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ACTION MEMORANDUM

TO: SPCSA Authority Board
FROM: Mark Modrcin, Director of Authorizing, SPCSA
Danny Peltier, Management Analyst III, SPCSA
SUBJECT: **Mater Academy of Nevada – Charter Amendment Request to Provide
Transportation for Extracurricular Activities**
DATE: November 18, 2022

Summary of Request and Recommendation

Mater Academy of Nevada (Mater) has submitted an amendment application requesting that the State Public Charter School Authority (SPCSA) grant a Good Cause Exemption and approval for Mater to provide bus transportation of students to and from Mater’s East Las Vegas campus for extracurricular activities.

SPCSA staff has reviewed the application and recommends that the Authority grant the Good Cause Exemption and approve the amendment request. A proposed motion along with conditions can be found on page 4 of this memo.

Background and Overview of the Amendment

Mater opened its first campus in 2014 and has since grown to three campuses serving students in grades PK-11. As of the 2021 Validation day the three campuses serve 3,704 students. The school is currently operating under a renewed charter contract that was entered into in 2020 and will expire in 2025.

According to the amendment application, Mater is seeking authority to purchase a bus and provide transportation of students to and from Mater’s East Las Vegas campus in order to facilitate students’ attendance and participation at various extracurricular activities in the community.

According to the application, transportation on this will be limited to the following under Mater's proposed plan:

1. Passengers will be students enrolled at Mater's East campus.
2. The exact hours of bus operation are still to be determined. However, depending on the nature of the particular extracurricular activity, Mater currently anticipates providing bus transportation of students either before, during, or after the school day. It is also possible that bus transportation may also be provided during the weekends for certain extracurricular activities.
3. Mater anticipates using the bus to transport students from Mater's East Las Vegas campus to extracurricular activities or events and then returning those students back to Mater's East Las Vegas campus:
4. Any school bus driver(s) providing transportation for Mater will meet the minimum qualifications as described in NRS 386.825. However, Mater will contract with a licensed Federal Motor Carrier for any activities that are expected to exceed 2.5-hour time limit each way or that will leave the State of Nevada.

In the amendment application, Mater confirmed that prior to operating any school bus under this plan, the bus will be inspected by the Department of Public Safety to ensure that the vehicle is mechanically safe and meets the minimum specifications established by the State Board. Mater will provide evidence of the inspection results to the State Public Charter School Authority prior to transporting students as a condition of approval of this request.

Federal and State regulations require Mater to conduct bus evacuation drills twice a year. However, since the school will only be using the bus to transport students for extracurricular activities, Mater has modified its evacuation plan to ensure that all students who are transported will participate in evacuations. According to the amendment application, the bus driver will conduct a bus evacuation drill at the beginning of every field trip. For students who are transported as part of a sports team, the sports team will conduct an evacuation drill once per sports season.

As noted in the amendment application, Mater has developed and will implement a Driver Qualification File which will be kept and updated for each driver on a yearly basis. Prior to performing the duties of a school bus driver for Mater, all documentation in the Driver Qualification File must be completed.

Since Mater will not be using the bus to regular transport students to and from school, the transportation plan and bus are exempt from [NRS 386.830\(5\)](#), which states that "any bus which is purchased and used by a school district to transport pupils to and from extracurricular activities is exempt from the specifications adopted by the State Board if the bus meets the federal safety standards for motor vehicles which were applicable at the time the bus was manufactured and delivered for introduction in interstate commerce."

Finally, according to the amendment application, [NRS 386.835](#) and [NRS 386.837](#) apply to "new" school buses purchased on or after January 1, 2016 and July 1, 2019, respectively. As stated above, since Mater plans on purchasing a new school bus these standards will apply and

Mater would receive certification in the semiannual inspection conducted by the Department of Public Safety.

