

**NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**July 26, 2019**

Nevada Department of Education  
700 East 5<sup>th</sup> Street  
Board Room  
Carson City, Nevada

Nevada Department of Education  
2080 East Flamingo  
1<sup>st</sup> Floor Board Room  
Las Vegas, Nevada

**MINUTES OF THE MEETING**

**BOARD MEMBERS PRESENT:**

**In Las Vegas:**

Randy Kirner  
Sheila Moulton (Telephonically)  
Nora Luna  
Sami Randolph

**In Carson City:**

Melissa Mackedon

**BOARD MEMBERS ABSENT:**

Jeff Hinton  
Stavan Corbett

**AUTHORITY STAFF PRESENT:**

**In Las Vegas:**

Rebecca Feiden, Executive Director  
Mark Modrcin, Director of Authorizing  
Michael Dang, Management Analyst IV

**In Carson City:**

Danny Peltier, Management Analyst I  
Ryan Herrick, General Counsel  
Selcuk Ozdemir, Education Programs Supervisor  
Susan Hanshew, Legal Assistant

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

(See attached sign-in sheet.)

**In Carson City:**

(See attached sign-in sheet.)

**CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE; APPROVAL OF AGENDA**

**Agenda Item 1 – Call to Order, Roll Call, and Pledge of Allegiance**

Vice Chair Melissa Mackedon called the meeting to order at 9:20 a.m. with attendance as reflected above.

Vice Chair Mackedon commented that Chairman Guinasso was not at this meeting. She went on to say that he dedicated a tremendous amount of time to this Board. They are grateful for his service and she learned a lot from him. Vice Chair Mackedon welcomed new Board Member Sami Randolph. This is her first meeting in Las Vegas. The Board looks forward to working with her over the next couple of years.

**Agenda Item 2 - Public Comment**

Victor Salcido – Mr. Salcido represents the Charter School Association of Nevada and has worked closely with the Authority on several issues throughout the years. He has had the pleasure and honor of getting to know Chairman Guinasso. Mr. Salcido expressed his gratitude and appreciation for Chairman Guinasso's dedication to the Board and improving the public charter school sector. He set them on the right path for the future. Mr. Guinasso was a leader and role model. He thanked Chairman Guinasso for his dedication, leadership and public service. He also welcomed Sami Randolph to the Board. She is an excellent addition and Mr. Salcido is looking forward to working with her in the future.

**Agenda Item 3 – Approval of the June 28, 2019 Action Minutes**

*Member Kirner moved to approve the minutes of the June 28, 2019 Authority Board meeting. Member Luna seconded the motion. The motion carried unanimously.*

**Agenda Item 6 – Charter Contract Amendment Applications**

**a. Imagine School at Mountain View Amendment Request (Transportation)**

Mike Dang, Manager of Financial and Organizational Performance of the Nevada State Public Charter School Authority (SPCSA). Mr. Dang said Imagine's request was an Amendment to terminate bus transportation services. Imagine School at Mountain View (Imagine) is seeking approval of a good cause exemption to submit its Request for Amendment (RFA). The RFA will terminate Imagine's bus transportation services beginning school year 2019 - 2020. It was submitted late due to a leadership change at the school as the Principal left due to a promotional opportunity. The urgency to hear this now is due to school beginning next month and this affects the school's terminating its bus transportation services. Staff recommends the Board approve the school's request. Mr. Dang's Briefing Memorandum and Imagine's Executive Summary and Exhibits provide the background and statistics regarding this issue and are part of the supporting materials for this agenda item.

Member Kirner asked Mr. Dang how many students would not return to the school and how many would remain with the termination of the transportation services.

Mr. Dang responded that 13 students indicated they would not return to the school. Busing serves 53 students; 13 would be affected and 40 would remain in the school. The school serves 680 students.

Nichole Shaffer – Principal at Imagine. Ms. Shaffer stated that out of the 53 students that were using the transportation services, 27 students would be returning and 8 have aged out. Seventeen have chosen other options. Thirteen of the 17 are not returning because of no bus transportation, and one is undecided. Most of the 17 students have been placed in other charter schools or district schools in the area.

*Member Kirner moved to accept the amendment approval recommendation as proposed by the staff. Member Moulton seconded the motion. The motion carried unanimously.*

#### **b. Oasis Academy (Expansion)**

Vice Chair Mackedon postponed this agenda item since she would have to recuse herself which would mean there would not be a quorum. This agenda item will be heard when a full board is seated or there is a quorum.

#### **c. Nevada State High School (Expansion)**

Mark Modrcin, Director of Authorizing for the SPCSA. This is an Amendment from Nevada State High School (NSHS) to make three changes to its flagship charter contract.

The first is to expand into one new location in Henderson beginning in the 2020 – 2021 school year. This campus would be in the 89015, 89120, 89121 or 89122 zip codes and would add only a small number of seats as outlined on page 4 of the Briefing Memorandum. Second, relocate the NSHS-Henderson campus to one of three zip codes which are 89074, 89014 or 89012. Third, open one new administrative office for NSHS personnel.

The reasons for these three changes and background and demographic statistical information are in Mr. Modrcin's memorandum for this agenda item.

