



STATE PUBLIC CHARTER SCHOOL AUTHORITY

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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Patrick Gavin, Executive Director
SUBJECT: Agenda Item 5: Consideration of Nevada Virtual Academy's amendment request to relocate and occupy new facility
DATE: August 26, 2016

Legal Context:

The specific requirements for amending a written charter or a charter contract to acquire and occupy a new or additional facility can be found in [NAC 386.3265](#) and [NAC 386.3266](#).

Summary of Request:

Nevada Virtual Academy received approval to acquire a new facility pursuant to NAC 386.3266 in the summer of 2015. After significant facilities improvements, the school is now in a position to occupy the new facility and is seeking approval to do so. While staff requested and received delegated authority to approve subsequent amendments to occupy this facility, that approval was also contingent upon the execution of an amended and restated charter contract which was consistent with the provisions of SB509, viz. language similar to that memorialized in the [Beacon contract](#). While counsel for the Agency and the school have made progress in negotiating that contract, it has not yet been executed. Due to the delay, Agency staff and counsel feel it is appropriate to bring this follow-on amendment back before the Authority for approval.

The school seeks to relocate its current facility from [8965 South Eastern Avenue, Suite 330, Las Vegas, NV 89123](#) to [4801 South Sandhill Road, Las Vegas, NV 89121](#), a renovated 12,500 square foot space in an office building owned by Community Lutheran Church of Paradise Valley. Nevada Virtual has provided a [letter of transmittal](#) from a member of the governing body along with a set of exhibits which includes all items required pursuant required by [NAC 386.3265](#), including:

- A [floor plan](#) of the facility, including a notation of the size of the facility which is set forth in square feet
- [Contact information](#), including the name and address of the owner of the facility

- A copy of the [certificate of occupancy](#) for the facility, which includes information on the type of facility
- Documents which indicate that the facility has been [inspected](#) and meets the requirements of any applicable building codes, codes for the prevention of fire, and codes pertaining to safety, health and sanitation
- [Evidence](#) which demonstrates that the governing body of the charter school has [communicated](#) with the Division of Industrial Relations of the Department of Business and Industry regarding compliance with the federal Occupational Safety and Health Act of 1970, as amended ([NAC 386.3265\(2\)\(h\)](#))
- Documentation which demonstrates that the governing body of the charter school has obtained the insurance required by [NAC 386.215](#) for the proposed facility ([NAC 386.3265\(2\)\(i\)](#)), including a [general liability certificate](#) and [additional required insurance coverage](#).

Recommendation:

Staff recommends approval to occupy the facility be contingent upon the execution of an updated charter contract which is consistent with the provisions of the Beacon contract and is satisfactory to both Agency staff and the school.