Legal Authority and Requirements Related to Amendment Requests

Existing charter schools that are sponsored by the SPCSA may submit a charter school contract amendment application to the SPCSA – which is reviewed by SPCSA staff and presented for SPCSA Board action – in order to, among other things, increase enrollment, add grade levels above and beyond what the charter school is approved to serve, or add a new campus. Only those existing charter schools that are meeting expectations in regard to academics (under both the Department of Education’s Nevada School Performance Framework -- the “Star Ratings” -- and the SPCSA’s Academic Performance Framework), are compliant in regard to the SPCSA’s Organizational Framework, and are fiscally sound may be approved for expansion. Furthermore, the academic, organizational, and financial performance of other charter schools that contract with the same Charter Management Organization or Educational Management Organization is taken into account when reviewing an expansion application¹.

Applicant Eligibility

For this specific type of Amendment request, the sponsor of the charter school shall review the written request to determine if the written request: (a) Complies with NRS 388A.010 to 388A.640, inclusive, and the regulations applicable to charter schools; and (b) Is complete in accordance with regulations of the Department. This review also includes an assessment of the charter school’s compliance with regards to such applicable law, regulations and SPCSA requirements including those described in the Academic Performance Framework, Organizational Performance Framework, and the Financial Performance Framework.

When reviewing an amendment application, SPCSA staff reviews the academic, financial and organizational performance of the applicant charter school. At this time, SPCSA staff finds that Mater campuses are not operating under any Academic Notices, are compliant in regard to the SPCSA’s Organization Framework, and the network is fiscally sound.

At its January 28, 2022, board meeting, the Authority approved the 2020 – 21 Organizational Performance Framework results for Mater Academy, and the school earned a perfect score of 100 points for the second consecutive year.

Additionally, the 2020 – 2021 Financial Performance Framework results for Mater Academy showed that the school ‘Met the Standard.’

Analysis and Staff Recommendation

SPCSA staff finds this amendment request to provide transportation for extracurricular activities to be both reasonable and compliant with applicable Federal and State regulations. As noted by the school during the Mater board’s approval to submit this amendment request, the increased

¹ There are limited exceptions to these eligibility requirements for those charter schools that have been approved by the State Board of Education and the SPCSA Board to be rated under Nevada’s Alternative Performance Framework.

number of sporting events offered to students at Mater East campus was creating hardships on parents who had to leave work early in order to get their student athlete to games on time, and on the school to cover costs for rented transportation when games were now held throughout the valley. Approval of this amendment request will help alleviate this hardship on the parents and allow the school to allocate financial resources in a more sustainable manner.

As such, SPCSA staff recommends the SPCSA board approve the request of Mater Academy of Nevada to provide bus transportation of students to and from Mater’s East Las Vegas campus for extracurricular activities with conditions.

Proposed Motion: Grant the Good Cause Exemption request and approve Mater Academy of Nevada to provide bus transportation of students to and from Mater’s East Las Vegas campus for extracurricular activities with the following conditions that must be satisfied prior to implementation:

- 1. After purchase of the bus, Mater shall submit evidence the bus has been inspected by the Department of Public Safety to ensure that the vehicle is mechanically safe and meets the minimum specifications established by the State Board.**
- 2. Evidence that the school has obtained proper insurance coverage pursuant to [NRS 386.795](#)**

The current, approved, enrollment caps for each Mater campus are as follows:

School Year	2022-23	2023-24	2024-25
Bonanza			
Grade Levels	PK-8	PK-8	PK-8
Enrollment	984	984	984
East			
Grade Levels	PK-11	PK-12	PK-12
Enrollment	1,824	2,094	2,209
Mountain Vista			
Grade Levels	PK-8	PK-8	PK-8
Enrollment	1,035	1,035	1,035
Total Enrollment	3,809	4,079	4,139

