

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

June 25, 2018

Capitol Building
101 North Carson St.
Old Assembly Chambers
Carson City, Nevada

Nevada Department of Education
9890 South Maryland Parkway
2nd Floor Board Room
Las Vegas, Nevada

MINUTES OF THE HEARING

BOARD MEMBERS PRESENT:

In Las Vegas:

Jason Guinasso
Melissa Mackedon
Jeff Hinton
Randy Kirner
Nora Luna
Sheila Moulton

In Carson City:

None

BOARD MEMBERS ABSENT:

Stavan Corbett

AUTHORITY STAFF PRESENT:

In Las Vegas:

Patrick Gavin, Executive Director
Mark Modrcin, Director of Authorizing

In Carson City:

Danny Peltier, Management Analyst I

LEGAL STAFF PRESENT:

In Las Vegas:

Robert Whitney, General Counsel
Ryan Herrick, General Counsel, State Public Charter School Authority

In Carson City:

Aisheh Quiroz, Legal Assistant, State Public Charter School Authority

AUDIENCE IN ATTENDANCE:

In Las Vegas:

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| Drexel Steward | Julie Pazina | Gabriel Rios |
| William Magrath | Kelly Gaez | B. Pearson |
| Kara Hendricks | Michael Henry | Audrey Whitehurst |
| Ben Gerhardt | Jordan McGrain | K. Gourrier |
| Shannon Barry | Elizabeth McFadden | Colin Bringhurst |
| Trevor Goodsell | Samantha Morris | Michele Voelkery |
| Karen Kreutzen | Graciela Guthrie | Bryon Richardson |
| Bree Achong | Kelley Blatnik | Mike McCoy |
| Yolanda Hamilton | Arthur A. | Christine Klein |
| Elizabeth T. | Sylvia Pulido | Amelia Pack-Harvey |
| Cara Galvez | Sebastian Rios | |

In Carson City:

Vinica Sulezich

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

Agenda Item 1 – Call to Order, Roll Call, and Pledge of Allegiance

Chairman Guinasso called the meeting to order at 9:30am with attendance as reflected above.

Agenda Item 2 – Public Comment

Chairman Guinasso informed attendees and those wishing to make public comment that the SPCSA and NVA have been working toward reaching a settlement agreement that would resolve the outstanding issues between the two without a hearing being necessary.

Vinica Sulezich – Has a son with autism who attended NVA and supports termination of NVA’s charter contract. She accuses NVA of threatening and bullying her son because of his disability over the course of two years. She contends that the school did not follow her son’s IEP and bullied and harassed her and her son. She believes NVA thinks they are above the law and the administration has been unresponsive and unwilling to help her or her son.

Gabriel Rios – Rising 4th grade student at NVA. He loves his school and asks that the school stay open.

Graciela Guthrie – Learning Coach and parent of 4 students at NVA since 2009. She is very happy with the curriculum as well as the culture at NVA. She praised the teachers, administration, and other parents of NVA students. She asked that the school be allowed to remain open.

Cristabel Guthrie – NVA student who values the quality of her education at NVA and aspires to become a writer. She asks that the school remain open.

Therese Guthrie – NVA student asking for the school to stay open so she can go to first grade there, like her sister. She likes the lessons on the computer. “It is a very good school.”

Holly Guthrie – NVA student who is a rising third grader. She wants NVA to stay open because she found it interesting and fun and believes it’s a good school.

Sylvia Pulido – Mother of rising third and sixth graders at NVA. She values the education her children are receiving at NVA and she appreciates how supportive the community and administration are at NVA. She wants NVA to stay open so her children can continue their education there.

Kelley Blatnik – She and her daughter participate in various activities and travel throughout the country. Her daughter has earned dual credit at NVA and will graduate with her Associate’s Degree. She values the flexibility of NVA that allows her daughter to travel with her and have experiences she would not otherwise have had the opportunity to have.

Cara Galvez – Family moved from New York. Her son was labeled as “disabled” when they left New York. When they moved to Nevada, her children struggled in school. Her son has made massive gains in his education and is now testing at grade level. She is very happy with the quality of attention and education NVA has provided her children.

