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November 3, 2016

**VIA ELECTRONIC MAIL**

Mr. Adam Johnson  
Chair, Nevada State Public Charter School Authority  
1749 North Stewart Street  
Suite 40  
Carson City, NV 89706-2543  
ajohnson@spesa.nv.gov

***Re: Nevada State Public Charter School Authority  
Regulation Hearing  
November 4, 2016***

Dear Chairman Johnson:

Please be advised that Nevada Virtual Academy (“NVVA”) intends to appear at the Regulation Hearing that is scheduled for tomorrow afternoon and will request that the adoption of Proposed Regulation R089-16 be postponed.

NVVA participated in the regulatory workshop that was held on January 8, 2016 and provided comments regarding what was proposed. However, what is now before the Nevada State Public Charter School Authority (“Authority”) for approval is substantially different than what was presented for comment in January. Additionally, despite representations at the January workshop that there would be additional discussions regarding the applicability of NRS 233B to the Authority, we have not had the ability to confer regarding the issue and no additional workshops have been held. Prior to adoption of the proposed regulation, we would request that an additional workshop be facilitated to allow for broader comment and possible revisions.

Not only does Proposed Regulation R089-16 raise new issues relating to NRS 233B that need to be fully vetted and amended prior to adoption, but NVVA has a number of other concerns regarding the scope of the proposed regulations which in some instances appears to extend beyond what was intended by the legislature and/or conflict with existing statutes. In other instances, clarifying language is needed as there is conflicting language in what was proposed. Attached to this correspondence is a red-line of Proposed Regulation R089-16 which we hope will aide further discussion. Because public comment is limited at the hearing tomorrow to 3 minutes, we will ask that this letter and NVVA’s comments regarding the Regulation be made a part of the official record.

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Should you have any questions or concerns regarding the above, please do not hesitate to contact me.

Very truly yours,



Kara B. Hendricks, Esq.

Enclosure as stated

cc: Melissa Mackedon, Vice Chair  
Kathleen Conaboy, Board Member  
Nora Luna, Board Member  
Stavan Corbett, Board Member  
Jacob Snow, Board Member  
Jason Guinasso, Board Member  
Gregory Ott, Deputy District Attorney  
Patrick Gavin, Executive Director  
Anne Mendenhall, Board President, NVVA