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ACTION MEMORANDUM

TO: SPCSA Board
FROM: Mike Dang, Manager of Organizational and Financial Performance
Jennifer Bauer, Interim Executive Director
SUBJECT: Transportation Plan: Elko Institute for Academic Achievement
DATE: October 13, 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

Elko Institute for Academic Achievement, (EIAA) is requesting \$144,000.00 to implement the school’s Transportation Plan. Below is an overview of the proposed Transportation Plan for EIAA as provided in the application.

Elko Institute for Academic Achievement is seeking funding to provide students “from the neighboring towns of Spring Creek, Carlin, and Wells in addition to outlying communities such as Tuscarora and Mountain City transportation to attend Elko Institute for Academic Achievement. EIAA plans to use the funds to purchase one school bus and one school van. The school bus would allow EIAA to provide transportation to and from Spring Creek, which is the largest neighboring town to Elko. The van will allow us to provide transportation for high needs students to and from the city limits of Elko and outlying communities of Osino, Ryndon, Elburz and along I-80 to Starr Valley.”

Analysis and Recommendation

EIAA is a Title I School and is requesting approval of its Transportation Plan and funding to implement the Transportation Plan. In addition, because EIAA is not currently approved to provide transportation, the school is also requesting by this document to amend its charter

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.

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 the school can secure an annual contract with a qualified vendor to provide full-size yellow bus transportation access to as many as 60 students every day. Based on the 2023 Exceptional Enrollment Growth Adjustment (EEGA) Audit, the school is eligible to apply for \$144,000.00 in SPCSA transportation funding. This funding will support EIAA to improve attendance with their high needs population students, maintain enrollment of high needs population and remove barriers to enrollment for potential high needs EIAA families. 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. The average daily enrollment for EIAA during the fourth quarter of the 2022-23 school year was 300. EIAA is located within Elko County where the four-year average (per pupil) in transportation funding for the 2023-24 school year is \$480.00 per pupil. The total funding request for the school is \$144,000 which is less than or equal to the average cost, per pupil, for transportation within Elko 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 increase access to qualifying alternative education students by eliminating or reducing transportation expenses for attending school.

Therefore, SPCSA staff recommend approval of the school's Transportation Plan along with eligible funding to implement the plan. Furthermore, SPCSA staff recommend approval of the good cause exemption and amendment request to enable the school to provide transportation to students.

Proposed Motion:

1. Approve the EIAA Transportation Plan, along with eligible 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 EIAA 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	2028-29
Grade Levels	K-8	K-8	K-8	K-8	K-8	K-8
Total Enrollment	300	300	300	300	300	300