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STATE PUBLIC CHARTER SCHOOL AUTHORITY

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SPCSA BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

April 27, 2018

Carson City, Nevada

SUNSHINE LITIGATION SERVICES  
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#9748



1 seeking a Temporary Restraining Order and injunctive  
2 relief and other extraordinary relief and the basis of  
3 that complaint and motion were to unwind the Notice of  
4 Intent to terminate Nevada Virtual Academy's charter  
5 contract to excuse Nevada Virtual from complying with  
6 any of the deadlines contained in the notice and to  
7 essentially stop all of the proceedings under the  
8 notice. Because that complaint was filed on Wednesday  
9 March 28th, the first deadline contained in the notice  
10 for Nevada Virtual was that following Monday,  
11 April 2nd for Nevada Virtual Academy to submit their  
12 Academic Turnaround Plan, their Academic Improvement  
13 Plan to the Authority. Counsel for Nevada Virtual, at  
14 the time of that filing, requested a hearing prior to  
15 that April 2nd deadline. The court then set a hearing  
16 for Friday afternoon on April 30th, two days following  
17 the filing of the complaint. At that point, staff did  
18 two things, we filed a short response on short notice  
19 to the motion. The only issue before the court, at  
20 that point, was a Temporary Restraining Order to stop  
21 the proceedings.

22 The second thing that staff did is alerted  
23 counsel for Nevada Virtual Authority of what appeared  
24 to be some open meeting law violations as they related

1 to Nevada Virtual Academy's March 8th Board meeting  
2 when Nevada Virtual counsel was purportedly authorized  
3 to initiate the litigation. Upon receipt of that  
4 letter, Nevada Virtual counsel vacated that hearing on  
5 Friday and scheduled a 7:15 A M board meeting the  
6 following Thursday, April 5th to hold a new board  
7 meeting to reauthorize counsel to initiate litigation.  
8 School leaders from Nevada Virtual then complied with  
9 the April 2nd deadline and submitted their Academic  
10 Improvement Plan to the Authority.

11           Following that 7:15 A M Nevada Virtual board  
12 meeting, the Nevada Virtual Academy voluntarily  
13 dismissed that litigation. So in the period of about  
14 five court days, it went from a complaint and a motion  
15 and a hearing to a voluntarily dismissal with very  
16 little action on the part of the Authority.  
17 Immediately after dismissing that first case, on that  
18 same day, April 5th, Nevada Virtual filed a second  
19 lawsuit almost identical lawsuit against the Authority  
20 with the same motion seeking a Temporary Restraining  
21 Order, an injunction and other extraordinary writ  
22 relief. That following -- that was Thursday  
23 April 5th.

24           On April 6 for that Friday, Authority staff

1 then sent school leaders follow-up questions from the  
2 April 2nd submission. Immediately upon receipt of  
3 those follow-up questions, school leadership responded  
4 that they would respond by the following Friday,  
5 April 13th. That following Monday, April 9th, Nevada  
6 Virtual's litigation counsel went to court again for  
7 an order shortening time to have another hearing to  
8 excuse Nevada Virtual from complying -- from  
9 responding to those clarifying questions. Staff --  
10 authority staff opposed that request. The court  
11 denied that request to set an expedited hearing.

12 The court then did set a hearing for Friday,  
13 April 13th -- excuse me, Tuesday, April 17th, I'm  
14 sorry. Authority staff filed a significant response  
15 opposition to the request for the restraining order.  
16 The court held a hearing and the court then denied all  
17 relief sought by Nevada Virtual authority -- I'm  
18 sorry, Nevada Virtual Academy.

19 So I just want the Board to be aware that  
20 from March 23rd, the last board meeting to today,  
21 we're in exactly the same place we were February 16th  
22 and February 21st in terms of litigation and legal  
23 proceedings. Although two lawsuits have been filed,  
24 neither of those have the relief requested has been

1 granted. The authority was served last week and will  
2 respond to the complaint. I think it's in early June.

3 I do want the Authority to be aware of the  
4 amount of resources both by the school and by staff  
5 that went into this litigation. So to give you an  
6 idea, here's the first lawsuit that went nowhere.  
7 Here's the second lawsuit that went nowhere. Here's  
8 -- this is the Authority's response to the second  
9 lawsuit. So you can see the amount of resources  
10 especially when compared to the Academic Improvement  
11 Plan that the school submitted.

12 So when the school -- I bring this all up  
13 because when the school talks in court pleadings about  
14 limited resources and undo burden, I think the Board  
15 should be aware of where it appears the school  
16 resources have been voted in the last 30 days.

17 THE CHAIRMAN: So the upshot of the  
18 litigation was basically to affirm that the process  
19 that we're engaged in is a valid process; is that  
20 right?

21 MR. HERRICK: The court order is attached a  
22 supporting material to the agenda item. Essentially  
23 what the court said is that as this Board has said and  
24 staff has said too, Nevada Virtual's counsel many

1 times that Nevada Virtual is free to any challenge any  
2 eventual decision this Board may make in regard to  
3 terminating a charter contract, eliminating grade  
4 levels or anything of that sort. Until this Board  
5 makes that decision which is still a ways off, if at  
6 all, there's simply no basis for a court to interfere  
7 in the proceedings of this Board. What the court said  
8 is that there may be legal challenges at some point  
9 but not at this point.

10 THE CHAIRMAN: Thank you.

11 Any questions from any members of the Board  
12 with regard to the litigation update? Hearing no  
13 questions, we'll go ahead and close that agenda.  
14 Thank you, Mr. Herrick for that presentation.

15 We'll close Agenda Item No. 4 and we'll now  
16 move to Agenda Item No. 5. Nevada Virtual Academy  
17 Authority will review and discuss staff's report and  
18 recommendation and possibly take action in regard to  
19 Nevada Virtual Academy's response to Notice of Intent  
20 to Terminate Nevada Virtual Academy's Charter School  
21 contract dated February 21, 2018. The Authority will  
22 determine whether Nevada Virtual Academy has corrected  
23 the deficiencies identified in the previously issued  
24 Notice of Intent to terminate Nevada Virtual Academy's

1 Charter School contract. Possible actions include a  
2 determination as to whether the deficiencies  
3 identified in the Notice of Intent to terminate Nevada  
4 Virtual Academy's Charter School contract have or have  
5 not been corrected or taking no further action.

6 Before I turn it over to Mr. Motorson, I  
7 thought it was important to make some preliminary  
8 comments and just remind everybody again why we're  
9 here and what we're here to decide.

10 At our board meeting on February 18 of 2018,  
11 this board voted unanimously to issue a Notice of  
12 Intent to terminate Nevada Virtual Academy's Charter  
13 School contract. The notice was issued on  
14 February 21st of 2018 and it is included in the  
15 materials provided to you today and to all of us as a  
16 Board. I think it's important to note that the  
17 issuance of that notice was the first step in this  
18 Authority's administrative process and it allows for  
19 Nevada Virtual Academy the opportunity to present this  
20 Board with an Academic Improvement Plan demonstrating  
21 to this Board that Nevada Virtual Academy can turn  
22 around the academic performance of its elementary  
23 school.

24 I think it's also important to note that

1 nothing in the notice that we sent, as it relates to  
2 this Agenda Item, means that Nevada Virtual's Charter  
3 School contract is or will be terminated or that the  
4 school is closing. The notice contained a number of  
5 deadlines. The first was specified in the letter that  
6 Nevada Virtual Academy would have up to and including  
7 April 2nd to submit its Academic Improvement Plan to  
8 staff.

9 Now, there was some legal challenges to this  
10 process, but it was my understanding that Nevada  
11 Virtual did in fact submit it's Academic Improvement  
12 Plan to staff on time and that plan is reflected in  
13 our materials. Then following that April 2nd, 2018,  
14 submission by Nevada Virtual, staff followed up with  
15 Nevada Virtual with several questions requesting  
16 clarification on several key points of the plan. That  
17 process of questioning is actually included in our  
18 materials as well, and I believe Nevada Virtual  
19 provided a response on or about April 13 of 2018.

20 I think last night -- and I was just going  
21 through my e-mails but at some point late last --  
22 yesterday afternoon, we received another letter from  
23 Nevada Virtual. I believe that was sent to everybody  
24 on the Board. I think that letter was just further

1 elaborating on Nevada Virtual's position.

2 We're going to give Nevada Virtual an  
3 opportunity to present today and on the desk here is a  
4 part of our materials. We have their Power Point  
5 presentation in support of their comprehensive  
6 academic -- (inaudible.)

7 So with that being said, I think, you know,  
8 now that Nevada Virtual has submitted its response to  
9 the notice and staff has reviewed Nevada Virtual's  
10 submission pursuant to NRS 388A.330 and the notice, it  
11 is my understanding that this agenda item requires  
12 this Board to conduct the following inquiry to  
13 determine whether Nevada Virtual has corrected the  
14 deficiencies contained -- (inaudible.)

15 In other words, this agenda item requires us  
16 as a Board to find that Nevada Virtual's April 2nd,  
17 2018, submission that is its Academic Improvement Plan  
18 and related documents either correct the deficiencies  
19 that we noted in our Notice of Intent back in February  
20 or they don't correct the deficiencies.

21 Nevada Virtual's academically under  
22 performing elementary school as we identified though,  
23 those specific areas of under performance need to be  
24 addressed in what has been presented to us. So in

1 short, this agenda item is asking this Board to either  
2 approve or reject Nevada Virtual's Academic  
3 Improvement Plan.

4 Now, prior to these presentations both from  
5 staff and from Nevada Virtual, I would like to  
6 reiterate that this agenda item does not require this  
7 Board to determine whether Nevada Virtual Academy's  
8 charter school contract should be terminated or that  
9 the school should be closed. Those issues, if they're  
10 reached, will be determined at a later time and only  
11 in the event that this Board rejects Nevada Virtual  
12 Academy's Improvement Plan and only if this Board  
13 decides to proceed with termination proceedings during  
14 the following agenda item, that is Agenda Item No. 6  
15 will this Board be prepared to start considering those  
16 issues.

17 I want to make it clear that this agenda item  
18 asked this Board to make a singular decision. I've  
19 now said this three different ways but I'll say it  
20 again is the Academic Improvement Plan submitted by  
21 Nevada Virtual sufficient to turn around the under  
22 performing academic results that we have seen in  
23 regard to Nevada Virtual's elementary school.

24 So with that being said, I can see that

1 Nevada Virtual's representatives are here. If you  
2 would all like to come up to the dias while I turn the  
3 floor over to Mr. Motorson to present us was staff's  
4 recommendation and then after staff presents its  
5 recommendation, then we'll hear from Nevada Virtual  
6 with respect to its thoughts on its plan and maybe its  
7 rebuttal to some of the points that staff will likely  
8 be making.

9 So please come on up and please proceed, Mr.  
10 Motorson.

11 MR. MOTORSON: Chairman and members of the  
12 Board, thank you for allowing me the opportunity to  
13 present Agenda Item No. 5 which is a recommendation  
14 concerning Nevada Virtual Academy's response to the  
15 Notice of Intent to terminate Nevada Virtual Academy's  
16 Charter School contract dated February 21, 2018.

17 As you can imagine, this is going to be a  
18 longer than normal presentation as I'm going to go  
19 over a variety of key points and topics that are  
20 important and are certainly interrelated.

21 First, I'm going to briefly provide some  
22 historical context and the information and performance  
23 of the school. My colleague next to me --

24 THE CHAIRMAN: Mr. Motorson, I'm sorry to

1 interrupt you. I want to get clarification on process  
2 on the Board members asking questions as you're  
3 proceeding through your presentation or would you  
4 rather we wait until the end and ask questions at the  
5 end?

6 MR. MOTORSON: I would prefer to wait until  
7 the end but of course, if there's something that can't  
8 wait, please let me know and I'll stop and try to  
9 answer it to the best of my ability.

10 THE CHAIRMAN: Okay. So we'll just write  
11 down our questions as you're presenting. Then after  
12 you're done presenting, we'll ask our questions and  
13 then we'll hear from Nevada Virtual.

14 All right. Thank you.

15 MR. MOTORSON: I appreciate it.

16 MEMBER LUNA: What are you reviewing, is it  
17 the Staff Recommendation Report.

18 MR. MOTORSON: Yes. So thank you, Member  
19 Luna.

20 So first, I'm going to provide some  
21 historical context on the performance of the school.  
22 My colleague, Dr. Celcheck Osdimere who is next to me  
23 today is new to the Authority team is alongside me to  
24 help answer any questions about the historical

1 performance you may have or about the calculations  
2 within the Nevada school performance framework. He's  
3 formally with the Department of Education.

4 Second, I'm going to provide some context  
5 about this process and where we are compared to  
6 February. This is the last time we specifically  
7 talked about Nevada Virtual .

8 Third, I'm going to clarify what the role of  
9 the Authority is, specifically I'm going to underscore  
10 our role as an authorizer compared to what a  
11 traditional school district may do and how we work  
12 with schools that are in a similar position to Nevada  
13 Virtual.

14 Then finally, I'm going to detail the plan  
15 that was submitted to the staff by Nevada Virtual  
16 leadership and then of course, I'll tie it all up.  
17 And Mr. Chair, I do appreciate you reiterating the  
18 action before the Board today and what the  
19 recommendation before you.

20 So on pages three and four of the memo in  
21 front of you, the school, the performance of the  
22 school, the under performance of the school is  
23 detailed and this is obviously based on and according  
24 to state assessments. The school opened in 2007, the

1 2007/2008 school year and at the end of its first  
2 charter term, the school had earned no higher than a  
3 two-star rating according to the School Performance  
4 Framework.