It is SPCSA's staff recommendation that the Authority approve the request of NSHS, with conditions: 1) to expand to one additional campus in Henderson; 2) relocate the current Henderson campus, and 3) open one new administrative office for NSHS personnel as outlined at the end of the memorandum.

*Member Kirner moved to accept the staff recommendation request and amendment to the charter. Member Moulton seconded the motion. The motion carried unanimously.*

#### **Agenda Item 10 – Nevada Connections Academy Quarterly Update**

Dr. Chris McBride, the Superintendent of the Nevada Connections Academy (NCA) gave the Fourth Quarter Report for NCA. His presentation is included for this agenda item. The presentation began with high school statistics. Over the past couple of years, there has been a significant increase in graduation rates, but progress still needs to be made. Page 2 of the presentation sets forth historical data for pass/graduation rates.

Dr. McBride reached out to one of the math teachers Casey Green and asked what she thought the major contributing factors were to the increase in her department. Dr. McBride requested that Ms. Green's statement be included in the minutes verbatim. Ms. Green stated:

The greatest contributing factor to our increase in math pass rates is the continuation of individualized instruction for students while implementing best practices and we allow for the relearning and retaking of assessments.

Dr. McBride continued with the elementary school statistics as set forth on page 3.

The school is waiting for the results of the SBAC testing. They are going to extreme lengths to ensure they are doing everything they can for every student at the school.

Page 4 shows K-12 attendance has improved. Student and learning coach contact percentages are set forth on page 5. Conditions on the improvement plan have not been satisfied in terms of learning coaches attending professional development. However, the contact rates have gone up significantly from last year. Graduation rates for 2019 are on page 6.

The Board viewed a clip from the 2019 Valedictorian Devon Kisfalvi's speech. Devon will be attending the Embry-Riddle Aeronautical University in the fall and accepted an \$18,000 per year scholarship to study electrical engineering.

Dr. McBride concluded that Connections Academy affords students an excellent option in the state.

Director Modrcin made a couple of comments relating to Dr. McBride's presentation and testimony. The SPCSA has been monitoring the school's progress against the conditions of the performance plan, especially since this is a 1-Star elementary school. There were serious concerns in the past about the implementation; however, the last report showed improvement. The school completed the last of its professional development days in late May. Staff still has concerns about K-5 learning coach training and work is being done with the school to improve these. Director Modrcin extended his appreciation to Dr. McBride and his staff for providing detailed information and answering questions along the way. The SPCSA attended two coach training sessions in the fourth quarter that did not include agendas and had a lack of participation. Additionally, there were very few participants from Nevada, and only one was from a Nevada elementary school. The school had set a goal of 34% participation and it was approximately 5% this year.

In summary, four of the five conditions were minimally satisfied. The proof will be in the data that is due in a couple of months. The SPCSA will judge the school on that data. Their charter is up for renewal in the 2019 - 2020 school year. If it were today, staff would not be recommending renewal based on the school's historical academic performance and execution of this plan.

Member Kirner asked about the five metrics as far as the renewal is concerned and if the school hit them, would a decision be made more based on the metrics or the state rating?

Director Modrcin said that the Authority will look at the implementation of the metrics, but the true foundation will be based on the state ratings and performance. The Authority wants to take all available evidence into account but if they are weighing one over the other, the school will be rated on performance.

## **Agenda Item 8 – Schools Under Receivership**

### **b. Argent Preparatory Academy Update**

Director Modrcin presented an update on the Argent Preparatory Academy. A memorandum in report form is included for this agenda item. There has been public comment in recent meetings about the outstanding payments due to teachers. That has exclusively been caused by the fact that the school has only one remaining asset to be liquidated which is the sale of the third parcel. A proposal was received from Carson Montessori for \$2.25 million and Argent accepted that offer. The process of selling the property is in motion. Additionally, Mr. Kern, the Receiver for Argent, contacted the former employees about being paid in full as outlined in the memorandum. The understanding, as confirmed by Mr. Kern, is that once the sale is finalized those assets will cover the severance obligations as well as payment due the Receiver. The remaining funds will be to the State of Nevada. It is expected that Mr. Kern will appear before the Board to deliver a final report and answer any questions.

Member Moulton asked how strong the sale of the parcel is and does the final severance include paying Mr. Kern since the memo states he has not been paid since April 2018.

Director Modrcin replied that there is no reason to believe the sale will not go through. The total sale will cover the severance due to the employees and any fees due to Mr. Kern with a significant amount left over to go to the State.

Member Moulton noted that the severance is \$90,000. She did not think that Mr. Kern's payment is included in the sale amount.

Director Modrcin believes the \$90,000 just covers the severance to former employees but the amount due to the Receiver will be added at the completion of the sale.

Member Kirner asked if the proceeds that are left over will go to the state and will the Authority receive any of those funds?

Executive Director Feiden said that the funds will return to the state; however, it is unclear whether the Authority will be a recipient of any of the remaining funds.

Member Kirner wanted to know if once the salaries are settled will the Public Employees Retirement System (PERS) obligations be taken care of at the same time?

Executive Director Feiden responded that there are several outstanding fees owed (compilation of minor costs and debt left by the school) and all of those should be covered easily by the funds recouped by the sale.