School Demographic Change since 2017 – Mater Academy

Mater Mountain Vista

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	996	0.8%	9.0%	10.2%	75.5%	.01%	4.3%	0.0%	8.3%	47.4%	62.9%
18-19	1,056	1.2%	7.8%	8.1%	78.6%	0.2%	3.6%	0.5%	8.4%	46%	>95%
19-20	1,060	1.6%	9.0%	7.1%	77.4%	0.2%	4.1%	0.8%	8.1%	35.9%	>95%

20-21	1,049	1.8%	9.4%	7.3%	76.7%	0.1%	4.0%	0.3%	8.6%	38.6%	>95%
21-22	1,057	2.7%	9.0%	6.0%	76.9%	0.1%	3.9%	1.0%	9.9%	35.2%	>95%

Mater Bonanza

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	760	1.1%	9.5%	9.2%	77.5%	0.4%	2.1%	0.3%	6.8%	52.2%	80.3%
18-19	906	0.9%	9.3%	7.8%	78.6%	0.3%	2.4%	0.7%	8.9%	43.3%	86.0%
19-20	1,041	0.6%	8.9%	6.4%	81.1%	0.2%	1.7%	1.1%	8.5%	36.1%	>95%
20-21	1,071	0.5%	7.6%	4.1%	84.6%	0.3%	1.8%	0.7%	9.7%	33.9%	>95%
21-22	1,074	0.6%	6.2%	3.5%	86.5%	0.2%	1.9%	0.7%	8.4%	38.9%	>95%

Mater East

Year	Enrollment	A	B	C	H	I	M	P	IEP	ELL	FRL
17-18	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
18-19	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
19-20	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
20-21	1,143	0.6%	12.7%	5.2%	76.9%	0.0%	3.4%	0.7%	9%	42.6%	>95%
21-22	1,573	0.8%	11.7%	4.5%	79.3%	0.1%	2.7%	0.6%	10.9%	40.7%	>95%

A - Asian

B - Black

C - Caucasian

H - Hispanic

I - American Indian/Alaskan Native

M - Two or more races

P - Pacific Islander

IEP - Individualized Education Plan -A student with a disability/special education student

ELL - English Language Learner

FRL - A student who qualifies for Free or Reduced-Price Lunch

* - Suppressed data due to n-count

Mater Academy Charter School Financial Performance

Year	Rating
2019 – 2020	Meets the Standard
2020 – 2021	Meets the Standard

Mater Academy Charter School Organizational Performance

Year	Rating
2019 – 2020	Meets the Standard
2020 – 2021	Meets the Standard

Mater Academy Academic Performance

Year	Rating		
2021 ²	Mountain Vista – ES: 4-star	Mountain Vista – MS: 5-star	East – HS: Not Rated
	Bonanza – ES: 3-star	Bonanza – MS: 4-star	
	East – ES: Not Rated	East – ES: Not Rated	
2020 ³	Mountain Vista – ES: 4-star	Mountain Vista – MS: 5-star	
	Bonanza – ES: 3-star	Bonanza – MS: 4-star	
2019	Mountain Vista – ES: 4-star	Mountain Vista – MS: 5-star	
	Bonanza – ES: 3-star	Bonanza – MS: 4-star	
2018	Mountain Vista – ES: 3-star	Mountain Vista – MS: 4-star	
	Bonanza – ES: 1-star	Bonanza – MS: 3-star	

² Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2020 – 21 school year waiver from the US Department of Education for certain requirements established by the Every Student Succeeds Act (ESSA). Nevada statewide assessments were administered in the 2020 – 21 school year, but the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings for the 2020 – 21 school year.

³ Due to COVID-19, the Nevada Department of Education (NDE) applied for and was granted a 2019 – 20 school year waiver from the US Department of Education for certain assessment, accountability, school identification, and reporting requirements established by the Every Student Succeeds Act (ESSA). Accordingly, for the 2019 – 20 school year, Nevada statewide assessments were not administered and the NDE did not calculate Nevada School Performance Framework (NSPF) school ratings.