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BRIEFING MEMORANDUM

TO: SPCSA Board
FROM: Patrick Gavin
SUBJECT: Agenda Item 13 - Legacy Traditional Expansion Amendment Request
DATE: January 27, 2017

Legal Context:

[NRS 388A.279](#) provides that the Authority may hold a public hearing concerning any request from a charter school to amend a written charter or a charter contract, including:

- Increasing the total enrollment of a charter school or the enrollment of pupils in a particular grade level in the charter school for a school year to more than 120 percent of the enrollment prescribed in the written charter or charter contract for that school year.
- Seeking to acquire an additional facility in any county of this State to expand the enrollment of the charter school.

As this amendment request was received and reviewed prior to the adoption of [R089-16A](#) in December 2016, the requirements previously adopted for amending a written charter or a charter contract to acquire and occupy a new or additional facility exclusively govern this submission. The relevant provisions can be found in [NAC 386.3265](#) et seq.

Summary of Request:

Legacy Traditional is seeking to expand its school network with an additional site in the Cadence community in the southeast are of the Las Vegas Valley. As the Authority will recall, the school initially proposed to open in Henderson. Due to the inability to find an appropriate parcel of land, the school request and received authorization to relocate its initial site to North Las Vegas. That facility is on track to open in the fall of 2017. After entering into negotiations to secure the North Las Vegas site, the school was approached by a developer interested in supporting the opening of a second facility in Cadence in the fall of 2018. As there was significant parent interest in the initial southern location and many of those families were disappointed by the decision to relocate Legacy Traditional I to North Las Vegas, there is already significant support to enroll Legacy Traditional II in Cadence.

Legacy Traditional was approved by the Authority in 2016 and will open in the fall of 2017. It currently operates under a charter contract and will be up for renewal in 2022. As Legacy Traditional is a school within a high achieving school network, one which is ranked among the top performing school systems in Arizona, the school is eligible to request additional sites.

Recommendation: Approve with Conditions

The school meets the current criteria for approval for a new campus pursuant to the most recent revisions to NAC and has participated thoughtfully in the new amendment request process in a manner which demonstrates the capacity to effectively govern and operate multiple new campuses. The school's enrollment diversification strategies align to the criteria and activities articulated by the SPCSA.

Consequently, staff recommends that the Authority approve this amendment request. Consistent with the Authority's actions related to other schools in the portfolio, staff requests that the board set an enrollment cap based on the school's enrollment as laid out in the amendment request and incorporating all other standard language from the charter contract most recently developed by counsel based on guidance from the Authority.

Staff further requests delegated authority to grant additional technical amendments and approvals upon receipt of documentation and other items required under NAC to occupy the buildings over the course of the next several years. This approval is consistent with the mechanism the Authority uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional review of such documentation in a public forum.