## **Agenda Item 5 – Academic and Demographic Needs Assessment Update**

Executive Director Feiden was excited to provide the first iteration of the Academic and Demographic Needs Assessment in compliance with Assembly Bill (AB) 462 which is due by July 30<sup>th</sup> and is looking forward to meeting that deadline. Director Feiden indicated she would be going over her presentation and two other attachments which are part of the agenda items. She stated the Needs Assessment needs to be updated annually. It is the Authority's intention to make changes as early as this fall as new data is received

from the Nevada Department of Education (NDE) for the 2018 - 2019 school year as well as new student counts that come out in October.

The purpose of the presentation is to review the SPCSA's 2019 Academic and Demographic Needs Assessment and explain the key findings of the assessment. Assembly Bill 462 has four key requirements that impact the work of the SPCSA. The Needs Assessment and Growth Management Plan are a pathway and framework towards strategic growth. The Needs Assessment was discussed first and the Growth Management Plan, which will respond to the Needs Assessment, was discussed later in the meeting.

Page 6 shows new items added into the timeline and the updated process pursuant to AB 462. The SPCSA is going to be transparent with applicants about the needs that the SPCSA identifies so they can demonstrate how they will meet those needs.

The graphic on page 7 shows how the SPCSA will factor alignment with needs found in the assessment into its charter authorization process. The SPCSA has defined a set of needs that are set forth on page 8 of the presentation. Page 9 is a summary of the identified needs which include the demographics, geographies with 1- and 2-Star schools and students at risk of dropping out of school.

Executive Director Feiden discussed the summary of findings regarding the demographic need contained on pages 10 and 11. Page 12 is a map that summarizes the findings regarding the statewide academic need for each local school district in Nevada that are 1- and 2-Star schools. Appendix A is a detailed district by district summary with zip codes, enrollment and additional useful information. Pages 13 and 14 of the presentation set forth dropout rate data.

Executive Director Feiden expressed her appreciation for the development of the work listed on page 15 of the presentation. The SPCSA looks forward to further engagement with school districts and their boards of trustees and has initiated outreach to other municipalities across the state. The Authority anticipates including their input in future iterations of the Needs Assessment. Timelines to finalize the Needs Assessment and development of the Growth Management Plan as well as updating the Needs Assessment with 10/1 demographics are set forth on page 16.

Executive Director Feiden referenced Item IV of the Table of Contents of the Academic and Demographic Needs Assessment which are the findings of the assessment and include significant detail that shows the implications of how these processes will impact staff and the Board.

Executive Director Feiden also referred to the two separate attachments to this agenda item which are the 2019 Academic and Demographic Needs Assessment and Appendix A – District Summaries for each school district which contain comprehensive data. Each district contains a map and then a statistical summary and demographics of 1- and 2-Star schools. The Executive Director thanked staff for their hard work putting together these maps, summaries and statistical data.

Vice Chair Mackedon and Member Kirner expressed their appreciation to Executive Director Feiden and staff for the detailed, outstanding and thorough job that was done in the presentation of the Needs Assessment and how impressed they were with Appendix A and the helpful information contained therein.

Member Kirner asked if the Needs Assessment will be posted on the Authority's website.

Executive Director Feiden responded that the assessment will be posted on the website and will include current applications that were due and received on July 15<sup>th</sup>. The next iteration this fall will also be posted along with the applications.

Vice Chair Mackedon asked if the Authority will have the opportunity to present the assessment to the Interim Committees on Education so they can see that the Authority is following through?

Executive Director Feiden responded that the SPCSA is required by statute to provide the Growth Management Plan to the Legislative Counsel Bureau for presentation at the first legislative committee meeting in 2020. The Needs Assessment will be incorporated into it; however, there is not a specific requirement to submit it. The SPCSA will be doing some public outreach regarding the Needs Assessment as well as updates being made in the fall.

Member Moulton thanked Executive Director Feiden for her excellent work and her willingness to work with local school districts. She foresees charter schools sharing new and innovative things with school districts. Member Moulton asked if the current applications, which she believes are nine, will be held to the standard of the assessment.

Executive Director Feiden affirmed Member Moulton's statement. She also said that open meetings were held back in May and the SPCSA anticipates sending the assessment to applicants and will ask if they have any questions. The applicants will be held to the assessment standard and will be given every opportunity to comply.

Member Moulton asked if there are 165,000 students who attend 1- and 2-Star schools.

Executive Director Feiden indicated her best guess, after checking numerous times, that number is accurate at this time. She requested that if anyone has information that number is incorrect, they should contact the Authority.

Member Moulton mentioned that it is upsetting that these students are not receiving the quality education they deserve and hopefully it can be turned around. She found the map impressive and interesting and appreciates staff's time to get this done on a strong timeline.

Member Randolph asked how much time the current applicants will have to adjust or modify their applications once the Needs Assessment is finalized.

Executive Director Feiden anticipates if the Needs Assessment is approved at this meeting, a request will be sent to those schools for any additional information early next week. The Authority is in the process of completeness checks for those applicants which were received about ten days ago. They will be given a couple of weeks to respond and ask questions. The Board will not act until November or December which will allow a couple of months for the review process. A capacity interview will also be provided so the applicants can ask and answer questions.

Vice Chair Mackedon requested that a motion be made as to Agenda Item 5.