5 Over the course of the current charter term,  
6 the elementary school has continued to under perform  
7 and has not earned an index score of greater than 32  
8 on a scale of 100 which occurred during the 13/14  
9 school year. This past year, the elementary school  
10 was rated as a one-star school earning an index score  
11 of 21 out of 100. By comparison purposes, that is  
12 higher -- that is only higher than one other school in  
13 the state's portfolio. Given the one-star rating and  
14 the current performance level, it's fair to say that  
15 the school's academic performance has declined over  
16 the course of the current charter term.

17 On Page 4 of your memo, you can see a more  
18 detailed breakdown of the scores for this school.  
19 Note that all of these measures are below the SPCSA  
20 portfolio average by a wide margin. We have also  
21 included data and information on chronic absenteeism  
22 which has been a significant issue for this school for  
23 sometime and is also a measure within the S P F and we  
24 provide this information to you so as to communicate

1 once again that this school particularly the  
2 elementary school which the notice was issued, has  
3 been under performing for sometime.

4 Throughout this process, the school has  
5 claimed that it has been improving at the elementary  
6 level and that is simply not true or factual. To be  
7 more specific, the head of the school, Dr. Hamilton  
8 who I'm sure will be speaking shortly, has stated in  
9 court filings that the elementary school has quote  
10 "made strides in its performance," and that the  
11 elementary school has shown significant year over year  
12 improvements in state's assessment performance.

13 Based on what I reiterated to you moments  
14 ago, that is simply not true. The elementary school  
15 is nearly 10 points from earning a two-star  
16 designation and nearly 30 points from earning a  
17 three-star designation. To characterize this school  
18 as making strides is wholly inappropriate and not  
19 supported by facts.

20 THE CHAIRMAN: Mr. Motorson?

21 MR. MOTORSON: Yes.

22 THE CHAIRMAN: It just occurred to me, while  
23 you were going through your report, that for members  
24 of the public and parents that are listening, the

1 report that Mr. Motorson is summarizing is actually on  
2 our Website as a part of the materials. So if you  
3 have your Smart phones or your computers wherever  
4 you're at, you can actually access the report that's  
5 being viewed right now on our Website.

6 I apologize for interrupting but I thought it  
7 was important as you go through that if people were  
8 wanting to follow along that they could.

9 MR. MOTORSON: I appreciate that. Thank you.  
10 So just in summary while the performance of  
11 the school is not the main issue before this Board  
12 today, I do want you, as board members, to understand  
13 this really important context.

14 So due to this persistent level of under  
15 performance highlighted by the most recent one-star  
16 rating according to the 2017 ratings, this Board  
17 issued a Notice of Intent to terminate following the  
18 February 16, 2018 board meeting. The issuance of this  
19 notice occurred on February 21st beginning a period  
20 for which the school had to correct the deficiencies.

21 On April 2nd, SPCSA staff received the  
22 initial submission from the leadership team. As  
23 outlined on Page 2 of your memo, there were many gaps  
24 in this submission. Key information was omitted or

1 not provided. I want to give the board a few examples  
2 although I'll provide more detail later on in this  
3 submission or in this presentation, excuse me.

4 The initial submission provided limited  
5 information on the parent and community involvement  
6 supports available to students and families. No  
7 information was provided on the training available to  
8 staff, the frequency of the training or how the  
9 effectiveness of each of these supports will be  
10 monitored. Additionally, cursory detail was provided  
11 as to how after-school activities will be implemented  
12 and monitored.

13 The Driving For Results section provided only  
14 basic information as to how the school planned to  
15 leverage assessments. For example, the school noted  
16 it would leverage the nationally normed MAP assessment  
17 and data discussion. Little information, if any, was  
18 provided about what student performance goals would  
19 be, how staff would be developed and trained to embed  
20 the assessments appropriately and how checks for  
21 understandings would be used to ensure that they are  
22 meeting the students at the appropriate level.

23 Most importantly, it was not clear how the  
24 school could make significant gains to earn a

1 three-star rating according to the NSPF. Curriculum  
2 and instructional design practices provided only a  
3 high level description of the proposed changes. They  
4 did not explain how the proposed plan was different  
5 than previous resources and strategies that were  
6 implemented. They did not provide any research or  
7 evidence that these programs and strategies have been  
8 successful in the past with Virtual students.

9 I highlight these issues for you today and  
10 will reiterate them again later on because without  
11 specific information on these changes, staff cannot  
12 endorse this plan or any plan for that matter.

13 In the case of data, for example, staff must  
14 be able to verify that the school understands where it  
15 has opportunities for growth underneath the framework  
16 and that the plan for improvement is reasonable and  
17 that the school has structures and processes in place  
18 in execute on that plan.

19 Given those concerns with the April 2nd  
20 submission and afford the school a second opportunity  
21 to provide additional detail to answer staff's  
22 clarifying questions, staff requested supplementary  
23 information and responses on April 5th. Subsequently,  
24 staff received responses to our questions on April the

1 13th. There were some improvements in the information  
2 provided.

3           Again, I'll highlight some of these for you  
4 later on in my presentation but two notable  
5 improvements were number one, more detail on the  
6 schedule of professional development was provided to  
7 SPCSA staff the second time around -- (inaudible)  
8 demonstrated that it had routine schedule for the  
9 delivery of training for teachers and staff.

10           The school also provided some clarity on its  
11 changes in the curriculum and instructional design of  
12 the school. The implementation of differentiated  
13 instruction, for example, was more detailed and was  
14 backed with research but overall, at the conclusion of  
15 staff's evaluation, there were still far too many  
16 issues. Staff found that some performance goals were  
17 not sufficient to earn a three-star rating even by  
18 2020.

19           Staff was also deeply concerned that the  
20 school outwardly acknowledged there were  
21 implementation problems with various programs and  
22 strategies suggested as part of the turnaround plan  
23 yet offered no specific information as to how these  
24 problems would be mitigated moving forward.

1           I want to be really clear to the Board about  
2 what that means. In their second submission, the  
3 school conceded that the programs and strategies that  
4 they planned to implement or at least some of them,  
5 had provided -- had been tried before at the school.  
6 However, due to the actions or perhaps inaction of the  
7 staff and leadership, the implementation and  
8 strategies failed. I highlight more specific examples  
9 later during my presentation but I did want to explain  
10 the process to date as well as the multiple  
11 opportunities provided to the school to answer our  
12 questions during our evaluation.

13           Shifting to the third phase of my  
14 presentation, I want to spend a little bit of time in  
15 contextualizing the role of the authority and the  
16 staff. A question I often receive as a staff member  
17 for the Authority and you may received as Board  
18 members is what is the role of the Authority as an  
19 authorizer and how do we support schools in a similar  
20 situation as Nevada Virtual.

21           This is a fair and really important question  
22 that I think the public certainly but I just want to  
23 contextualize for the people in the room deserve an  
24 answer to especially before we dive into the

1 submission that the school submitted. There are  
2 really important differences between traditional  
3 school districts when compared to the State Public  
4 Charter School Authority. This is also not a unique  
5 issue to Nevada. But in working with Nevada Virtual,  
6 it is apparent that they have a misconception about  
7 the Authority's role as an authorizer and I want to  
8 take a few minutes to clarify this issue.

9           Unlike most traditional public schools, SPCSA  
10 sponsored charter schools are responsible for a vast  
11 array of school components including delivering  
12 instruction to students perhaps in a very different  
13 way from the school down the street, spending dollars  
14 within a budget they control, staffing their schools,  
15 maintaining a facility, hiring principals and  
16 executive directors and ensuring that school  
17 technology and operations are effective, that their  
18 independent governing boards are responsible for  
19 overseeing each of these elements among other things.  
20 In short, they're autonomous especially when compared  
21 to traditional public schools such as those governed  
22 down the street by Clark County.

23           All of these characteristics embody one-half  
24 of the charter school bargain and the board of each

1 school as the holder of the charter school contract is  
2 responsible for these what we like to call inputs. In  
3 fact, many of these inputs are the reasons behind  
4 public charter schools. Many founders including those  
5 of Nevada Virtual in 2006 feel that innovation and  
6 autonomy have the ability to lead students to great  
7 results. They may feel that a particular  
8 instructional strategy is proven to be more effective  
9 or can be proven to be more effective with the  
10 students they serve or that creating a unique staffing  
11 model separate from those implemented at school  
12 districts can better serve students. These inputs are  
13 not the responsibility of the Authority. Instead the  
14 Authority monitors the academic, financial and  
15 organizational performance of the school that results  
16 from these inputs.

17 Staff is -- SPCSA staff is responsible to  
18 ensure that there are budgets, that the school has a  
19 realistic staffing plan, that the school is providing  
20 required services to students especially those that  
21 they may have an I E P receive ELL services. We also  
22 monitor compliance issues such as meeting facility  
23 code. In short, as an authorizer, we make sure that  
24 schools stay within the guardrails of the law, and we

1 look at outputs. By comparison, this is very  
2 different than what a traditional school district  
3 does. A key distinction relates to school of autonomy  
4 and inputs.

5 Traditional schools do not control their  
6 entire budget. They may not have the ability to hire  
7 the staff of their choosing or offer the salaries off  
8 of a set scale. Traditional schools may face  
9 technology restrictions about what can and cannot be  
10 purchased and they may not have the flexibility to  
11 pursue instructional strategies they wish. Some or  
12 all of these elements are controlled by the district  
13 but as I stated earlier, Authority sponsored charter  
14 schools including Nevada Virtual are different, they  
15 do control these inputs.

16 In exchange for this autonomy, public charter  
17 schools receive a high level of accountability, the  
18 other half of the charter school bargain. The  
19 authority is responsible for evaluating results or  
20 student outputs of the school, their financial  
21 performance and their ability to comply with local and  
22 federal laws in addition to their charter contract.  
23 This accountability manifests itself in various ways  
24 including recommendations to renew charters, to amend

1 charters and to issue notices of concern and breach.  
2 These vehicles allow the Authority Board to inform  
3 schools that they may have issues that need to be  
4 addressed.

5 I say all this and provide this background  
6 because it's important to the recommendation before  
7 you. In cases like this one in response to  
8 performance issues, many of our traditional school  
9 counterparts would offer a variety of possible  
10 solutions in partnership with the school or as part of  
11 a collaborative planning process. For example,  
12 working with a school in designing an improvement plan  
13 that might include new instructional programs or  
14 strategies, exploring the implementation of an  
15 alternative staffing model with the school,  
16 collaborating with the school to pursue an alternative  
17 assessment and data system that can better inform  
18 instruction or even assisting the school in finding  
19 partners in education that can commit resources and  
20 programs to helping teachers.

21 I want to really emphasize what you heard me  
22 say again, things like with the school, collaboration,  
23 partner to design, other phrases like that. I did  
24 that intentionally. Traditional school districts are

1 directly responsible for the operations of their  
2 school, for the budgets, for the staffing -- inaudible  
3 for bringing invaluable instructional resources to  
4 their schools. Using some of the other language you  
5 heard me say previously, districts are responsible for  
6 the inputs that produce the results of the school,  
7 therefore, they must be involved in the turnaround  
8 plans for these -- (inaudible.)

9           When Authority charter schools have  
10 performance issues, Authority staff can and should  
11 only provide technical assistance to schools  
12 throughout this process. This can feel like an  
13 abdication of responsibility but it is not. Charter  
14 schools and their boards have earned the autonomy  
15 afforded to them and their performance as a direct  
16 result of those decisions they have made and the  
17 inputs they have put in place. Their performance is  
18 not the result of decisions made by this Board and  
19 staff. In fact, Nevada Virtual does a firm  
20 misunderstanding on page 2 of its clarifying response  
21 that was submitted.

22           So once a turnaround plan has been submitted,  
23 SPCSA evaluates the plan for its merit and its  
24 likelihood for success much like staff would evaluate

1 a new charter school application. We do not co-author  
2 school plans. We assess its likelihood to succeed.  
3 Authority staff is constantly mindful about how to not  
4 and avoid overstepping charter schools high level of  
5 autonomy.

6 So to summarize really quickly, the Authority  
7 like other authorizers is responsible for setting  
8 expectations, monitoring performance towards these  
9 expectations and evaluating school plans like the one  
10 before you today and their chances to succeed. We are  
11 responsible for steering the boat, not rowing the  
12 boat, that is the responsibility of our schools who  
13 define the inputs on how to reach that destination.

14 I hope that helps everyone but given that  
15 there was some confusion with Nevada Virtual on this  
16 process -- (inaudible) before diving into the  
17 response.

18 Shifting to the actual plan itself which  
19 you'll find summarized beginning on page 5 of your  
20 memo, both submissions were evaluated by a team of  
21 individuals within the agency. This was intentional  
22 so we can ensure findings are fair. We also reviewed  
23 this plan and compared it to other prior submissions  
24 from the school to see if we had any overlap. This

1 included school performance plans, high stakes reviews  
2 from a few years ago and a charter renewal and the  
3 initial application.

4 As I go through each section of the plan, I'm  
5 going to first describe what was presented to staff  
6 and then I'm going to follow it up with some staff  
7 comments and analysis.

8 The submission is divided into four sections,  
9 Parent and Community Involvement Strategies,  
10 Curriculum and Instructional Design, Driving For  
11 Results and School Culture. I'm going to start with  
12 the Parent and Community Involvement section. Nevada  
13 Virtual described three strategies that it felt would  
14 provide a positive improvement and help address  
15 student deficiencies.

16 FAST was the first one that was provided to  
17 the Authority which stands for Family Academic Support  
18 Team which is described on pages five and six of your  
19 memo. These wrap-around service teams aim to help  
20 families and students engage beyond the classroom.  
21 The teams include trained professionals that work with  
22 families and students to overcome needs such as  
23 academic, social and emotional needs.

