there are many things wrong that this bill will address. He said we need to hurry with this process. Principals are ready to fix this on the fly and we cannot afford to wait one more year. We need to do this now.

**(a) Name:** John Vellardita

**(b) Telephone number;**

**(c) Business Address;**

**(d) Business telephone number;**

**(e) Electronic mail address;**

**Name of entity or organization represented** Executive Director, Clark County Education Association, representing over 18,000 licensed professionals.

Mr. Vellardita stated this piece of legislation is only piece of legislation that came out of the 2015 Legislative session that has been thoroughly vetted. There is not another law that went through a 120 day process, then had ten technical advisory committee meetings, eight advisory committee meetings, eight community meetings and countless discussions with stakeholders to build consensus. As it stands right now this is a piece of legislation that has many entities involved in it. There are challenges the way this regulation was presented and written, the legislative community will monitor it for two more years. He said key to success is leadership and his group will partner with the principals and work with the school district to develop comprehensive high standards of training for leadership. These were not affluent neighborhoods, but the working poor. The regulation mandates that the organizational team and the principal do immediate outreach to every parent in the building to engage parents in direct involvement.

**WRITTEN COMMENTS ARE AVAILABLE WITH THE SECRETARY OF STATE FILING.**