*Member Luna made a motion to approve the 2019 Academic and Demographic Needs Assessment. Member Kirner seconded the motion. The motion carried unanimously.*

## **Agenda Item 8 – Schools Under Receivership**

### **a. Discovery Charter School Quarterly Update**

Director Modrcin explained that the Authority has received quarterly updates from the Discovery Charter School from its Receiver, Mr. John Haynal. In May, there were discussions as to the current state of the receivership and the wind-down process and timeline. Staff was directed to work with the school to determine if reconstitution of their Governing Board and termination of the receivership could be accomplished prior to the upcoming school year. The SPCSA was ready to make a recommendation to do both of these things.

The Briefing Memorandum contains the names of the five individuals that were recommended to staff by Mr. Haynal to be members of the newly appointed board and can be found among the supporting materials for this agenda item. They are Carrie Buck, Jeremiah Carroll, Sterling Peterson, Nick Petsas and Heather Stinnett. In addition, each candidate has been vetted by SPCSA staff and each individual has been interviewed. Board applicant resumes and board packets can be found as attachments to this agenda item. It is recommended that the Authority approve the appointment of these individuals pursuant to the requirements of NRS 388A.320.

Discovery Charter School has demonstrated strong academic performance under the Receiver, earning 3- and 4-Star ratings for its elementary school campuses and 4- and 5-Star ratings at its middle school campuses for the 2017 – 2018 school year. Both SPCSA staff and the Receiver believe that the Nevada School Performance Framework (NSPF) ratings for the 2018 – 2019 school year will also be favorable.

In the last two months, the Receiver has identified a new lead site administrator, Ms. Tricia Wilbourne. The school also expects to fill its lone staff vacancy before the end of the month so that the school will be fully staffed at both campuses heading into the 2019 – 2020 school year.

The Briefing Memorandum also sets forth more detailed information regarding the Discovery Charter School recommendation which is to reconstitute the Discovery Charter School Governing Board, with conditions, and terminate the receivership. Additionally, if the Board is reconstituted, SPCSA staff recommends that the following conditions be included to help ensure a smooth transition and the new Discovery Charter School Governing Board maintain quarterly updates to the Authority through at least the end of the 2019 calendar year; and the new Discovery Board and SPCSA staff schedule regular check-ins through the end of the 2019 calendar year.

Vice Chair Mackedon welcomed Discovery members to introduce themselves and their capacity at the school.

John Haynal has spent the last two years as the Receiver operating as governor for the Discovery Charter School; Tricia Wilbourne is the Senior Site Lead Administrator; Africa Sanchez is General Counsel for the Receiver; Nicholas Petsas is an attorney at the Legal Aid Center of Southern Nevada and represents foster children and William Sterling Peterson is a High School Counselor.

Mr. Haynal explained that during sessions he has worked with staff and counsel through the Authority and there are four areas that were identified that need to be addressed and improved: 1) School leadership; 2) maintaining a full staff during the transition period; 3) maintaining enrollment; and 4) the PERS pay back process which they inherited and are willing and able to take on.

There has been a reduction in workforce so that payment can be made for the PERS process. The Senior Site Leader's primary focus will be to represent and be the face of the Discovery Charter School. Mr. Haynal talked about other new staff members and said that the school has put together a strong leadership team in an efficient manner.

Mr. Haynal stated he finally received the letter of approval from the Trustees of PERS regarding the first pay back process. He discussed the payment amounts and said that it was mishandled with the payroll company and they are working on recovering those funds. The number is now \$124,000. Mr. Haynal made a recommendation to the new Board to negotiate a new payment plan for 12 months to pay PERS in full. Mr. Haynal also mentioned that this is an interim leadership team for one year.

Ms. Wilbourne reported that the school is fully staffed. She said that the new staff members are dynamic and innovative. Enrollment is 420 dedicated students which were confirmed through several surveys. The school is in great shape to start the new school new year beginning in August.

Member Luna asked what the leaders concerns were for not returning to the school.

Mr. Haynal answered that all four were offered contracts and they decided to move in a different direction.

Vice Chair Mackedon requested a motion be made to reconstitute the new Discovery Governing Board.

Executive Director Feiden asked if the motion should be to terminate the receivership and reconstitute the Board.

*Member Luna made a motion to terminate the receivership at this time. Member Moulton seconded the motion. The motion carried unanimously.*

Member Randolph asked if prior to terminating the receivership how will the Board receive ongoing information as to when the PERS issue is resolved.

Director Modrcin replied that quarterly updates will be provided from the Receiver and staff will note progress beyond the point of the end of the calendar year so this body will be aware as to when those obligations have been satisfied.

Member Randolph asked how long it will take to wrap up the process.

Director Modrcin will provide updates beyond that point and this body can adjust staff's recommendations if they wish to do so. The PERS obligations should be fulfilled and the SPCSA feels they can be tracked with the updates through the 2019 calendar year; however, if the Authority wants them to continue until the obligation is fulfilled, a motion can be taken on that issue as well.

Ms. Sanchez said that even though the receivership will terminate, there will be things that need to be done in court by the Receiver including a final report and accounting. Reports will be submitted to the Authority as this matter is finalized.

Vice Chair Mackedon asked Ryan Herrick if the motion needs to be amended or is the motion okay as it was stated. She agreed with Member Randolph that she would like to hear about the PERS updates until the obligation is met through staff reports.