24 Nevada Virtual also informed the Authority

1 that this has been admitted in Georgia at Georgia  
2 Cyber Academy prior to being implemented here in  
3 Nevada. While it sounds promising on the surface,  
4 staff had numerous concerns after both submissions and  
5 some diligence work. Little detail with regard to the  
6 implementation is provided. Nevada Virtual does not  
7 provide the Authority staff with the number of  
8 students it plans to serve under this program, how  
9 they will be selected and how they will be monitored  
10 for progress. The school only states that they are  
11 committed to monitoring. This is akin to building a  
12 ship while flying it.

13 Nevada Virtual also does not spell out any  
14 tools to effectively monitor the effectiveness of the  
15 program. This is problematic for staff as we do not  
16 know that the school has the appropriate structures in  
17 place to effectively monitor implementation and if and  
18 how the Board will be kept apprised of their progress.  
19 This is critical for authorizers. We need to know  
20 that a school can recognize the problems in front of  
21 it and the Board has the ability to pivot if  
22 necessary.

23 Additionally, it is incredibly important for  
24 the Board to note this program has not been very

1 effective in Georgia at Georgia Cyber. As outlined on  
2 pages five and six, this is a D school according to  
3 the Georgia state ratings. They have low proficiency  
4 and growth scores. In fact, Georgia Cyber Academy's  
5 overall performance is higher than only 20 percent of  
6 the public schools in the state of Georgia. The  
7 elementary school exhibited academic growth higher  
8 than only five percent of the other elementary schools  
9 in the state.

10 Now, NVA does provide data that shows that  
11 students participate in the FAST program at Georgia  
12 Cyber Academy do show some relative growth. The data  
13 shared with the Authority is from 2012 and 2013 and  
14 2013 to 2014 school years and indicates that Georgia  
15 Cyber Academy students scored approximately five scale  
16 points higher than their peers on the FAST waiting  
17 list in reading, four scale points higher in ELA and  
18 approximately one scale point higher in math. Given  
19 that this school is performing at an overall level  
20 that is in the bottom quintile in Georgia, this is not  
21 very impressive.

22 Presented with these insignificant results,  
23 Authority staff contacted the authorizer of Georgia  
24 Cyber Academy to see if they had any insight about

1 this program. They unfortunately confirmed our  
2 reservations. The program appears fine on the surface  
3 but does little to make a positive impact for  
4 students. The Georgia Cyber Academy data both  
5 reported by the Nevada Virtual in its submission and  
6 on the state report card confirmed this. Given all of  
7 this information, SPCSA staff is not confident that  
8 this wrap around service -- (inaudible) in helping  
9 students improve outcome.

10 The second support listed in the Parent  
11 Community Section is the implementation of strong  
12 parent learning coach support program. This is on  
13 page 6. Nevada Virtual notes in its submission that  
14 this has been part of their programming for sometime  
15 but this is the first year in which the model is being  
16 fully implemented by academic advisors. Nevada  
17 Virtual commits to ensuring these learning coaches  
18 receive training and support and that they are  
19 committed to studying parent-related variables  
20 beginning with partial data from the 2016 school year.

21 Again, you're going to hear me say this quite  
22 a few times, this is all the information staff  
23 received from Nevada Virtual on this support. Little  
24 to no data is provided about what full implementation

1 means or looks like. Staff did not receive any  
2 specific information about how full implementation  
3 will look compared to the partial implementation from  
4 previous years. This is very troubling as we do not  
5 fully understand what changes the school is making and  
6 why they are making them. No information is provided  
7 about what the academic advisors will be providing to  
8 learning coaches, how they may be monitoring progress  
9 or how their work will be a change from past practice.

10 As an aside, I would also note that we have  
11 concerns about the role of a learning coach and how  
12 they are classified as a volunteer but that's a minor  
13 issue compared to what's in front of you today.

14 Nevada Virtual also does not share any data  
15 from the 16/17 school year. If this was likely to  
16 succeed, the Authority staff would expect that there  
17 would be at least some promising data from last year  
18 to share with us but none was. Given this lack of  
19 detail and the authorizing staff -- the authorizing  
20 staff cannot be sure that the school has a strong  
21 implementation plan or the structures in place to  
22 effectively monitor it, thus, we cannot support this  
23 strategy as presented.

24 Third and final, Parent and Community Support

1 on pages six and seven that was put forth is the  
2 implementation of after-school activities to be  
3 offered for the first time this school year. This  
4 program provides continuous after school face-to-face  
5 academic activities to encourage ongoing learning and  
6 resources for families. It includes literacy nights,  
7 stem nights, book fairs, and family social events to  
8 bring families together for ongoing learning  
9 activities. Generally and on the surface, staff tends  
10 to agree with both Nevada Virtual and the provided  
11 research that these activities can be beneficial for  
12 students and families, however, the truth is in the  
13 details and again, few are provided on how this  
14 program will be implemented. Here are a few examples  
15 for you.

16 First, hopefully you heard me that say that  
17 Nevada Virtual Academy plans to implement these  
18 programs face-to-face. I'll remind you that this is a  
19 statewide virtual charter school serving about 2000  
20 students across the entire state. This school offers  
21 no details as to how students living across the state  
22 will have equal access to all of these after-school  
23 activities. This includes students in Clark County.

24 I did want to provide the Board with some

1 specific numbers so you can put this into better  
2 context. On count day October 1st of 2017, 541  
3 students were enrolled in Nevada Virtual Academy's  
4 elementary school program. Of these students, 427  
5 resided in Clark County with a little over 100  
6 residing in one of the other 16 counties in the state,  
7 that's roughly 20 percent of the elementary students  
8 and families served by the elementary school program.  
9 No detail was provided about how Nevada Virtual  
10 Academy plans to help these students residing outside  
11 of Clark County. A quality plan would either address  
12 how all students in the state can access the support  
13 or would identify an alternative plan for these  
14 students located outside of Clark County. Keep in  
15 mind that the motto for this school is "Every student  
16 everyday."

17 On top of this concern, Nevada Virtual  
18 Academy submitted research supporting the  
19 implementation of after-school activities to help  
20 improve student outcomes. The research also  
21 identifies key factors and conditions that must be in  
22 place for effective after-school programs to take  
23 place. These factors include easy access to programs.  
24 You already heard me mention this, sustained

1 participation in the programs and quality staffing  
2 plan that provides or facilitates these programs.

3           Despite Nevada Virtual providing research  
4 that indicates these factors are important, Nevada  
5 Virtual Academy provided no information on how they  
6 plan to address those key conditions in their  
7 submission. It is unclear how activities will be  
8 organized, how participation will be monitored and who  
9 will be leading the proposed programming. These are  
10 huge gaps in the proposed plan, and staff has no  
11 confidence that these after-school programs along with  
12 the FAST and Parent Learning Coach Support System can  
13 be implemented in a manner that will be effective and  
14 aligned with research.

15           The next section of the NVA submission aims  
16 to provide staff with proposed changes to their  
17 curriculum and instructional design of the school.  
18 These are outlined in pages seven and eight of your  
19 memo. One instructional strategy differentiation I  
20 mentioned this earlier was encouraging to Authority  
21 staff. This has been shown to be effective in  
22 improving student outcomes and leveraging the MAP  
23 assessment which helps teachers identify student  
24 instructional levels and staff does believe that this

1 approach has some merit as presented.

2 Two of the other instructional programs and  
3 strategies, however, could not be evaluated based on  
4 the information provided. Despite a second attempt to  
5 provide additional information, SPCSA staff received  
6 no information on how the implementation of literacy  
7 consulting with McCrell and the revised blended  
8 guidelines of the pathways program differ from those  
9 previously implemented. No evidence was provided that  
10 they have been successful in Nevada or other context,  
11 therefore, staff cannot endorse those two pieces of  
12 the proposed plan.

13 That left staff with four remaining  
14 instructional strategies to review. The first summer  
15 programing. Nevada Virtual has not historically  
16 implemented a summer program. There is again  
17 plausible evidence backing summer programming to  
18 increase student achievement and staff agrees with  
19 Nevada Virtual on that point. However, like after  
20 school programing section earlier that I described, no  
21 detailed plans on what summer programing instruction  
22 will look like is provided.

23 Additionally, Nevada Virtual did not provide  
24 SPCSA staff with any information about who will be

1 providing the summer instruction, it could be  
2 teachers, it could be non-certified staff or it could  
3 be student teachers, we just don't know. The research  
4 on unsurprisingly indicates that this is a critical  
5 factor in how effective summer programing can be.

6 Like I described a few minutes ago, research  
7 also indicates that the type of summer instruction  
8 experiential or hands-on project based learning,  
9 guided practice or traditional instruction, whatever  
10 is chosen to be implemented can be a big factor in how  
11 effective summer programing can be. No information in  
12 submission clarified the type of instruction to be  
13 offered.

14 Lastly, Nevada Virtual does not clarify how  
15 this programing will look, virtual or face-to-face  
16 school activities. We simply have no idea which leads  
17 to a lot of questions especially for some of the most  
18 vulnerable students in America and/or those that may  
19 reside in rural Nevada.

20 There are three other strategies provided,  
21 the online school program and curriculum, the R T I  
22 Instructional Strategy and revised literacy program to  
23 be revised with McCrell. All appear promising on the  
24 surface like a few others we've already discussed

1 today, however, despite providing some research that  
2 these can be effective, the school acknowledges that  
3 these are programs that have been implemented before  
4 and failed either because Nevada Virtual Academy staff  
5 did not follow the correct scope and sequence or did  
6 not implement the program or strategy with fidelity.

7           Now, to be clear, it's not unusual to have  
8 programs that fail at schools throughout the country  
9 that is not unheard of. However, what they are  
10 proposing is very unusual. In their plan, they  
11 propose to recycle failed programs but they do not  
12 provide clear details about where the failures  
13 occurred. N V A does not describe what is being done  
14 to mitigate their chances of these failures  
15 reoccurring. N V A does not provide any information  
16 what any other programing changes might look like and  
17 they expect staff to think that everything will be  
18 okay.

19           I speak on behalf of staff when I say that we  
20 find this portion of the plan to be completely  
21 unacceptable. Personally, in my nearly five years of  
22 authorizing, I have never witnessed a school proposing  
23 a plan with such little detail or evidence that the  
24 changes can be successful.

1           Furthermore, as a citizen of Nevada, I would  
2 remind the Board that this isn't just any school, this  
3 is a school that will receive approximately  
4 \$10 million in DSA funds over the course of this year  
5 alone. Staff simply cannot endorse this plan the way  
6 it is presented. The questions I'm asking are basic  
7 fundamental questions for any school, public or  
8 private. Staff also questions, given the lack of  
9 detail, what Board oversight and input was involved in  
10 compiling this plan.

11           The next section Driving For Results outlines  
12 two basic trajectories of growth that Nevada Virtual  
13 believes can correct the deficiencies. This  
14 information is outlined on pages eight through ten of  
15 the memo in front of you. The proposed goals mirror  
16 those that are included in the Nevada ESA plan.  
17 Additionally, the school plans to leverage three other  
18 tools to improve performance. Quarterly map and  
19 assessments, weekly data discussions and enhancements  
20 to the Nevada Virtual attendance tracking system.

21           After reviewing the proposed performance  
22 targets carefully, the tools and considering the  
23 historic performance of the school as discussed and  
24 outlined on pages -- (inaudible) the review team finds

1 these goals are wholly insufficient for a variety of  
2 reasons.

3 First, staff does not believe that the two to  
4 three percentage point growth is enough even over a  
5 three-year period to earn the school a three-star  
6 rating in 2020. For context, Nevada Virtual is  
7 currently at 39.2 percent proficient in E L A and  
8 28.9 percent proficient in math. The two to three  
9 point goal this is referenced in their plan and  
10 highlighted in the ESA plan for the state is meant for  
11 an average school throughout the state, not one that  
12 is struggling as this one is.

13 I want to remind the board also that the  
14 Nevada Virtual Academy charter expires in the summer  
15 of 2019. They say that three years will be enough but  
16 their current charter again does not align with this  
17 three-year period. In staff's eyes, Nevada Virtual  
18 Academy's elementary school should be setting goals  
19 that are much higher to be sure a three-star rating is  
20 achieved even three years out.

21 In other words, as I stated on page 11 to  
22 sustain the level of growth proposed, they will have  
23 to grow students faster than the six to  
24 nine percentage point increase they describe. Besides

1 appearing mathematically unattainable, the goals are  
2 only annual and far too vague. Authority staff would  
3 expect a school that is proposing and needing to  
4 sustain this level of growth over a course of a  
5 three-year period to present a detailed plan that  
6 leverages the quarterly assessments that they do plan  
7 to implement. Instead, the only goals provided are  
8 annual leaving staff with little confidence that the  
9 school has a well thought-out strategy that includes  
10 benchmarks at various points of the year.

11 Moreover the goals are inconsistent between  
12 submissions. The first submission indicates two goals  
13 as highlighted on Page 11. Kindergarten through third  
14 grade students will increase proficiency levels by  
15 12 percent annually and students in grade three  
16 through eight will increase proficiency levels by  
17 nine percent and reading on the SBAC. This is not  
18 consistent with the multiple avenues suggested in the  
19 second submission, at least one of which again to  
20 reiterate will not lead to a three-star rating by  
21 2020, it is not mathematically possible.