Bree Achong – NVA student who struggled in a brick-and-mortar school due to ADHD diagnosis. She has made great strides in her education and credits NVA with her success.

Christine Klein – Spoke on behalf of NVA, where her daughter is a rising senior. Her family was dissatisfied with the quality of the CCSD school for which they were zoned. Her daughter was getting into trouble and not focused on her schoolwork. NVA has been a good fit for her family and she asks that NVA remain open.

Sebastian Rios – NVA student who has a life-threatening peanut allergy values the ability to attend school without worrying for his safety. He is very happy with his experience at NVA and asks that NVA remain open so that he can continue his education there.

Elizabeth Theriot – Kelley Blatnik’s daughter spoke about how much she values the flexibility of the education and the opportunities afforded to her by NVA. She explained her history with local

brick-and-mortar schools. She is much younger than her classmates and has struggled socially. NVA provides her an opportunity to learn without the social problems that went with her experience in the brick-and-mortar setting.

Agenda Item 3 – Public Hearing

Chairman Guinasso explained the lengths to which the Authority and the School have gone to reach their proposed agreement, submitted shortly before the hearing. He explained that the agreement has enrollment caps built-in, in an effort to best use the resources the school has. He described meeting with school administration and applauded their efforts and leadership in resolving this matter.

Ryan Herrick, General Counsel for the SPCSA, detailed the process leading up to the hearing and the substance of the proposed agreement. In Fall of 2017, NVA's elementary school received a raw index score of 19/100 – this, combined with historical underperformance, triggered a response by the SPCSA to issue a Notice of Intent to Terminate NVA's charter school contract. As part of the process, NVA submitted a proposed cure, or academic turnaround plan, in May of 2018. The Board rejected that plan as it did not remedy the deficiencies identified by SPCSA Staff. The Board scheduled this hearing to determine whether or not to terminate NVA's charter.

SPCSA Staff and the school have worked jointly to come to a mutually satisfying agreement.

The agreement, as presented, would stop the termination proceedings as well as dismiss the case filed in court by NVA against the SPCSA, and grant the school renewal. The terms of the agreement outline enrollment caps for each grade level at NVA and performance benchmarks the school has to reach, starting with receiving at least a score of 34 on the NSPF rating system in Fall of 2018. If this first index score of 34 is not met, NVA may not apply for renewal of NVA's elementary school in its entirety. If the benchmark is met, the school may apply for renewal with the inclusion of the elementary school. Every year thereafter, the SPCSA wants to see at least an eight-point increase in the school's performance rating. Should NVA miss hitting a benchmark, the following year will see an elimination of elementary school grade levels – starting with Kindergarten. NVA will be required to distribute notices to NVA families about the agreement as well as the school's progress. NVA will also have to include this information in their enrollment packet as well as on their website.

Mark Modrcin, Director of Authorizing, spoke on why Staff feels that this agreement is good for NVA students. First, the enrollment caps benefit the students in that it will serve to ensure that a standard of quality in education is met prior to authorizing the school to enroll more students. This will help the school to serve a smaller population well. Staff also supports the condition of NVA meeting the 34 index score benchmark if it wants to renew its elementary school beyond the 18-19 school year. While 34 is not a good score, it represents a significant increase over last year and represents a higher quality of education available for a larger number of Nevada students. Staff also supports the benchmarks beyond the 18-19 school year and the consequences the school would face for not reaching those benchmarks. This would further serve to ensure a

higher quality of education for a greater number of students. The timeline is reasonable and facilitates understanding on the part of NVA families.

Patrick Gavin, Executive Director, gave his perspective on the importance of the role of high-quality educational opportunities for Nevada Students. He also commended NVA on their willingness to compromise on the enrollment caps for their middle and high school. He thanked Ms. Morrison for her willingness to come to the table and work with Staff to reach an agreement.

Kara Hendricks, counsel for NVA, spoke about how challenging it has been to make the difficult choices NVA has had to make to come to the agreement that is on the table. She commended and thanked NVA's administration and families who have advocated tirelessly for NVA. She recognized the importance of the provisions laid out in the agreement, though some of them were difficult for NVA's administration and board to accept. Ultimately, they acknowledge that the current agreement is the best for the students involved. The biggest benefit Kara identified is the improvement in the relationship between the SPCSA and NVA. She commended Mr. Herrick for attending an NVA board meeting and answering their questions.