Mr. Herrick responded that Ms. Sanchez's statements were correct about filing paperwork with the court to terminate the court receivership. The SPCSA staff will be providing the new Governing Board with training and other forms of communication. Staff will be very involved with this school over the next 12 months. There are more issues than just the PERS issue; there is the staffing and the SBAC data in the fall which the SPCSA is going to pay close attention to in order to give the new Board the best opportunity to move forward.

Executive Director Feiden that staff is happy to follow this Board's direction.

*Member Kirner made a motion to terminate the contract to the Receiver and construct another motion as to ongoing requirements. Member Moulton seconded the motion. The motion carried unanimously.*

Vice Chair Mackedon requested a motion to reconstitute Discovery's Governing Board.

*Member Kirner moved to reconstitute the Governing Board with the conditions that the new Board maintain quarterly reports through the end of the school year 2020. The new Board and SPCSA staff will schedule regular check-ins through the end of the 2020 school year. Member Moulton seconded the motion. The motion carried unanimously.*

Vice Chair Mackedon requested a convenience break at 10:46 a.m. The meeting reconvened at 10:52 a.m.

## **Agenda Item 7 – Achievement School District Transition**

### **a. Introduction of Schools**

Executive Director Feiden briefly discussed the former Achievement School District (ASD) schools that are transitioning over to the SPCSA. Senate Bill (SB) 321 and Assembly Bill 78 wound up the ASD and moved those schools to the SPCSA. There are currently four ASD schools that are open, and this was an opportunity to hear from and learn a little about each of those schools.

Executive Director Feiden gave a brief update on the three-phase transition process. The SPCSA has met with the schools, initiated getting them on our systems and the SPCSA has incorporated into ASD systems. The goal is to get them fully on board before the school year starts. The schools will be introduced today. Executive Director Feiden made a few introductory comments and then invited representatives from those schools to share some information about their school.

Executive Director Feiden explained that the presentation is like a baseball card for each of the schools and includes quick facts. The presentation sets forth the number of students, grade levels, location, year opened, Free and Reduced-Price Lunch (FRL), Individualized Education Program (IEP) and English Learners (EL) rates as well as star ratings, if applicable. The SPCSA presentation can be found among the supporting materials for this agenda item.

### **Democracy Prep at the Agassi Campus**

Executive Director Feiden went over page 2 of her presentation with the statistical data for Democracy Prep at the Agassi Campus.

Joseph Morgan is the recently elected Board Chair of Democracy Prep at the Agassi Campus (DPAC) and Associate Professor of Special Education at the University of Nevada, Las Vegas. Mr. Morgan provided

background about DPAC. It is a national charter organization school that started in Harlem as a single sixth grade classroom and is now serving over 6,000 students in five states. Mr. Morgan went on to explain DPAC's vision, focus, goals and mission. Democracy Prep in Las Vegas took over the Andre Agassi College Preparatory Academy in 2017. Their motto is to work hard, go to college and change the world.

Member Moulton asked why the high school is not rated.

Executive Director Feiden explained that the high school star rating requires a prior year graduation rating. Since this was the first high school graduation, they could not be rated. If requested, ACT results or other documentation can be provided.

Mr. Morgan attended DPAC's graduation and 100% of the seniors that graduated were accepted to their college of choice and are entering higher education next fall.

### **Futuro Academy**

Executive Director Feiden went over page 3 of her presentation with the statistical data for Futuro Academy.

Ignacio Prada is the Executive Director and Lead Founder of Futuro Academy. Mr. Prada provided biographical details about the charter school. The school focuses on quality teachers. They also focus on the types of students attending the school and their primary needs. Exceptional school culture is also an important factor. They teach useful habits and values. Their core values are curiosity, optimism, responsibility and excellence. They are a very high growth school. The school is working on the English Language Learner (ELL) students since four out of ten students are ELL. They offered summer school to the ELL students. They want their students to be prepared to go to school anywhere.

Vice Chair Mackedon asked how many applicants the school receives for the incoming kindergarten class each year.

Mr. Prada responded that the number varies by year. The incoming class is about 75 and there is a waitlist of around 50 or so. They keep a year-round list and it keeps growing throughout the year.

### **Nevada Prep Charter School**

Executive Director Feiden went over page 4 of her presentation with the statistical data for Nevada Prep Charter School. Nevada Prep just completed their first year.

David Blodgett is the Executive Director of the Nevada Prep Charter School. Mr. Blodgett stated that the school is a team of educators who are committed to knowing if students are ready for high school. The school had a strong first year. The school community is diverse as to student population. They have a growing enrollment from 130 to approximately 225 students. The entire staff attended today's meeting. He enjoyed working with the ASD and has found the transition to the SPCSA very smooth and he looks forward to working with staff in the future.

Anthony Mooney is one of the founding teachers at Nevada Prep. This year he will be the Dean of Culture and Learning at the school. Mr. Mooney stated that teachers should have a choice as to where they teach so that they can advance their careers to provide opportunities to students.

Samantha Loya is a seventh grader at Nevada Prep and this is her second year at the school. Member Luna asked Samantha the best thing at Nevada Prep and Samantha replied that she considers the teachers the best since they care and put time into the students by tutoring and helping them.