22 If there is a positive take away about this  
23 portion of the submission, it is the discussions that  
24 are described on page 12, even still there are

1 problems with this too. The school provides us with  
2 little to no detail how they can ensure that there is  
3 a strong implementation of this and that the data they  
4 plan to leverage is appropriate. For example, we do  
5 not see how the school will progress monitoring in  
6 math at any grade level. This is a problem for a  
7 school that is achieving as low as it is.

8           The last point I want to make in this section  
9 before I turn it over to my colleague for a few  
10 remarks that I would like to highlight within this  
11 Driving For Results section the description of  
12 professional development. Staff was pleased to see  
13 that Nevada Virtual did provide some additional  
14 information in the second submission about what this  
15 is and how it will look, however, we found it  
16 troubling that the staff or the school chose not to  
17 include any information about what the P D content has  
18 looked like this year and what it could look like in  
19 the future. There was no mention of any results from  
20 this year. The submission did not include any  
21 information about what current staff opportunities are  
22 for growth or evidence that those are provided can be  
23 successful in relation to student outcomes.

24           I do want to turn it over for a minute to my

1 colleague, Dr. Osdimere so he can briefly talk about  
2 the E L L population and the data for Nevada Virtual.

3 MALE SPEAKER: Chairman and the members of  
4 the Board -- inaudible, Education Program Supervisor.

5 When we talk about the -- (inaudible) group,  
6 we need to talk about the English language learners.  
7 N V A didn't receive a score for English language  
8 learners because population is too low. As stated in  
9 Department of Education guideline, the minimum number  
10 and size of students records required for the  
11 calculation is ten. You need to have ten records to  
12 be able to get a score in English language learners.  
13 This number was chosen during the development of  
14 Nevada's ESEA waiver.

15 When we compared N V A population learners to  
16 the states, it's too low. They serve a lower portion  
17 of the E L L. Because of the low end size, they did  
18 not register a score. The average for the state is  
19 15.9. When we checked the N V A, it's 1.4. I just  
20 want to mention this at this group. Thank you.

21 MR. MOTORSON: So in conclusion about the  
22 Driving For Results section, staff found this to have  
23 little merit. We've concluded that the plan for  
24 monitoring results is incongruous, may not have set

1 appropriate yearend targets, presents too few internal  
2 mechanisms to effectively monitor progress and fails  
3 to demonstrate that staff has or will grow its  
4 capacity to effectively reach performance targets.

5           The last piece of the plan presented to the  
6 Authority deals with school culture. Overall, this  
7 section was the most brief and included little  
8 information that has not already been mentioned. The  
9 culture section indicates that Nevada Virtual has  
10 worked hard to develop a culture of high expectations  
11 and that professional development helps support these  
12 efforts. Included in this section, Nevada Virtual  
13 states that using K 12 professional development  
14 opportunities and the association for supervision and  
15 curriculum development, ASCD, has helped them on their  
16 path forward.

17           Additionally, Nevada Virtual highlights that  
18 there are new staff positions that have been added to  
19 benefit Nevada Virtual students. These include  
20 literacy specialists, R T I interventionists and  
21 academic advisors. Perhaps unsurprisingly, again,  
22 staff did not receive much, if any, detail provided in  
23 this section. Staff found the information about staff  
24 members to be insufficient in determining if they

1 could increase student outcomes at the school. Only  
2 the R T I case manager positions were described with  
3 much detail. Little to no information was provided on  
4 anyone else in the plan and there was no information  
5 on the cost of these additional positions. Nevada  
6 Virtual only stated that they were not excessive.

7           So just to put a bow on the staff's comments  
8 on this, the overall recommendation in front of you is  
9 on pages two and three. I'll just reiterate the four  
10 problems that staff found making this recommendation.

11           Number one, the plan proposes recycling core  
12 programs that have previously been unsuccessful due to  
13 poor execution by the school. Again, no information  
14 was provided to Authority staff on how implementation  
15 of these programs has or will improve. The plan  
16 provided very little he detail especially about  
17 benchmark and interim performance goals. The  
18 performance targets provided do not guarantee that  
19 Nevada Virtual Academy elementary students and school  
20 can achieve a three-star rating. In fact, their most  
21 optimistic forecast the elementary school will not  
22 achieve a three-star rating until after the expiration  
23 of their current charter and the plan provides little  
24 positive evidence of success and alignment to key

1 research factors supporting the likelihood of this  
2 plan. As such, Authority staff recommends that the  
3 Board determine that Nevada Virtual Academy has not  
4 corrected the deficiencies as outlined in the notice  
5 and therefore, reject the plan as submitted.

6 Before I turn it back over to you, Mr. Chair,  
7 I do want to reiterate to the Board that you heard me  
8 cite a lack of detail on quite a few items. I want  
9 the Board to know that the school, as outlined on Page  
10 2, did not follow the guidance provided to them. This  
11 was provided to the leadership team in an effort to  
12 help guide the school in their critical thinking and  
13 encompassed key elements of school planning.

14 I want to make very clear that following that  
15 template was not required. Staff made it clear that  
16 the level of detail necessary would be critical in the  
17 overall evaluation and we reiterated this during two  
18 phone calls with school leadership in late February  
19 and early March. Nevada Virtual chose on their own  
20 accord to not provide this level of detail whether in  
21 the provided template or any other format is not  
22 important. The plan was wholly inadequate as  
23 presented to staff.

24 I also want to underscore that you may have

1 read multiple times throughout the submission that the  
2 school felt this was an onerous process causing undue  
3 harm to staff that had to work over spring break but  
4 again, I want to reiterate that the guidance on the  
5 appropriate level of detail was provided to the school  
6 leadership team in February, over 45 days prior to the  
7 agreed upon submission deadline. They provided their  
8 plan knowing this information and staff does not feel  
9 the onerous characterization is accurate at all.

10 And finally, Nevada Virtual notes, in its  
11 clarifying responses, that requesting this information  
12 and requiring a plan has been harmful. Hopefully I've  
13 provided a thorough summary and picture of this plan  
14 but let me be clear what the school is proposing in  
15 staff's eyes is not in the best interest of Nevada  
16 Virtual students in the long run.

17 We heard earlier today that test scores do  
18 not tell the whole picture. I would respond by saying  
19 this; research definitively shows that the impact of  
20 test scores do matter. We certainly do not have any  
21 strong evidence to show that they do not matter and  
22 let there be no mistake about this staff believes  
23 there's an increased likelihood that many, many  
24 students will remain in low quality seats under this

1 plan for the elementary school.

2 That concludes my remarks.

3 THE CHAIRMAN: Thank you, Mr. Motorson.

4 You're relatively new to the team and so  
5 before I turn it over to my colleagues for questions,  
6 I just wanted to clarify for the record what's your  
7 background education and experience in authorizing and  
8 reviewing plans like this?

9 MR. MOTORSON: Thank you, Mr. Chair, for the  
10 question.

11 I was an authorizer in the state of Oklahoma  
12 for over four years for a district that sponsored  
13 public charter schools. I've also been a co-author of  
14 publications about -- (inaudible) charter school  
15 authorizing particularly in Oklahoma. So I do --  
16 inaudible.

17 THE CHAIRMAN: Then you mentioned in your  
18 memo that there was a review team. Who are the  
19 members of the team?

20 MR. MOTORSON: Thank you for that question.

21 We had a four member review team most of  
22 which was encompassed on the Authority side with a  
23 couple of additional people since we have a couple of  
24 staff vacancies. So it was a team of four.

1 THE CHAIRMAN: Thank you.

2 I'll open it up to questions from my  
3 colleagues. Any questions for Mr. Motorson?

4 MEMBER LUNA: Mr. Chair, Member Luna.

5 I looked for on the plan regarding staffing  
6 and maybe I missed it. If you could address any of  
7 their proposals regarding either changing or improving  
8 highly qualified teachers and if there's evidence  
9 regarding online schooling, the percentage of highly  
10 qualified teachers that they want to improve upon that  
11 or I didn't see that.

12 MR. MOTORSON: Member Luna, thank you for  
13 that question.

14 I do not recall any information in the plan  
15 that referenced highly qualified teachers or the  
16 addition thereof or ensuring that those were --  
17 (inaudible) possibly new staff beginning the 18/19  
18 school year.

19 THE CHAIRMAN: Any other questions? All  
20 right. Well, I had some questions. I wanted to  
21 understand a few things about your report.

22 I'm trying to figure out where to begin here.  
23 You cited to index scores, one from 2014 and one  
24 through 2017; were those the only scores available.

1 The one I think it was 2014 was 32 and the other one  
2 was 21 from 2017?

3 MALE SPEAKER: Mr. Chairman, we have index  
4 scores for 2011/12, it was 14. For 2013, it was 38.  
5 13/to14 it was 32 and the same as in 14/15 and the  
6 last year was 21. So it started in 201/12 with 41.  
7 Index score was 41 and it went down to index score 21  
8 out of the 100.

9 MEMBER MOLTON: Mr. Chairman if I may, Member  
10 Molton.

11 The way that those were those scores were  
12 chosen, has it changed at all over those years or were  
13 the same requirements year after year after year; do  
14 you understand the question?

15 PATRICK GAVIN: Thank you for the question,  
16 Member Molton, Patrick Gavin for the record.

17 On approximately every two years, our  
18 legislature makes substantial changes to education  
19 policy across the state. I'm not aware of any period  
20 in the last decade when there was not some change made  
21 to academic outcomes or expectation or what would be  
22 measured and how. Things that come to mind most  
23 notably were the decision in 2013 to transition to an  
24 end-of-course exam which then subsequently, as

1 recently as this last year, there were substantial  
2 policy changes made as to how that end-of-course exam  
3 would be implemented.

4 The charter -- the state performance  
5 framework is a creature of state and federal law and  
6 regulation. There are laws that are created by our  
7 legislature and by the congress. They are then  
8 implemented through both regulation and through the  
9 process of things like our statewide ESA plan that is  
10 submitted to the federal government.

11 So yes, the measurements do evolve over time.  
12 This state has an intense sense of urgency to improve  
13 the outcomes for students in all grades through K  
14 through 12 and has put substantial resources both in  
15 terms of policy changes and in terms of dollars and  
16 cents and human capital into improving the results for  
17 kids across this state. Part of that is the  
18 measurements do evolve, that is a reality of the  
19 landscape in which we work.

20 MEMBER MOLTON: And then if I may just a  
21 quick one. This is Member Molton. They wouldn't be  
22 any different for charter schools than it would be for  
23 a brick and mortar?

24 PATRICK GAVIN: Absolutely not, charter

1 schools are held to the same academic standards as a  
2 standard brick and mortar school whether public  
3 charter or traditional public.

4 MEMBER MOLTON: Thank you.

5 THE CHAIRMAN: So the issue of whether we're  
6 dealing with a virtual school is not really relevant  
7 to how the scores are compiled, right?

8 MALE SPEAKER: Correct, Mr. Chairman.

9 THE CHAIRMAN: Okay.

10 And then it's my understanding with index  
11 scores, that a big component part of this scoring is  
12 -- I forget what you guys called it, it's growth,  
13 student growth. Can you explain if that element has  
14 changed or evolved over time how we measure growth.

15 MALE SPEAKER: No, Mr. Chair, it didn't  
16 change, academic performance and growth was always  
17 part of the index score since the beginning. So it's  
18 100 points and we have different measures in that 100  
19 points but two indicators, academic proficiency and  
20 growth didn't change since the beginning of the star  
21 rating.

22 THE CHAIR: And if those are the core factors  
23 and the other things that change in the process, the  
24 things that change in terms of how -- what's

1 calculated in that index score, would it be fair to  
2 say that we were creating somewhat of a moving target  
3 at the state level for our educators in terms of how  
4 they're evaluated because I would imagine that would  
5 be an argument that they might make -- that different  
6 educators might make including the ones that are  
7 before us today. -

8 MALE SPEAKER: No. Again, when you think  
9 about the score of 100, academic is 25 points, growth  
10 is 35 points. So basically 60 points of the index  
11 scores never change. So we cannot say it's a moving  
12 target.

13 MELISSA MAKIN: Can I just kind of add --  
14 Melissa Makin for the record. I think when we hear  
15 about moving targets, it is fair to say that sometimes  
16 we don't know exactly what the percentage is going to  
17 be, you know the percentage of points versus the  
18 percentage of points for signs proficient but the  
19 basic premise that we would have tried harder or done  
20 better if we knew it was going to be, you know,  
21 45 percent versus 35 percent is shameful. These are  
22 students. We should be working as hard as we can  
23 regardless of that target and not knowing where it  
24 was.

1           So this argument of we would have done  
2 something different if we would have known the  
3 specifics again, I think it's shameful. We should be  
4 working as hard as we can regardless of what that  
5 target is. These are children and their futures.

6           THE CHAIR: We received some submissions from  
7 N V A, and some things stuck out to me. One was and I  
8 think you touched on this Mr. Motorson, this issue of  
9 the template that was provided.

10           I guess my concern would be was the template  
11 something that staff expected would be -- was  
12 mandatory, that is they needed to take the template,  
13 fill out -- answer all the questions contained therein  
14 and produce a plan that responded to that template or  
15 can you explain to me kind of what the purpose in  
16 providing that template was.

17           MR. MOTORSON: Thank you, Mr. Chair, for that  
18 question. I would be happy to answer it.

19           The template was provided to school  
20 leadership so that they would better understand and we  
21 could provide them guidance as to the appropriate  
22 level of detail that we would be looking for in a  
23 submitted plan. In no way did we communicate that  
24 filling out the exact template that was provided to

1 them would be appropriate. In fact, on two occasions  
2 to the principal I did make clear that it was their  
3 choosing to use the template or not but whatever they  
4 submitted would be evaluated.

5 So I think the answer to your question is it  
6 was not mandatory, it was meant to be a guide for the  
7 school to use to its benefit.

