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ACTION MEMORANDUM

TO: SPCSA Board
FROM: Mike Dang, Manager of Organizational and Financial Performance
Rebecca Feiden, Executive Director
SUBJECT: Transportation Plan: Battle Born Academy
DATE: August 21, 2023

Background

[Assembly Bill 400 \(2023 Session of the Nevada Legislature\)](#) appropriated \$7 million to the State Public Charter School Authority (SPCSA) for each year of the upcoming biennium (the 2023-24 fiscal year and the 2024-25 fiscal year) to award to charter schools, including SPCSA-sponsored and district-sponsored charter schools, to fund student transportation. To receive funding, a charter school must submit a Transportation Plan to the SPCSA and the SPCSA may approve the Transportation Plan and award funding to the charter school if the plan meets the following criteria:

1. “The transportation plan is comprehensive and likely to be successfully implemented;
2. The transportation plan will materially improve access to education in the region served by the transportation plan;
3. The transportation plan demonstrates that the charter school will be able to comply with statutory and regulatory transportation requirements, including, without limitation, the certification of bus drivers and vehicle safety;
4. The transportation plan is financially viable;
5. The transportation plan would not cost more, on a per pupil basis, than the average cost for transportation for other public schools operating in the school district in which the charter school is located; and

6. The academic, financial and organizational performance of the charter school indicate that the transportation plan is in the interest of pupils who will be served by the transportation plan.”¹

It is important to note that pursuant to NAC 388A.330(4), a charter school is only permitted to provide transportation to pupils if the school has approval to do so from its sponsor. Therefore, charter schools that are not already approved to provide student transportation will be required to submit to their sponsor a contract amendment request in order to implement the Transportation Plan. For those schools sponsored by the SPCSA, the amendment request to provide student transportation was incorporated into the application process, and the SPCSA Board will consider approval of the amendment request in conjunction with the Transportation Plan.

Applications for the 2023-24 school year will be accepted and reviewed on a rolling basis from July 7, 2023 and through September 30, 2023². While the SPCSA hopes to fund all applicants that submit a compliant transportation plan, because there is only \$7 million available in each school year, the SPCSA may prioritize funding Title I charter schools.

Additional details and form associated with the Transportation Plan and Funding Application can be found on the [SPCSA's website](#).

Transportation Plan Overview

Battle Born Academy is requesting \$99,567 to implement the school's Transportation Plan. Below is an overview of the proposed Transportation Plan for Battle Born Academy as provided in the application.

“Battle Born Academy, BBA, is in its second year of operation. We are entering the 23-24 school year in our new permanent campus. Because we have embarked on this relocation, we want to use every opportunity to make the school as safe and accessible as possible for our founding families and new families. We believe providing transportation will be a critical step toward achieving these goals.

Based on enrollment data, we believe a strategic bus route with bus stops between BBA's year one temporary campus and our new campus will allow us to remove barriers for existing families and enroll more students from the same areas. Community is important at BBA, and we have requested a tight radius on our bus stop to help us enroll more students from a concentrated geographic area closer to our campus.

Over the past two years, we have explored the option of building transportation in-house, but we prefer to work with an external partner who has already provided student transportation in the past. We were pleased to see the developments of the 2023

¹ Section 28.5 of Assembly Bill 400 (2023 Session of the Nevada Legislature)

² After September 30, 2023, the SPCSA will determine if there are remaining funds that have not yet been awarded. If funds remain, the SPCSA will re-open the transportation application.

Legislative Session because public funding for transportation will allow us to provide critical services we could not provide, otherwise.

At a cost of \$66,000, BBA can secure an annual contract to provide full-size yellow bus transportation access to at least 60 students every day. We are open to adding new transportation services in the future as our enrollment and allowable budget allocation allows.

With remaining funds we are investing in positive student attendance resources like a van to take students experiencing transportation insecurities to and from school. Based on our 2023 EEGA Audit, we are eligible to apply for \$99,567 in SPCSA transportation funding. This funding will support BBA's mission to provide an equitable and efficient option for transportation.

Analysis and Recommendation

Battle Born Academy is a Title I School and is requesting approval of its Transportation Plan and funding to implement the Transportation Plan. In addition, because Battle Born Academy is not currently approved to provide transportation, the school is also requesting to amend its charter contract to provide transportation, and has submitted a good cause exemption request to have this amendment considered outside of the established amendment windows.

SPCSA staff has reviewed the Transportation Plan and find that the Plan meets the requirements set forth in Assembly Bill 400.

1. The Transportation Plan is comprehensive and likely to be successfully implemented.
2. The narrative provided by the school explains that "If the transportation plan is approved and funded, BBA will be able to serve at least 70 students per day with transportation. This number will increase significantly as the school grows to reach full scale. The proposed plan would expand our equitable recruitment footprint to roughly 3.5 square miles." This demonstrates that the Transportation Plan will materially improve access to education in the region.
3. The Transportation Plan includes details regarding how the charter school will ensure compliance with statutory and regulatory transportation requirements.
4. The budget provided within the Transportation Plan demonstrates that the Transportation Plan is financially viable.
5. In accordance with the Nevada Department of Education's guidance for significantly expanding schools, Battle Born Academy received an enrollment audit during June of 2023 to establish the student count for the purpose of funding through the Pupil Centered Funding Plan. As of the enrollment audit, the student count was 207. Battle Born is located within Clark County where the four-year average (per pupil) in transportation funding for the 2023-24 school year is \$481. The total funding request for Battle Born Academy was \$99,567, which is less than or equal to the average cost, per pupil, for transportation within Clark County School District.

6. The academic, financial and organizational performance of the charter school indicate that the transportation plan is in the interest of pupils who will be served by the transportation plan. Specifically, the Transportation Plan indicates that transportation will reduce absenteeism and tardiness, ensure full enrollment, and help to streamline arrival and dismissal processes.

Therefore, SPCSA staff recommend approval of the Battle Born transportation funding plan to provide transportation to students.

Proposed Motion:

1. Approve the Battle Born Academy Transportation Plan, along with funding to implement the Plan and allow SPCSA staff to work with the school to make budget revisions as long as the total funding does not exceed the average per pupil cost in the local school district.
2. Approve the charter contract amendment request for Battle Born Academy to allow the school to provide student transportation.
3. Require the school to provide SPCSA staff with documentation to demonstrate that the school is in compliance with applicable laws and regulations prior to beginning to transport students.

If approved, the enrollment for the remainder of the contract term will remain unchanged:

School Year	2023-24	2024-25	2025-26	2026-27	2027-28
Grade Levels	K-7	K-8	K-8	K-8	K-8
Total Enrollment	300	330	360	390	430