### **Nevada Rise Academy**

Executive Director Feiden went over page 5 of her presentation with the statistical data for Nevada Rise Academy. Nevada Rise just completed their first year. They will eventually be a full-scale elementary school. They are awaiting their first star rating. They will have to wait until they serve third and fourth graders to get a rating.

Justin Brecht is the Executive Director and Lead Founder of Nevada Rise Academy. Nevada Rise is a slow growth model with kindergarten and first grade. They are looking forward to their first group of second graders. They want to provide quality options for students that have not historically had those opportunities at their disposal. The tag line of the school is that college starts in kindergarten. Classrooms are named after the colleges where their teachers attended.

Member Kirner asked how the transition has been from the ASD to the Authority. Has it worked well? Have there been some stumbling blocks?

Mr. Brecht replied that the initial fear was what impact the students and teachers would feel due to the transition. He feels they have felt zero impact and it has been a smooth transition. Their Board has had minimal impact and the stakeholders have not been affected.

Member Moulton recommended that these schools have a relationship with each other and share their wisdom, experiences, data and proximity since the schools are similar. Mr. Brecht replied that the schools do interact and have ongoing relationships and communication.

Mr. Brecht replied that the schools do work closely together and defer to each other.

Vice Chair Mackedon had a question about the Nevada Department of Education's (NDE) monthly accountability webinars where they talk about Nevada law requiring them to rate every school. The NDE has some one-offs like Nevada Rise and Futuro Academy that were not rated because they do not have third and fourth graders. The NDE is working out the details to rate these schools. Vice Chair Mackedon asked if there was a timeline and how it is going to work?

Executive Director Feiden explained that there have been substantial conversations as to how to rate schools that do not have third and fourth graders. It is hard to have a combined measure of a school's performance without those grades for multiple years. There has not been a measure as to how to rate these schools. Information can be included at the next NSPF presentation in August as well as the next Board meeting as to this question.

Dr. Selcuk Ozdemir – Education Programs Supervisor for the SPCSA. There have been conversations about using the feeder school approach. The NDE used the feeder results for K-2 schools with the same

star rating. They have not decided as to how they are going to rate these one-off schools. He is hoping there will be another meeting about this rating question, and he plans to follow up at the next NSPF presentation.

Vice Chair Mackedon said that using the feeder approach may work for some schools but may not be fair for other schools such as charter schools.

## **Agenda Item 7 – Achievement School District Transition**

### **b. Explore Academy Contract**

Executive Director Feiden stated that the SPCSA recently had the opportunity to meet with the four ASD schools that are currently open. There are two schools that were approved and are not yet open. These schools are all a part of the transition process of AB 78 and SB 321. The two schools are Explore Academy and Urban Prep. Explore Academy is ready to move forward with their contract today.

Executive Director Feiden explained that Explore Academy was approved by the ASD on October 1, 2018 and was expected to open in the fall of 2019. They decided to delay opening until the fall of 2020. Explore Academy is prepared to purchase land and would like a contract before proceeding forward. Additional background information about Explore Academy can be found in the supporting memorandum for this agenda item.

Executive Director Feiden set forth staff recommendations to ensure that the school is prepared to successfully serve students in the fall of 2020. Staff recommends that the Authority approve a contract for Explore Academy and that the school satisfy the following conditions prior to opening: 1) Explore Academy High School in New Mexico maintain a “C” or better rating on the 2019 New Mexico School Ratings; 2) Explore Academy shall locate in one of the following zip codes: 89030, 89031 or 89032. If Explore Academy intends to locate outside of the three approved zip codes, the school’s governing board must request and be granted a contract amendment by the Authority, and 3) Explore Academy must complete all pre-opening requirements for new schools.

Gretchen Larsen – Executive Director of Explore Academy. Ms. Larsen introduced board members in Las Vegas as well as other members on the telephone in New Mexico. Ms. Larsen visited the campus in the spring of 2019 and was amazed by the school’s innovative and unique approach to teaching. The school puts students on a clear career path as to what they want to learn. They are learning what is relevant to their lives and their future plans. The premise of the school is based on a choice theory which gives them autonomy in their education. Albuquerque results show how this works. North Las Vegas will serve at risk kids in a diverse population and will provide an education that prepares them effectively for college.

Rochelle Luna – Board Member and Vice Chair of Explore Academy. The school has a brilliant pioneering approach. Students are engaged and they have a buy in since they have a choice as to how they want to learn. The structure is similar to college and students are able to have early exposure to a college environment. Ms. Luna is excited about the future of the school.

Roy Coe – Vice Chair of Explore Academy. Mr. Coe was amazed by the academic model. The amount of agency and ownership the students are allowed in this model is unmatched and unprecedented. The school culture is a marvel. Explore Academy will serve the North Las Vegas community well and he is excited to be a part of this process.

Member Kirner asked if they are going to have sixth, seventh and ninth grade and skip eighth grade?

Ms. Larsen said that is correct for the initial year. The school will grow by adding eighth and tenth grade in the second year and will add eleventh and twelfth grades in the two subsequent years.

Member Kirner asked if there are required classes for all students such as general education that they can choose from.