8 THE CHAIR: Were there any questions asked of  
9 staff by Nevada Virtual about various aspects of the  
10 template and you know, what they needed to have a  
11 successful plan submitted to you?

12 MR. MOTORSON: Thank you for that question,  
13 Mr. Chair, Mark Motorson for the record.

14 Yes, I did have at least two conversations  
15 with Dr. Hamilton and her team and we did talk about  
16 elements of the plans. One in particular that comes  
17 to mind was the template provided to them included a  
18 section about facilities. The reason for that is  
19 because the template is meant to be a very important  
20 exercise in the school planning process for any school  
21 that may be at this stage under notice of termination.

22 So we do not know nor do we want to tell the  
23 school what changes they need to make in order to  
24 improve academic performance. So I made it very clear

1 to school leadership that if facilities or perhaps  
2 other elements of the plan were not relevant  
3 particularly since this is a virtual charter school,  
4 then that is certainly completely within their right  
5 to not fill out that portion and with regard to  
6 facilities, I think staff would understand given this  
7 is a virtual charter school that we would not have  
8 much, if any, changes provided under that one section  
9 in particular.

10 THE CHAIR: And the other thing that kind of  
11 stood out to me was the star rating and then reference  
12 to kind of the Authority's rating of these schools  
13 under the performance framework.

14 The criticism is that either they weren't  
15 consecutive or like -- so how does those -- are there  
16 gaps in data both at the state level, at the Authority  
17 level and two, how do those gaps and data affect your  
18 analysis from a turn around program standpoint and  
19 then I guess for legal counsel, like how does it  
20 affect what we're doing legally, if at all?

21 MR. HERRICK: I'll fill in the legal portion  
22 of it I guess.

23 THE CHAIR: State your name for the record.

24 MR. HERRICK: I'm sorry, Ryan Herrick,

1 general counsel.

2 I think if I understood your question, you  
3 were asking about the consecutive ratings and what not  
4 and Nevada Virtual --

5 THE CHAIR: I'm specifically referring to  
6 page seven of the letter that was sent to us yesterday  
7 and it deals with kind of the NSPF star rating and  
8 then the Authority rating.

9 So there's kind of a couple of pieces to that  
10 and that is what data are we working with. I think I  
11 got that from the report but how does either having  
12 consecutive data or not having consecutive data, how  
13 does that affect our analysis in terms of the  
14 turnaround plan from an authorized standpoint. Then  
15 with regard to the legal piece to it, you know, are we  
16 able to be in a position we're at evaluating a  
17 turnaround plan, not having the data in the way that  
18 it appears that Nevada Virtual has said we needed to  
19 have it.

20 MR. HERRICK: So from the inception of this  
21 process from February through the court filings and up  
22 until the letter we received yesterday, Nevada Virtual  
23 has raised a number of legal issues as it relates to  
24 the Notice of Intent to terminate and this process.

1 The one that you're hitting on is this use of the  
2 consecutive years. I can address the legal aspect to  
3 that to the extent that you want, but I'll say this  
4 that staff is comfortable with the legal foundation  
5 upon which we're basing it.

6 But I think your question and I'll let Direct  
7 Motorson or Executive Director Gavin deal with this  
8 more. In regard to the turnaround plan and the  
9 historical data from this school, the elementary  
10 school has never been rated above a two star, and the  
11 information that we have from the pause years shows  
12 that they would not be a three star in those years  
13 either.

14 So in terms of historical performance and  
15 consecutive years, there is no data showing that the  
16 school was ever a three star and notably, Nevada  
17 Virtual has never argued, in any correspondence to me  
18 or any of the court filings, that somehow the star  
19 ratings misconstrue the academic performance of the  
20 elementary school. Or that if you look at these  
21 metrics, the school is actually performing better.  
22 There's been a number of legal arguments raised, but  
23 there's never been an argument of the school actually  
24 -- the elementary school academically performs better

1 than what's reflected in the star ratings.

2 MR. MOTORSON: Mark Motorson for the record.

3 I would echo that, of course I'm very, very  
4 new to this state so that's a blessing and a curse but  
5 what I would say is that I have not seen any data  
6 that's come across my desk that would show that this  
7 is what we call a quality public charter school or one  
8 that is performing at a high level, and I think that  
9 that includes whether or not that was pause. So I'm  
10 not seeing any data to, you know, indicate that.

11 THE CHAIR: Now, you had referenced in your  
12 presentation the fact that we're going to be dealing  
13 with a renewal application here pretty soon and that  
14 that comes up next year. So we're going into the last  
15 year of this contract.

16 Given that we've initiated these -- the  
17 notice and the opportunity to cure deficiencies that  
18 we've recognized, I'm just wondering is there -- would  
19 there be a plan that could put Nevada Virtual on a  
20 track to be a three-star school in a year, in your  
21 experience; it just seems like there's not a lot of  
22 time between when we began this in February and the  
23 end of next year to get to that standard from where  
24 they're at now.

1 MR. MOTORSON: Mark Motorson for the record.

2 Yes, I believe that's correct, Guinasso. The  
3 school will be working with the Authority to submit a  
4 plan for renewal presumably in the summer, early fall  
5 months. I would highlight and I think you may be  
6 teasing this out appropriately is the school will only  
7 receive one more rating, according to the Nevada  
8 School Performance Framework, in the fall of 2018 that  
9 would capture any proficiency improvement or growth  
10 improvement for this current fiscal year or excuse me,  
11 current school year, I'm sorry. So there is only one  
12 more opportunity for this school to receive a rating  
13 prior to this Board making a decision regarding  
14 renewal.

15 THE CHAIR: So would it be fair to say that  
16 we're setting this school up for failure in some  
17 respects in that there's, you know, only one rating  
18 left? Most of the time most of the data is going to  
19 be from this year.

20 I mean, I just want to kind of call a spade  
21 and spade and understand what we're dealing with here  
22 and if somehow we're setting this school up for  
23 failure and not meeting the standard, I just want to  
24 know but if we're not, then I want to know that too.

1 MR. MOTORSON: Yeah, Mark Motorson for the  
2 record. I do not think we would be setting up the  
3 school for failure. This school has been under  
4 performing the entire public charter school term and  
5 that is to their own doing. So we are simply calling  
6 to light that their performance has continued to  
7 decline as we issued the notice two months ago.

8 So I do not believe we're setting up the  
9 school for failure, we're simply highlighting  
10 underscoring the level of performance that the school  
11 exhibited.

12 THE CHAIR: And then as a part of the plan  
13 being submitted, what level of Board involvement is  
14 necessary or appropriate, from the Authority  
15 perspective, that is do you ask before a plan is  
16 submitted some evidence that it's been approved by the  
17 Board before you consider it or do you just take it on  
18 face value that it's been approved by the Board?

19 MR. MOTORSON: I think the general assumption  
20 is that the Board has been integral in the process  
21 because the level of performance of the school is this  
22 low. I would certainly, reflecting on my past  
23 experience, when there are problems at a public  
24 charter school, usually the Board is intimately

1 involved in correcting those problems and staying  
2 informed whether that be through a committee structure  
3 or otherwise.

4 So I would assume that the board of Nevada  
5 Virtual briefed and did at least approve, in some form  
6 or fashion, what the school presented to the  
7 Authority.

8 THE CHAIR: You indicated in your report --

9 PATRICK GAVIN: Mr. Chairman, if I could  
10 supplement that just very briefly.

11 I want to emphasize that the contract between  
12 this state and this school is with the governing body  
13 of that school. They are the charter holder.  
14 Employees of the school, vendors to the school,  
15 consultants to the school may well provide valuable  
16 information that informs the decisions of that board  
17 and how they implement and the contract that they have  
18 with this state and the covenant they have with its  
19 taxpayers and its students but at the end of the day,  
20 it is the governing body that is accountable to this  
21 Board.

22 So I would certainly expect that the  
23 governing body was actively engaged in ensuring that  
24 it was fulfilling the promises it made to this state.

1 THE CHAIR: Thank you and that's kind of why  
2 I was asking the question is because it concerned me  
3 in your report that it wasn't clear to you what level  
4 of board involvement there was. So when you made that  
5 comment, it sparked that question in my head as to how  
6 you evaluate that and if you communicated that  
7 expectation. I mean, it seems like it's implied in  
8 the contract. The contract is between the governing  
9 body and this body but because you made the comment in  
10 your report, I just wanted to clarify kind of what the  
11 genesis of that comment was and what that means in  
12 your evaluation.

13 MR. MOTORSON: Thank you, Mr. Chair, for that  
14 comment.

15 I would say that question -- I would say that  
16 was in reference to my past experience. Again, when  
17 issues arise, I'm very used to a board being very  
18 involved especially with something this serious and no  
19 interactions -- I'm looking other at staff. I do not  
20 believe anyone on Authority staff had any interactions  
21 with the board which is quite shocking. All of my  
22 interactions were either with counsel or with Nevada  
23 Virtual leadership so I would say that is very  
24 abnormal.

1 THE CHAIR: Well, I appreciate your report;  
2 are there any other questions? Oh, please Member  
3 Molton.

4 MEMBER MOLTON: Thank you, Member Molton for  
5 the record.

6 I don't even know -- I'm relatively new to  
7 this board but when I look at some of the things that  
8 have been presented and I believe unless I've  
9 misinterpreted that we were really focused on the  
10 elementary school. I don't know if the contract or if  
11 there's been any initiation by either side to perhaps  
12 in downsizing this school and relooking at -- I don't  
13 know. I throw that out there. I haven't talked it  
14 over with any of the other board members or our legal  
15 counsel but if there would be a way to pull away the  
16 elementary school from the middle school and the high  
17 school. I say that because most of the individuals  
18 today and the ones that have called me and I certainly  
19 appreciate their input, have talked about the great  
20 success at the higher levels.

21 So that's just something that I've been  
22 thinking about and now you know my mind.

23 THE CHAIR: I kind of had the same question  
24 in that regard and that is if the elementary school is

1 the issue, was it ever discussed as an option of  
2 eliminating the elementary school alone versus the  
3 entire school?

4 PATRICK GAVIN: So Mr. Chairman, as I think  
5 Director Motorson made clear, it is not the role of  
6 the Authority staff to prescribe a remedy but to be  
7 100 percent clear, that absolutely was an option that  
8 this school could have presented as its proposed cure.  
9 In fact, there were numerous questions in the template  
10 that would have facilitated that or the school could  
11 have certainly used some other narrative to be able to  
12 propose that or really any other outcome that's  
13 permissible under law or regulation.

14 THE CHAIR: Just one last question and it has  
15 to do with capacity.

16 You know, there were some concerns raised a  
17 few years ago about Nevada Virtual's high school and  
18 they proposed a plan and implemented a plan that  
19 appeared to turned around the high school. So with a  
20 track record of being able to identify a problem and  
21 implement a solution, was that past performance, did  
22 you take that into account in terms of assessing  
23 whether they could execute on some of the proposals  
24 that they made?

1           PATRICK GAVIN: Mr. Chairman, I'm going to  
2 have to ask you to repeat that question. I apologize,  
3 I got a little bit lost there for a second.

4           THE CHAIR: Again, it just goes to this idea  
5 of capacity. Can they execute on the plan that they  
6 presented.

7           A few years back, if I understand what was  
8 presented to us, there were some issues with the high  
9 school under performing and a plan was proposed to  
10 turn around that performance at the high school level  
11 and it appears that they've had some success. We  
12 haven't had the problems that we had a few years back  
13 relative to the high school.

14           So my question is: With that track record of  
15 being able to identify a problem and come up with a  
16 solution that addresses the problem, was that capacity  
17 taken into consideration when you were evaluating this  
18 particular proposal?

19           PATRICK GAVIN: So Mr. Chairman, thank you  
20 for the question.

21           You note that the graduation rate that's been  
22 reported by the Department has indeed increased in  
23 recent years. I would note that at the same time that  
24 the school was well aware that it's graduation rate

1 was an area of concern for this Authority. There was  
2 also ample information that the performance of the  
3 elementary school was also an area of serious concern.  
4 The material difference there was graduation rates  
5 have been reported on an annualized basis versus the  
6 individual performance of the elementary program, the  
7 middle school program and the high school in the  
8 aggregate was not reported due to changes in the  
9 statewide -- due to changes in the statewide system of  
10 accountability.

11 So I think it is important to note that while  
12 the school was able, through whatever means, to  
13 increase the graduation rates, at the same time it  
14 failed to be able to implement the programs that it  
15 already committed to put in place in relation to the  
16 elementary school and that as Director Motorson has  
17 noted, these are the same interventions that the  
18 school is proposing today.

19 So it is unclear whether the school has the  
20 capacity to be able to run both a high school that  
21 improves and an elementary school that improves.  
22 Based on past performance, there is zero evidence to  
23 be able to support that at this time.

24 THE CHAIR: Thank you for answering those

1 questions. I think that's all the questions I have  
2 unless any other Board member has a question.

3 Then what I would propose before we hear from  
4 Nevada Virtual, is we take a five-minute break and  
5 then we'll begin with your presentation. Just for  
6 clarity sake, would you like us to hear your entire  
7 presentation and then ask questions at the end like we  
8 did with the Authority or would you prefer questions  
9 throughout?

10 MS. HENDRICKS: Cara Hendricks for the  
11 record. I think it would probably be easier to let  
12 the school do the presentation and then do the  
13 questions at the end.

14 THE CHAIR: Thank you.

15 All right, a five-minute break. We'll come  
16 back and start at 10:45.

17 (A break was taken.)