Samantha Morris, NVA board president spoke briefly and expressed the school's commitment to improvement and her thanks for the SPCSA's willingness to work with the school on their improvement.

Chairman Guinasso thanked Staff and NVA for their hard work in reaching an amicable agreement. The Board then had time to ask questions about the substance of the agreement.

Chairman Guinasso asked whether or not the school feels they are being set up for success with the benchmarks as they are set up in the agreement. Ms. Hendricks acknowledged that the target of 34 is ambitious, but she is confident it is possible. Mr. Modrcin spoke about chronic absenteeism and how NVA has improved in that measure.

Chairman Guinasso inquired about what would happen in the event NDE does not issue ratings one year. Mr. Herrick explained that this has been accounted for in the agreement.

Chairman Guinasso introduced new board member, Randy Kirner, and asked if he had had the opportunity to go over the information on the hearing and whether or not he had any questions.

Member Luna asked about the measures NVA is taking to make sure that they are accountable for their academic improvement plan. Dr. Morris answered that she and her staff are committed to the agreement as it's been written.

Member Hinton commended the school for their work on the agreement and acknowledged that there is a lot of work ahead for NVA and asked how the school intends to best serve their elementary school teachers without giving them an undue burden. Dr. Denson answered the question and advocated for his teachers and assured the board that the teachers have support and their students also have their support in order to best reach their goals.

Member Kirner asked about how the school is doing currently in implementing their (rejected) academic improvement plan or some version of it. Dr. Denson answered that the school is currently trying to implement a better plan and look forward to continuing in the Fall. They will

also be working on scheduling to meet their students' needs. The other change will be to include the teachers and parents in discussions about the data the school is producing so as not to blindside the students and their families.

Member Moulton asked about the agreement and how that affects the current litigation proceedings. Ms. Hendricks answered that the agreement would make the litigation go away, and the school has waived their right to judicial review – per the agreement. Member Moulton commended the school and SPCSA for working together and commented briefly on several other points of the agreement – including noting that the “34” (the first benchmark for NVA) surprised her. She appreciated the communication efforts with the staff, students, school, administration, and SPCSA.

Vice Chair Mackedon asked what happens if NVA ends up discontinuing their elementary school – would they still be eligible for hold harmless? Director Gavin responded that that decision is up to NDE. Ms. Mackedon wanted to reiterate that the school could get millions even if they drop the elementary school. Mr. Herrick said that the school would not be eligible statutorily.

Vice Chair Mackedon asked, when the school gets to 50 points, they might be able to increase enrollment – whether or not they are a three-star school under any future framework. Mr. Herrick responded that nothing in the agreement binds the board to that approval. After input from Director Gavin and Ms. Hendricks, it was decided that the agreement addresses any future changes to the NSPF system as it might pertain to NVA.

Member Luna voiced her support for the agreement, but expressed her concern and disappointment to be in this same position with NVA after having been through problems with this school for several years. She expressed regret that the board went against Staff's recommendation and renewed the school's contract in 2013. She remains hopeful that the school can turn it around, but wanted to note her reservations.

Chair Guinasso commented that he is reassured by the language of the agreement that this time will not be like it was with NVA in 2013. He said that this is a stronger and more serious consequences that are automatic, without needing input from the board going forward. He also stated that he is inclined to trust NVA because of their confidence in their plan and the agreement. He also mentioned that the standards set forth in the agreement are really just a starting point and that he expects the school to exceed those expectations.

After a brief recess, the board members reconvened to take a vote on whether to approve the stipulated agreement presented to them.

Chair Guinasso called for a motion.

Member Hinton made a motion to approve the stipulated agreement with the caveat that Staff can make technical corrections as needed. Member Moulton seconded the motion. The motion passed unanimously.

Agenda Item 4 – Public Comment

None.

Agenda Item 5 – Adjournment

Chair Guinasso adjourned the meeting.