Ms. Larsen explained that for high school students a majority of the classes have multiple flavors to choose from. Instead of semester long classes they will be broken down into smaller classes. Several options will be available. An example would be that a math class would not be a regular class, it would use baseball statistics to teach the content. A biology class would create an ecosystem for fish by building aquariums. The goal is to have three flavors for the majority of classes. Students are exposed to different content that is not seen in typical high schools. They will have choices every 20 days when the new seminar session starts over.

Member Kirner asked how this approach fits into the state high school requirement exams such as the SAT, etc.

Justin Baiardo– Founder of Explore Academy in Albuquerque and the Explore Learning Network. Elisha Varela, Director of Operations and Mr. Baiardo were on the founding applicant team for Explore Academy in Las Vegas. Mr. Baiardo referred to the different versions of classes that students can elect to take. The three classes cover the same academic standards. It does not matter how they go through the process; they are mastering every standard along the way by State of Nevada requirements. They are just broken down into smaller units and provide the students the freedom to choose. The graduation requirements are the same; however, they are being done in a different way.

Executive Director Feiden also gave an example when she was teaching ninth grade science and taught forces in motion through the Winter Olympics which is similar to the concept at Explore. Every unit would be based around a theme. Explore provides three different ways to teach a particular course.

Member Kirner reiterated that the state has standard end of course exams that students must complete in order to get their diplomas. With this approach, how does it work with end of course exams and are there issues or concerns that affect graduation rates?

Ms. Larsen said that the standards are put together in an assessment and Explore meets the state standards.

Vice Chair Mackedon stated that end of course exams have changed in Nevada and students do not have to pass those exams anymore to get a diploma. They are assigned to certain classes. The students take them at the end of freshman English. They are all going to take the end of course exam and it is calculated into their grade by a certain percentage. It does not work the way it used to that if you do not pass the test you do not graduate. The rules have changed for end of course exams.

Member Kirner said this process with Explore has been in play and we have now gone through a legislative session with some new requirements. Member Kirner is presuming that Explore is aware of the Needs Assessment and has responded and there has been a certain coordination with Clark County School District and other entities so that they can be integrated into the new process.

Executive Director Feiden explained that even though AB 462 happened in parallel with AB 78 there was not necessarily acknowledgment that those two things were happening at the same time. Assembly Bill 78 and Senate Bill 321 were very specific and did not contemplate incorporation into AB 462. The SPCSA looked at the zip codes that have been identified as well as the demographics that Explore has been predicted to serve and she is confident that they would fit into the identified needs. She does not believe it was intended that they would have to go through the process because these schools are considered as moved over into the SPCSA.

With regard to notification to Clark County, Executive Director Feiden believes there were previous notifications from the Department of Education to Clark County, and they will be incorporated into SPCSA's notifications as well to ensure they are aware of Explore Academy to make sure all bases are covered even though she believes there were prior communications with regard to this school opening. Those communications would have indicated the school would have opened this fall and, in fact, it has been delayed until next fall. The SPCSA will coordinate them into future notifications.

Mr. Herrick provided the back story which was the push for equal access and to diversify the SPCSA's portfolio. The four existing ASD schools fit the model as do the two schools that have been approved but are not yet open including Explore Academy. Although not expressly called out in AB 462, part of the idea was to bring these schools over to fit the goals of the Academic Needs Assessment. Explore Academy meets those needs. The four schools that are open have a year to enter into an SPCSA contract and take over the Local Education Agency (LEA) responsibilities and will move forward quickly to comply with NRS 388A (the SPCSA chapter) since NRS 388B (the ASD chapter no longer exists). Explore will come on board as an SPCSA school under NRS 388A with an SPCSA contract.

Vice Chair Mackedon stated that she has always been an advocate for these schools not having to reapply since they already applied to the ASD. However, there are very different rules for the ASD than the SPCSA. Explore Academy went through an application process through the ASD and they were supposed to be opening this fall and now they are not which complicates things. She asked if someone can explain going forward if all schools will go through the SPCSA application process or is there going to be a mechanism within the SPCSA that a school like Explore Academy, who is considered a proven operator, is going to have an amended abbreviated process similar to Explore Academy with ASD.

Executive Director Feiden answered that this is a very unique one-off circumstance with Explore and Urban Prep. The legislature was faced with the fact that there were schools that were not open and Explore received a charter school program grant and has been vetted on that front. The legislature's decision was to honor the previous approval. Urban Prep is the only other school with the same situation which will possibly be on the next Board meeting agenda. Executive Director Feiden does not foresee anything like this happening again. She does realize the concerns which caused SPCSA staff to review the authorizing materials and follow up questions were asked including how it impacts the budget for the school. Explore has been able to receive additional grant funding to carry them through the planning year and has made alterations to their opening process to ensure they will be ready for next year. We will have access to the charter school grant funding as well once we have their contract.

Vice Chair Mackedon asked going forward will there be the standard SPCSA application process or will there also be an alternate process for proven operators through the SPCSA.

Executive Director Feiden responded that the SPCSA will continue with its current process going forward. Statute does allow for a good cause exemption for proven operators; however, she does not believe that has ever been leveraged. It should be distinguished that what is happening here is subject to legislative action from that good cause exemption for the proven provider avenue.

Member Moulton said she noted a prerequisite for Explore opening which is the school in New Mexico maintain a “C” rating. She asked if there has ever been a prerequisite similar to this in the past?