18 THE CHAIR: All right. Well, let's call the  
19 meeting back to order.

20 We're going to hear from N V A. I just want  
21 to let you know there's some point here in the next  
22 hour, we're going to be asked to leave the room so  
23 that another board can have like a two-hour meeting.  
24 So we're going to take an extended lunch. My plan is

1 to get through your entire presentation. We'll write  
2 down our questions and all that and then when we come  
3 back, to then present their questions to you, that way  
4 we can make the best use of your time.

5           Unfortunately, we are not in control of our  
6 own destiny when it comes to the room. We can plan  
7 these things out months in advance and in a day's  
8 notice, the legislature can say we have a committee  
9 that wants to meet in that room and they can kick us  
10 out basically. So that's the position we find  
11 ourselves in in having to take an extended break.

12           So insomuch as I'm the Chair and responsible  
13 for where we meet, I apologize that that is the  
14 situation we find ourselves in but rest assured before  
15 we make any decision, that we will give you all the  
16 full opportunity to be heard even if that means we  
17 have to come back another day to finish. So don't  
18 feel like you have to rush your presentation or  
19 truncate what you're presenting to us. I'm committed  
20 to hear everything you have to say relative to your  
21 turnaround plan and then we'll have questions and  
22 deliberation that will result in a decision.

23           So just know that and with that we'll go  
24 ahead -- oh, wait we'll wait for your attorney, sorry

1 about that. Okay. I was just letting folks know that  
2 the legislature has some committee that needs to meet  
3 here for two hours. They're going to kick us out in  
4 about an hour or so. We'll take an extended lunch and  
5 then we'll come back but I wanted to assure you and  
6 your clients that you'll get a full opportunity to be  
7 heard even if that means that we don't finish today.  
8 If that becomes the circumstance, we'll come back and  
9 finish hearing from you.

10 So don't feel like you have to truncate your  
11 presentation. Take your time, tell us what you think  
12 we need to know and we'll proceed along until they  
13 kick us out of the building. All right, thank you.

14 MS. HENDRICKS: Mr. Chairman, would you like  
15 us to go ahead and get started?

16 THE CHAIR: Yes, please.

17 MS. HENDRICKS: For the record, I'm Cara  
18 Hendricks. I'm with the law firm Greenberg Traurig,  
19 and I'm counsel for Nevada Virtual Academy's Board.  
20 With me at the table today you have Ben Gearhart who  
21 is the Federal Grant and Assessment Coordinator for  
22 the school. Of course, you remember Dr. Yolanda  
23 Hamilton who's the head of the school and to my right  
24 is Dr. Andre Denson who's the elementary school

1 principal.

2 I also want to recognize our Board President  
3 Samantha Morris who is with us today.

4 You should know that Samantha is not just the  
5 Board President, she has had six kids that have gone  
6 through Nevada Virtual Academy, very much believes in  
7 the school and left those six kids at Disneyland today  
8 to be here. She flew in here last night so she could  
9 be here for the hearing and she'll fly back so she can  
10 join her family.

11 Our board is very committed to improving the  
12 school and does get weekly updates on what's going on,  
13 what the plan is and is very committed to seeing the  
14 school succeed. Also, I want to thank the parents  
15 that and family members that have come out today  
16 because I think it's important to you to realize the  
17 impact the school has. No, a virtual school is not  
18 for everybody but it does serve a lot of people and it  
19 serves them very well, very well.

20 As Chairman Guinasso noted earlier, we're  
21 here today to present the Cure that was prepared in  
22 response to the Notice of Intent to terminate. Mr.  
23 Herrick discussed the litigation and I'm sure that you  
24 all respect the school's right to challenge the

1 process that is being utilized, a process that we  
2 think is illegal to be frank. I do want to reserve  
3 some time at the end to talk about why we're concerned  
4 about the process and how we got here today but like  
5 Chairman Guinasso said, the focus should be on the  
6 plan and the school and what the school is doing and  
7 the improvement that you'll hear more about in just a  
8 few minutes that is already happening within the  
9 elementary school program.

10 Also, I'm glad that Mr. Guinasso you  
11 referenced the letter that I sent out yesterday. The  
12 purpose of that letter was I wanted to provide some  
13 background information so that I don't have to spend  
14 as much time doing that and again, we can focus on the  
15 school and the Cure and really what we're doing.

16 I think at the outset I was a little upset by  
17 some of the comments earlier. These are school  
18 administrators, they're not professional report  
19 writers. They put a lot of time and effort into the  
20 plan and to the supplement information that was  
21 provided to the Authority. I don't want this to be  
22 about the template that was provided but you should  
23 know the template is for a comprehensive restructuring  
24 amendment for a school under a notice of termination.

1 That is not where Nevada Virtual Academy is at. That  
2 is not what you asked, Mr. Genesis, in your letter for  
3 the school to provide.

4 If you flip through this, let me just point  
5 out a few things. Planned enrollment, there's a whole  
6 section where they want information and enrollment  
7 projections. Well, the school's enrollment is capped  
8 pursuant to the school contract, not an issue. You  
9 can take a look at some of the other issues in here.  
10 They're talking about middle school. They're talking  
11 about a pre-school program. They're talking about a  
12 high school program.

13 Again, that is not what is before this board  
14 today, and there was no reason for the school to waste  
15 resources to respond to areas that are clearly not  
16 relevant to these proceedings. I also think at the  
17 onset, it's important to note that Nevada Virtual  
18 Academy has one charter. You're looking at an  
19 elementary school. You're looking at two years of  
20 testing. The third grade testing is the baseline  
21 level. So you're looking at the fourth and fifth  
22 grade testing and threatening to shut down an entire  
23 school when you have information that both the high  
24 school and the middle school programs are doing very,

1 very well.

2 Other examples of problems in this template  
3 that he did acknowledge that the facility's  
4 information would not apply. There's also a section  
5 in here for transportation, food services, those are  
6 things that do not apply to the school.

7 So to suggest that there is a problem because  
8 we didn't use this template after I spoke with counsel  
9 and confirmed that we did not need to do it and we  
10 would not be retaliated against, we chose to go  
11 another route is very disheartening.

12 With that said, let's focus on what's  
13 important today. Let's focus on what the school is  
14 doing and let's focus on the Cure. I'm going to turn  
15 the time over to Dr. Hamilton and her team who will  
16 discuss in more detail the plan that was submitted  
17 that I really think does demonstrate the growth at  
18 Nevada Virtual Academy and the commitment to  
19 improvement and success.

20 I know nobody likes to hear from lawyers so  
21 I'll step back for a minute and I'll return at the end  
22 to address some other legal issues. Thank you.

23 MS. HAMILTON: Good morning Board members  
24 Thank you so much for allowing us this opportunity to

1 share a little bit about our Comprehensive Academic  
2 Improvement Plan with you.

3 I'd like to start off just sharing a little  
4 bit about Nevada Virtual Academy with you. We were  
5 founded in 2007 with the intention of providing a high  
6 quality online program for students in kindergarten  
7 through 12th grade across the State of Nevada. Being  
8 a full-time statewide online school are not the only  
9 characteristics that differentiate our school from  
10 other charters. Our school serves nearly twice the  
11 percentage of free and reduced lunch-eligible students  
12 as the average charter in our state and our school  
13 also serves a higher percentage of students with IEP's  
14 than the average charter school. And we offer  
15 multiple programs at which to address the needs of our  
16 diverse population.

17 In addition to serving a higher percentage of  
18 FRL eligible students and students with IEP's, our  
19 school serves a greater percentage of American Indian,  
20 African American and Pacific Islander students than  
21 the average charter school as well.

22 The economically disadvantaged population at  
23 our school is not only higher than other charter  
24 schools, the percentage of FRL eligible students is

1 growing. If we look only at our new students, our  
2 school serves 700 new students who are economically  
3 disadvantaged. Most charter schools in the state does  
4 not even enroll 700 students total, much less 700 new  
5 and economically disadvantaged students.

6           There's a large body of research that shows  
7 the best predictors and I think someone may have  
8 referenced that earlier today of future test  
9 performance or F R L status and prior state test  
10 scores. Moving non proficient students into a  
11 proficiency category is difficult, as you all know, a  
12 meaningful challenge. NVVA moved 24 percent of  
13 students who were not proficient in mathematics into  
14 the proficient category and 20 percent of students who  
15 were not proficient in ELA into proficiency. I think  
16 this shows that our -- that we're working for hundreds  
17 of students who came from non proficiency into our  
18 proficient category.

19           I know while our focus here today is our  
20 elementary program, of course I just wanted to share a  
21 little bit with you about our high school and middle  
22 school programs. If we take a look at our high  
23 school, if you look at the yellow line on this graph,  
24 you will see that Nevada's high school program has out

1 performed and out gained the state and other charter  
2 schools with respect to the graduation rate over the  
3 last several years. We have steadily increased the  
4 four-year cohort graduation rate and the number of  
5 graduates over each of the last six years and our  
6 school accomplished these improvements while enrolling  
7 increasingly credit deficient students.

8           If we look at the sub groups of our students,  
9 you can see that we have demonstrated a higher  
10 graduation percentage rate than the average of other  
11 charter schools. This information was referenced from  
12 the Nevadareportcard.com site.

13           A little bit about our middle school, our  
14 middle school program is also working for hundreds of  
15 students. Our program received a three-star rating in  
16 2016/17, and our middle school students outperformed  
17 and out gained the state in math improvements and we  
18 were also awarded all of the possible points for our  
19 on-track 8th grade graduation promotion. Demonstrated  
20 -- we demonstrated above average growth for  
21 non-proficient students in math and we earned  
22 80 percent of all possible points for our chronic  
23 absenteeism.

24           Now, that brings us to our primary focus

1 today which is our elementary school program. Our  
2 elementary students are also realizing success in our  
3 school. Our elementary grades are showing continual  
4 improvements in state assessments year over year. We  
5 also know that the longer students are enrolled in our  
6 program, the better they perform. This positive  
7 effect starts as early as kindergarten. State test  
8 performance shows that students who enroll -- shows  
9 that students perform better on elementary school  
10 tests when they enroll in our school in grades K  
11 through two. We are pleased to see their elementary  
12 school completion rates are improving year over year  
13 in both ELA and math. You can see that we've seen a  
14 3.5 percent increase in ELA and a 6.4 percent increase  
15 in math.

16 We propose benchmark targets that build upon  
17 the success of our students. We only have had a  
18 baseline data from your 2015/16 school year and so we  
19 aligned our proficiency increase with that of the 2017  
20 state improvement plan of two percent for math and  
21 three percent of ELA. And this rationale is provided  
22 in response to Page 11 of the staff recommendation.  
23 So I just wanted to give you a little bit of context  
24 for this slide.

1           Our students performance improvement on state  
2 assessment is impressive and shows that this model  
3 works for hundreds of our elementary school students.  
4 Specifically NVVA students more than doubled the  
5 improvement that the state made in math and tripled  
6 the improvement that the state made in ELA. It's  
7 difficult to describe this level of improvement as  
8 persistently underperforming.

9           These improvements are significant year over  
10 year as specific grade levels as well in both math and  
11 ELA with one exception. While NVVA third graders saw  
12 a three point improvement in ELA, the state saw a one  
13 point decline. In fourth grade ELA, NVVA students  
14 increased by nine points compared to a one point  
15 decline by the state. The one exception is NVVA's 5th  
16 grade which saw a four point decline compared to no  
17 change at the state level. NVVA third grade students  
18 improved twice as many points as the state in math and  
19 NVVA's fourth grade students improved in math by three  
20 times as many points as the state. For 5th grade  
21 math, NVVA students improved by five points compared  
22 to a two point improvement at the state level.

23           Success is also evident in progress made over  
24 years of attendance at Nevada Virtual Academy.

1 Student growth percentiles improved between 35 and 45  
2 percent comparing students in their first year and  
3 their third year with our school. This significant  
4 growth is seen both in math and ELA and in both 4th  
5 and 5th grade. As has been mentioned here before,  
6 there's no student growth percentile change for third  
7 grade because it's the first year they take the test.  
8 So it's kind of our baseline data. Again, this growth  
9 pattern shows a school that is working for hundreds of  
10 students.

11 That brings us to our Cure in the  
12 instructional part. At this point, I'd like to turn  
13 it over to Dr. Andre Denson. He is our elementary  
14 principal. Dr. Denson.

15 DR. DENSON: Thank you. Good morning,  
16 everyone.

17 I would like to discuss the Cure in front of  
18 you and some of the highlights of the Cure to counter  
19 some of the assertions made earlier this morning about  
20 the Cure and the presentation of the Cure. The  
21 Enhanced Instructional Model. The Cure began way  
22 before we started the notice. The Cure began as a new  
23 administrative team started to evaluate the process  
24 and the programs previously at NVVA. The Cure for us

1 began way before February.

2           As a new team, we looked at all the  
3 information in front of us, the data, the programs  
4 with an unbiased view and started putting together a  
5 Cure when we noticed things needed to change and  
6 improve. So we were excited about the opportunity to  
7 present the Cure and present the information that we  
8 did to the charter Authority. Part of that Cure and  
9 I'll just highlight some of the parts because you have  
10 the information in front of you along with the  
11 responses, would be the Enhanced Instructional Model.

12           We used the consistent utilization of online  
13 school curriculum and that is used as a curriculum to  
14 support teaching and the teachers on a daily basis.  
15 The teacher led instruction to ensure that the full  
16 comprehensive coverage of the standard is key, that  
17 was revised tremendously and that was revised so that  
18 the teachers were the focal point of assisting  
19 students. And how does that happen, that happens  
20 through differentiated instruction, in other words,  
21 understanding where the students are and where the  
22 students instructional levels are and we explain in  
23 our detailed response and as we explained in our  
24 answer once again that it's not a program.

1 I've been in education for over 30 years and  
2 seen many programs written in different places. I  
3 know it's about the teaching and the learning, and we  
4 want to stay focused on the teaching and the learning  
5 and making sure that our teachers address the Nevada  
6 Contents Standards on a daily basis but we understand  
7 that's a challenge and we have to continue to monitor  
8 and implement improvement strategies when we monitor  
9 something is not taking place.

10 So that's another part of our Cure that not  
11 only do we focus on teaching and instructing and  
12 monitoring what's happening on a daily basis but  
13 through this process, review where the students are  
14 daily, review where the students are as a team weekly.  
15 Review where the students are as a school monthly to  
16 make sure that we can adjust so instruction when  
17 necessary.

18 From this impact along this school year  
19 before the Cure that we're talking about today but  
20 most definitely because of what we want to do, we've  
21 seen an increase of over 650 percent in teacher-led  
22 instruction. What that means and we referenced the  
23 appendix so you could see the detailed data that I  
24 don't want to spend time with in the presentation but

1 would be happy to answer questions about is that we  
2 focus on teacher-led instruction. We want to focus on  
3 helping our most neediest students as much as possible  
4 to make sure that we do have a Cure in place.

5           So how do we meet the needs of each of our  
6 students? We've changed and part of the Cure that  
7 we've presented today or presented and we're talking  
8 about today, we've changed how students are placed at  
9 our school. That is called the pathway. We want to  
10 make sure, as I stated earlier, that our instructional  
11 levels of the students were met and our instructional  
12 levels of the students were addressed based on where  
13 they are and where we expected them to go and how can  
14 we get them there as quickly as possible.

15           So with that, we want to provide three  
16 different pathways and then how we place them in those  
17 pathways is part of the Cure as well which is an  
18 adjustment from previously. Then we evaluate those  
19 students on the consistent basis to make sure not only  
20 are we addressing their needs on a daily basis from  
21 the instructional standpoint but are they in the right  
22 pathway. Do we have the right supports in place  
23 beyond the daily instruction.

24           So we have pathway changes. Part of that

1 support, as many of you on the Board, was the blended  
2 addition when that was brought to your attention back  
3 in 2015 I think and what blended was going to do and  
4 what blended was supposed to do and what blended has  
5 done thus far. We made some changes to that program  
6 as well. We knew that we could strengthen that  
7 program. We knew that we had to provide ongoing  
8 support that touches a student both virtually for  
9 students who could not come physically and for those  
10 students who can come physically how we could touch  
11 those students and provide that ongoing support that's  
12 necessary each and every day. That is a change. That  
13 is a program that's effective. That's a program that  
14 is used constantly and monitored to make sure our  
15 students are progressing.

16 For our most neediest students, the students  
17 who are the most at risk, once they're in an  
18 instructional pathway level, we want to provide more  
19 support and most educators understand that to be  
20 response to instruction. We rewrote and implemented a  
21 response to instruction model that addresses the  
22 student's needs, the most at risk students needs and  
23 how we provide that support we meet with that team and  
24 those instructors on a weekly basis as well.

1           So not only does a teacher meet and look at  
2 all their students and not only as an administrative  
3 team do we meet and discuss the needs of our students  
4 on a weekly basis but then a team of educators,  
5 professionals, licensed and qualified, highly  
6 qualified instructors meet and talk about our most  
7 neediest students and what programs and what services  
8 can we put in place to provide that support to our  
9 students. That Cure most definitely addresses those  
10 needs of the student.

11           An example of this is provided on page 19 in  
12 reference to page eight of the Agenda Item 5 memo in  
13 which there was some discussion about not enough  
14 information was provided. So we just wanted to make  
15 sure we answered that as much as possible, to let you  
16 know that it's not just a shot in the dark that it's  
17 information that is provided. As a practicing  
18 educator, we're excited to share this information and  
19 to answer any questions that may come up from it as  
20 well.

21           So how does a student get placed? In other  
22 words, is it just a filling, is it just a matter of  
23 seeing how the students are doing because that's what  
24 their parents want, teacher wants. No, there's a

1 prescriptive way in which we assign students based on  
2 data from state assessment, interim assessment data as  
3 well as summative assessment data and where students  
4 get placed and how that adjustment occurs every six to  
5 eight weeks to make sure that our students are on  
6 track and this is an example how that takes place.  
7 These very specific measurements also point out to the  
8 part of the revised pathway changes as well.

9 Another example that we want to provide, in  
10 reference to the response from the memo, is summer  
11 programing. In other words, on face value I'll use  
12 that terminology since it was used a couple of times  
13 here. On face value, summer programing sounds good  
14 and it does that's -- research shows that extending  
15 the school year from an hourly standpoint or from a  
16 daily standpoint assists students, so we want to make  
17 sure that we can provide that for our students. How  
18 we get students there and what teachers will be  
19 providing that instruction, we want to clarify that a  
20 little bit more.

21 So we primarily are focusing on our K-5  
22 students that are in the 40th percentile or lower  
23 according to SBAC data from previous years and math  
24 scores. So we are targeting those students,

1 understanding that is voluntary. Understanding that  
2 we can't force the students and their parents to  
3 attend summer school but we are highly encouraging it  
4 as much as possible. Teachers are hired for that  
5 program, highly qualified teachers on staff, and we  
6 are targeting our best teachers to service that  
7 program. So it's a system that we do have in place so  
8 make sure that they're focusing on those students but  
9 not only that, we recognize that our high-flying  
10 students also need enrichment. Even though the  
11 primary focus is on the needs of our students that are  
12 most at risk and the students who need remediation the  
13 most but we also want to focus on our high-flying  
14 students so we want to provide enrichment  
15 opportunities to continue that trajectory of success  
16 for them as well.

17 Monitoring has come up a couple of times in  
18 the response to the Cure, and we have a very thorough  
19 monitoring program in place. So we want to show you  
20 the Authority, Board just how we monitor each of these  
21 things. I'm not going to read it to you, it's very  
22 detailed but you can look at the frequency of the  
23 monitoring, how it happens, who's responsible. We do  
24 have a chart in which who's responsible and how often

1 that has to come to myself and/or Dr. Hamilton.

2 I'll give you some examples of what  
3 monitoring has done thus far. As I stated before I  
4 started speaking, we started our Cure as soon as we  
5 start the school year and we're thankful for the  
6 opportunity to present this information and continue  
7 this Cure for this school year as well.

8 The next page is on Page 22 is just an  
9 example of one of the monitoring that has taken place,  
10 chronic absenteeism. Through diligent monitoring and  
11 adjustment, this school year alone we've seen some  
12 great gains in the chronic absenteeism which is  
13 engagement, which is making sure students are there.  
14 Students can't learn, as you know, unless they're  
15 there and students can't learn unless we engage them.

16 Just as of February 1st data, you can see our  
17 elementary school chronic absenteeism was 21.6 percent  
18 and as of today that is six percent. Of course, we  
19 have one more month of school left and we are going to  
20 continue to move that needle. Middle school and high  
21 school even though that's not our topic for the Cure,  
22 we want to point out it's a school-wide system that  
23 we're putting in place to monitor and affect student  
24 engagement.

1 Another example of our monitoring system that  
2 we have in place is how do we track students. There  
3 has been some discussion, in the response, about goals  
4 and goal setting and putting benchmarks in place and  
5 how do we put a goal in place for our students  
6 quarterly or semester wise or per benchmark interim  
7 assessment. We focus on students and we focus on  
8 individual student goals and it's very challenging. I  
9 will say it's easier for me to write a goal for the  
10 entire school and say let's meet that goal but it's a  
11 little bit more challenging to say we need a goal for  
12 every student and how do we get that goal for each  
13 student. We made a decision to focus on the student  
14 and it creates student specific goals and how do we  
15 move that individual student and hold ourselves  
16 accountable for moving that student and hold ourselves  
17 accountable, our teachers accountable for moving that  
18 student.

19 So this is an example of how we track every  
20 student in every grade and what their goals look like.  
21 We look at previous SBAC scores so we know what the  
22 student scored last year. We know how the students  
23 are sitting moving into this year. We look at growth  
24 percentiles and we track that. This is an example of

1 it. We look at the growth percentiles and how  
2 students are moving within that growth percentile  
3 because as you know, different scores mean different  
4 things depending on different assessments. We look at  
5 MAP scores because we do use MAP this year for the  
6 first time. Previous years we used an assessment  
7 called I Ready as well. So we look at that and we  
8 also look at students' grades. Even though that's not  
9 part of our discussion today because it's all based on  
10 test scores and some chronic absenteeism, if you will  
11 and some climate survey, we want to look at how our  
12 students are doing in our classrooms with our  
13 teachers, see if those two tie together to a certain  
14 degree. So we think that's important to look at  
15 students' grades as well.

16 So we keep track of all of that, monitor and  
17 adjust our students based on how they're performing in  
18 these different levels, it's a team effort, it's not  
19 Andre Denson or Dr. Hamilton looking at this report  
20 every other night, it's our teachers coming together  
21 that have access to this information, and teachers  
22 working with them saying, okay, what's happening with  
23 female fifth grade who is not moving the needle, what  
24 are doing with her? Is she in our R T I process?

1 What are we doing with that specific student?

2 That is part of the Cure that is part of  
3 looking at the growth of the student, and we color  
4 code it so things jump out and pop to us immediately.  
5 So in the red and of course and the yellow means that  
6 students are in need of extra support, it pops out to  
7 us, it pops out to everyone.

8 The last example I'm going to give that was  
9 in our Cure to hopefully clarify a little bit more of  
10 what takes place is our additional support that we  
11 provide our students. There was a long discussion  
12 about the FAST team, that's the Family Academic  
13 Support Team mechanism and what they do and what  
14 happened in I think it was Georgia and what took place  
15 there and how that correlates with us.

16 I don't know about any of that. What I do  
17 know in my years of being an educator and being a  
18 principal and a teacher and being a supervisor of  
19 schools and being a supervisor of regions here in  
20 Nevada for over 25 years, I wish we would have  
21 something in place like this at the five star school,  
22 charter school that I was a principal at previously.  
23 I wish we would have had something like this that  
24 reengages our students. The FAST team for us was the

1 principal and maybe a teacher, if they weren't busy  
2 the counselor as well. I wish we would have had  
3 something like this.

4 So as we evaluate to make sure it's effective  
5 and which this is the first full year of its  
6 implementation, I'll be happy to show some data to  
7 show that it is effective at NVVA because I know  
8 nothing about the Georgia school that was referenced  
9 here but let me talk about NVVA.

10 So we have a tiered support for our students  
11 and how we reengage those students and how we want to  
12 make sure they are showing up and participating in our  
13 platform. So the tier support talks about it's a team  
14 effort. The teachers are ultimately responsible for  
15 engagement with our students, that's their  
16 responsibility. They make sure that takes place but  
17 as you know as educators and parents and individuals  
18 that have worked with students before, that sometimes  
19 students don't maintain their engagement for a  
20 multitude of reasons. So we have a team of  
21 professionals that wrap themselves around the  
22 students.

23 The next page gives you some data of the FAST  
24 team this year for NVVA and how successful it is at

1 NVVA and that's due to adjusting and implementing it  
2 fully as part of our Cure because as I stated earlier,  
3 we can't help the students unless they're engaged. We  
4 can't instruct the students unless they're engaged.  
5 So of course, it's a full circle support.

6           So the goal of the FAST team is to ensure the  
7 students are engaged and making progress, and 74  
8 percent of our students who are truants\* in FAST this  
9 year were reengaged and remained at NVVA. It's easier  
10 for us to make sure they're engaged and stay with us  
11 than give up, it's far easier for that young person  
12 because we take this very seriously. We take it very  
13 seriously to help every student that every parent  
14 entrusts us with. So we want to make sure they're  
15 engaged and help that family to ensure that that  
16 student is there.

17           At the elementary school focusing on the Cure  
18 today, what we do is provide a Back On Track plan  
19 where if a student gets disengaged or having  
20 complications with the platform and/or is not  
21 interested in school, recreate a plan for them that's  
22 outside of their academic plan that we probably  
23 already have in place for them. We give them a Back  
24 On Track plan. How do they get Back On Track. How do

1 they reengage with the school. How do they reengage  
2 to make sure they feel comfortable with what's going  
3 on, that Back On Track plan alone this year as of now  
4 for students who had 12 weeks because they could be  
5 Back On Track for four weeks, eight weeks or 12 weeks  
6 how do we get them back, increase their academic  
7 growth by 37.5 percent. That's exciting news versus  
8 some students who may not get reengaged and what the  
9 FAST team is supposed to do.

10 With that, I'd like to close out with talking  
11 about after-school activities. I appreciate the  
12 comments earlier about after-school activities and on  
13 face value that they are essential to the school. And  
14 you're absolutely correct, we recognize that as well.  
15 So part of our Cure is to make sure that through  
16 engagement, of course, and through teacher-led  
17 instruction which is key, that are families feel a  
18 season of community, it's very challenging, as you  
19 know, that being a virtual school all across the  
20 state, how do you build that sense of community so  
21 students feel comfortable about attending NVVA and  
22 parents feel comfortable about attending NVVA.

23 So we have a concerted effort to make sure  
24 that after-school activities were in place to build

1 that sense of community to connect with engagement,  
2 and we've done multiple things for the 80 percent of  
3 the students who live in southern Nevada as pointed  
4 out and the 20 percent of students who live outside of  
5 southern Nevada from virtual book fairs to virtual  
6 clubs if you want the highlight which we did not do  
7 previously, highlight all the clubs. So we want to  
8 points those out. There are a number of students that  
9 are participating in those. We're excited about that  
10 opportunity for those students who may not get out and  
11 may not be able to come to the different physical  
12 activities that we have in place.

13 I want to say thank you so very much for  
14 listening to some of the examples in which we tried to  
15 provide the Cure and address some of the questions or  
16 all of the questions I should say in their reference  
17 memo and at this time, I'll hand it back over to Dr.  
18 Hamilton. Thank you.

19 DR. HAMILTON: Thank you, Dr. Denson.

20 We certainly appreciate your time that you've  
21 allowed us the opportunity to describe the specific  
22 successes and components of our school. We hope that  
23 today it might stimulate your interest to come on out  
24 to Nevada Virtual Academy and come look at our blended

1 program and come look at some of our clubs that happen  
2 and stem\* program as well as our blended\* side so that  
3 you can see students who are working face-to-face with  
4 our highly qualified licensed teachers.

5 The descriptions and the data we share today,  
6 demonstrate that NVVA has corrected the Authority's  
7 noted deficiencies and that it's working for hundreds  
8 of our students. So to that end, we would like to  
9 just take a few minutes to address some of the noted  
10 deficiencies.

11 Specifically NVVA has provided demonstration  
12 of ongoing monitoring processes and resulted  
13 improvements to the implementation of the Cure. We  
14 shared data today from programs like FAST that are  
15 showing how this year's implementation is garnering  
16 the desired results. We demonstrated multiple uses of  
17 interim and benchmark assessments to inform  
18 instruction as part of our overall plan to reach a  
19 school wide three-star rating.

20 We have affirmed on the benchmark markets and  
21 our commitment to maintaining our schools' growth  
22 trajectory and finally, we provided evidence that  
23 student and family support are being effectively  
24 implemented and are yielding some great results in the

1 areas of reduced chronic absenteeism, increased  
2 participation and teacher-led instruction and improved  
3 engagement.

4 At the end of our Power Point and I believe  
5 you have them in front of you, we provided you also  
6 with a lengthy appendix which includes supporting data  
7 and descriptions related to our previous submissions.  
8 What I would like to do now is turn it over to Ben  
9 Gearhart. I'd like to address some of the questions  
10 that you guys had at the beginning of your discussion  
11 related to some of the data.

12 MR. GEARHART: Hi, for the record Ben  
13 Gearhart.

14 Just in case these questions were forgotten  
15 or missed, I just wanted to make sure that we had a  
16 chance to answer some of the questions that were  
17 brought up earlier and forgive me, some of them have a  
18 little bit of data in it. I'm a data wonk so what  
19 makes sense to me, I'll try to make sure that it makes  
20 sense to everybody.

21 So the first part dealt with staffing and  
22 Member Luna you said how do you deal with staffing.  
23 Well, although we are not a Title 1 school this year,  
24 in previous years, we have always been a Title 1

1 school and as a Title 1 school, you had to have 100  
2 percent highly qualified teachers. Even though we are  
3 not a title one school this year and are projected to  
4 be next year, we still maintain the same 100 percent  
5 of our instructional staff must be highly qualified.

6 As far as index scores are concerned, this  
7 came up a number of times. Yes, it's true that there  
8 are 100 point totals in frameworks but the frameworks  
9 themselves are different and during a September -- let  
10 me make sure I'm getting this right, a September 16th  
11 Nevada Association of School Board meetings, there was  
12 a presentation that was sent out by the Nevada  
13 Department of Education which they said it's probably  
14 not best to compare 2014 and 2017 frameworks. I'm  
15 looking at it right here and if you would like it,  
16 it's up on the Nasby\* website. It says here in 2017,  
17 there were higher standards due to the more --  
18 (inaudible) SBAC and in 2014, there were lower  
19 standards due to the less rigorous C R T.

20 That brings us to the next point which is the  
21 scores on those frameworks. Oh, if we do want to take  
22 a look at the actual scores and the decline, yes, it's  
23 right there, it's always been public that there's been  
24 a decline in scores. To say that the school has

1 continued to decline is factually incorrect.

2 For example, during the 2014 framework, the  
3 elementary's average daily attends was 94.5 percent.  
4 Last year it was 97.8 percent, an increase of around  
5 3 percent but once again, average daily attendance is  
6 not taken anymore, it's now chronic absenteeism which  
7 is completely different from average daily attendance.

8 Under the 2014 framework, the meeting growth  
9 percentile for elementary math was 29. Last year, it  
10 was 41.5 on a higher harder tests and in the 2014  
11 framework on ELA, the growth opinion percentile was 32  
12 on the C R T. In 2017, it was 37, an increase of  
13 five. So if we are going to take a look at the 2014  
14 to 2017 and I have them open, you can find the 2014  
15 NSPF on NSPF.doe.nv.gov and the 2017 framework is on  
16 nevadareportcard.com.

17 So they are different. I don't like to  
18 compare the two but since we are doing that, I wanted  
19 to at least point out a couple of the factors that  
20 stayed the same. I don't like to look at the  
21 proficiencies because the proficiencies are too  
22 different. I do believe the growth is different as  
23 well but since we're going to compare and it shows in  
24 our favor, I wanted to at least point that out.

1 I believe that was it for the initial  
2 questions.

3 DR. HAMILTON: So I know that we have to move  
4 to another room maybe. So as soon as it pleases the  
5 Board, we are ready to answer any questions and have  
6 any additional discussion about the elementary  
7 program. Thank you.

8 THE CHAIR: Let's take as many questions as  
9 we can until we are kicked out by a security guard.  
10 I'm told that somebody will come in and wave at us or  
11 something. So I want to just maximize as much stuff  
12 as we can.

13 So let's start there, are there any members  
14 with any questions? Member Molton, please.

15 MEMBER MOLTON: Thank you. Member Molton and  
16 I appreciate your response. I've known Dr. Denson for  
17 years but I do have some questions so I'll just go  
18 right through them.

19 Could you have said "no answer" on the  
20 template when there were things like facilities or  
21 lunch programs that was presented to you and whoever  
22 wants to could answer that?

23 MS. HENDRICKS: For the record, Cara  
24 Hendricks again, I'm counsel for the board.

1           I guess that would be a possibility. I know  
2 the discussions that I had with Mr. Herrick when we  
3 saw the plan and a number of -- the template which  
4 again is not specifically targeted for a Cure is that  
5 there were so many different areas, it would have been  
6 more confusing and I don't think the school would have  
7 been able to present something in what we believe was  
8 a coordinated and thought-out process and directly  
9 answered the question that was posed to the board and  
10 to the school by Chairman Guinasso in the letter and  
11 that's specifically, "What are you going to do to  
12 improve the school?"

13           Yes, there were a lot of other areas in  
14 there, but we wanted to focus on what are we doing  
15 now. How are we improving and what changes are we  
16 making.

17           MEMBER MOLTON: Thank you. Do you want me to  
18 ask my several questions now?

19           I saw an increase in the free and reduced  
20 lunch, what can you attribute that to?

21           MR. GEARHART: Ben Gearhart for the record.

22           So the increase is actually due to new  
23 paperwork. Free introduced lunch has always been  
24 around 50 percent but last year the reason why we fell

1 below the Title 1 threshold was due to during an  
2 audit, the auditors came back and said that we needed  
3 to have more detailed paperwork and they -- I don't  
4 like stepping on our operations toes for the specifics  
5 but essentially, once you get this new paperwork in,  
6 then we'll count all those students. We did that and  
7 now we've been audited. We'll be audited for a fourth  
8 time this year and it's consistent around that  
9 45th percentile mark.

10 MEMBER MOLTON: Thank you and Member Molton  
11 for the record.

12 Do you meet with your teachers online, is  
13 all the professional development and the in servicing  
14 done online or do you physically meet with them at any  
15 time?

16 MR. DENSON: Andre Denson KA principal for  
17 the record.

18 Yes, we do a hybrid type of professional  
19 development. We do face-to-face professional  
20 development where staff members are required to come  
21 in and required to participate and those that don't  
22 live in southern Nevada, they fly in and participate.  
23 We do virtual professional development as well with  
24 different organizations that provide that support to

1 our teachers.

2 MEMBER MOLTON: Thank you.

3 And then you said you started this program  
4 and Dr. Denson, did you start in this school year, is  
5 that the beginning of your just quick question "Yes"  
6 or "No"?

7 MR. DENSON: Yes, ma'am. I started at the  
8 beginning of this school year.

9 MEMBER MOLTON: So did you do any interim  
10 testing at semester or trimester to see that there was  
11 some success taking place with the programs that you  
12 had implemented at the beginning of the year?

13 MR. DENSON: Most definitely. We've done  
14 interim and benchmark testing to evaluate where our  
15 students are, to evaluate where our programs are and  
16 see how we need to adjust our programs as well.

17 MEMBER MOLTON: Is that found anywhere in  
18 your presentation?

19 MR. DENSON: The data?

20 MEMBER MOLTON: The data?

21 MR. DENSON: Or the program. I'm not sure.  
22 I'm trying to think of the three responses that we've  
23 given, and I don't think it is but I will double  
24 check.

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(A recess was taken.)

THE CHAIR: Well, we're back on the record, it is 2:35. We took a recess at 11:30 because the facility, the room that we had reserved, we were bumped from by a legislative committee. I'm told that we have to be out of this room at 4:00 o'clock sharp, and the major concern I have is that we won't be able to get all of our work done by 4:00 o'clock because I know Board members have questions based on what was presented and I know the school has worked very hard to prepare and probably has a lot of good answers for our questions. I'm sure that the Authority has a lot of things to say in rebuttal to what's presented.

So my disposition is to make sure that we provide as much process as we can and make sure everybody has a full opportunity to be heard.

So in that regard, I'd like to move to continue the or to continue Agenda Item No. 5 and No. 6 to our regularly scheduled May 14th meeting and if I could just get a second for that.

MALE SPEAKER: Member Corbett, second.

THE CHAIR: Okay. Any discussion on that issue? Is everybody going to be able to be here for that either by phone or in person? Okay.

1 All right. So we'll reconvene on May 14th  
2 and here's my expectation -- Oh, wait I should  
3 probably take a vote, I'm sorry. All those in  
4 favor --

5 MEMBER MOLTON: Mr. Chair, just for the  
6 record, I'd like to note that I will be on the east  
7 coast on the 14th and I'll do everything I can to take  
8 it by phone but no promises. Just in case you need a  
9 quorum I might not be here.

10 THE CHAIR: Thank you for letting us know, I  
11 appreciate that.

12 So let the record reflect Member Molton may  
13 not be present for that meeting. In any event, we  
14 will need to accommodate her by phone so let's look  
15 into that wherever we choose to be.

16 Here's kind of my expectation, the one good  
17 thing that's come out of what we've done today is  
18 we've gotten -- as a board, we've had the opportunity  
19 to hear the Authority's recommendation. In response,  
20 we've had an opportunity to hear from Nevada Virtual.  
21 We've got a couple of weeks until we get together  
22 again. That will allow -- I know we got this Power  
23 Point the first thing this morning. We got a letter  
24 late last night.

1           So there's an opportunity for I think  
2 Authority staff to digest what was presented and to  
3 prepare something in response to that but I hope that  
4 Authority staff and the school will take advantage of  
5 the additional time to have dialogue and to talk about  
6 where the plan is at and really where it needs to be  
7 given Authority staff's disposition and perhaps that  
8 dialogue will result in something positive. You know,  
9 when you're given extra time, I just think you should  
10 probably take advantage of it.

11           This really isn't supposed to be, at least at  
12 this juncture, an adversarial process, at least as far  
13 as I understand it. And although, as Mr. Motorson  
14 pointed out this morning, the staff is not in a  
15 position to collaborate I think that staff is in a  
16 position to communicate clear expectations and I think  
17 if I understood what the template issue was about, it  
18 was about trying to communicate some sort of  
19 expectation. Taking into account that it wasn't a  
20 mandatory template and it wasn't something that we  
21 saying you either do this or fulfill all the questions  
22 in this template or else, it's not going to -- or else  
23 your plan is not going to be accepted.

24           If I were in your position, and I can't speak

1 for you but if you were in your position, I would have  
2 taken the template and picked the questions that  
3 applied to our school and tried to address those the  
4 best I could. So with that in mind, if I were also in  
5 your position, I would rather be in control of my  
6 destiny than to have seven people I don't really know  
7 very well been the final word on it.

8           So insomuch as you can work on something  
9 between now and the 14th, please do so and we'll look  
10 forward to seeing you all back here on the 14th as we  
11 finish this hearing. When we come back, we'll resume  
12 Agenda Item No. 5. We'll start with Board member  
13 questions relative to the presentation that was  
14 presented and then after Board member questions, we  
15 will hear from the Authority with regard to its  
16 position on what was presented today. Then we will  
17 deliberate. Then we'll take a vote and then depending  
18 on how that vote turns out, we may or may not get to  
19 Agenda Item No. 6. That's the way I plan on  
20 proceeding unless I hear from staff and from the  
21 school otherwise.

22           All right. So that will close Agenda Item  
23 No. 5 and 6.

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(The proceedings were concluded.)

1 STATE OF NEVADA )  
2 ) SS.  
3 COUNTY OF WASHOE )  
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6 I, GAIL R. WILLSEY, do hereby certify:

7 That I was provided a CD and that said CD  
8 was transcribed by me, a Certified Shorthand Reporter,  
9 in the matter entitled herein;

10 That said transcript which appears  
11 hereinbefore was taken in stenotype notes by me from  
12 the CD and thereafter transcribed into typewriting as  
13 herein appears to the best of my knowledge, skill and  
14 ability and is a true record thereof.

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20 GAIL R. WILLSEY CSR #359  
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