Executive Director Feiden replied that she would have to look back to see if this has happened in the past. In these circumstances, given that there was a delay in the opening, and Explore does have a strong track record, which happens to be shorter than some of the other applicants, it was put into place to ensure that if something unforeseen happens to the school in New Mexico there would be an opportunity to reconsider if there was a significant decline in performance. It is not foreseen that this will occur, but it was added as a protection.

Mr. Herrick went on to explain that the ASD schools were legislatively moved to the SPCSA. When an operator is moving to Nevada based on a model from another state, the academic performance ratings from the other jurisdiction are reviewed. It is believed that the rating for Explore in New Mexico is an “A”.

Executive Director Feiden said that the ratings for the last three years have been an “A”.

Vice Chair Mackedon asked how the process works when a contract is going to be approved but a contract does not exist.

Mr. Herrick said that he would talk to the Executive Director and a contract can be provided at the next Board meeting.

Executive Director Feiden commented that the contract terms would be standard with these preopening conditions in place.

Vice Chair Mackedon said that this would be a basic SPCSA contract with the additional conditions.

Mr. Herrick added that it is a standard contract without additional conditions. Between now and the opening of the 2020 – 2021 school year, Explore Academy would have to fulfill the preopening conditions. Vice Chair Mackedon concurred with Mr. Herrick’s explanation.

Member Randolph asked that pursuant to legislative action, is the Board honoring the prior approval but through the authority approval process, staff will have additional conditions. Is that what we are reviewing and considering as to process?

Executive Director Feiden stated that Member Randolph’s statement was correct.

Mr. Herrick went on to say that the way he reads the legislation is that the four schools that are operating will come over to the SPCSA and the legislature wanted to make sure that the two that were approved but are not open, Explore is one of them, the SPCSA staff wanted to make sure there was some kind of gatekeeping function which explains why Executive Director Feiden talked about additional review by SPCSA staff.

The motion would be to approve the contract with the preopening conditions. To Member Moulton's point, part of the gatekeeping function that the SPCSA is trying to honor is looking at the academic performance from the New Mexico school, so we make sure that the school that opens in the 2020 – 2021 school year is set up for success.

Member Kirner said it appears that the process being followed is based on the legislative intent as far as the two schools that have been approved but are not yet open.

Executive Director Feiden said that is a fair statement and there were comments made by legislators of not creating a disruptive impact on students and family and that she felt that was the legislative intent.

*Member Kirner made a motion to approve a standard SPCSA contract for Explore Academy that will contain the following conditions: 1) that Explore Academy in New Mexico maintain a "C" or better rating on the 2019 New Mexico school ratings; 2) Explore Academy shall locate in one of the following zip codes (89030, 89031 or 89032) and that if Explore Academy intends to locate outside of these three zip codes the schools governing board must request and be granted a contract amendment by the Authority, and 3) Explore must complete all preopening requirements for a new school.*

*Member Moulton seconded the motion. The motion carried unanimously.*

#### **Agenda Item 4 – SPCSA Board Elections**

Vice Chair Mackedon said that Chair Jason Guinasso is no longer on the Board and asked Mr. Herrick to discuss the different options on how to proceed on this agenda item.

Mr. Herrick explained the process as to appointing new members to the Board and the options that are available. The Board currently contains seven members but will grow to nine members in the next couple of months. The two additional members will be appointed by the State Board of Education (SBE). The SBE posted last week an application for those two new seats and it is expected that those two new members will attend the next meeting or the one thereafter.

Three members are not seeking reappointment. The remaining Board members are Vice Chair Mackedon, Member Kirner, Member Moulton and Member Randolph, leaving four out of the nine still on the Board.

There is an agenda item to vote on a Chair and Vice Chair. Mr. Herrick explained some options which included that Vice Chair Mackedon could agree to run the meetings as Vice Chair until a new Chair is appointed which would allow the complete nine-member Board to pick a new Chair. The other option would be to vote on a Chair and Vice Chair at this meeting

Vice Chair Mackedon agreed to run the next few meetings until at least a few new Board members are in place. She sees the advantages to both options set forth by Mr. Herrick.

The Board discussed Vice Chair Mackedon coming on as the new Chair but due to new members coming on it was decided to table that recommendation until there is a new Board.

*Member Kirner made a motion to postpone Agenda Item 4 until a future meeting and in the meantime during the absence of a Chair that Vice Chair Mackedon be delegated all the responsibilities and duties typically performed by the Chair.*

*Member Moulton seconded the motion. The motion passed unanimously.*

### **Agenda Item 9 – Nevada Virtual Academy**

Mr. Herrick reported that Nevada Virtual Academy filed a lawsuit against the SPCSA in late June 2019 in regard to the terms and conditions included in Nevada Virtual Academy's renewal of its school contract. Nevada Virtual requested a temporary restraining order as well as a preliminary injunction. A court hearing was held and Mr. Herrick and Executive Director Feiden attended wherein the Judge issued a temporary restraining order to keep the status quo pending litigation. The preliminary injunction hearing was set for August 2<sup>nd</sup>; however, Nevada Virtual filed another motion to vacate the August 2<sup>nd</sup> hearing. That hearing is scheduled for July 30<sup>th</sup> to see if the preliminary injunction hearing will be heard on Friday, August 2<sup>nd</sup>. Mr. Herrick will continue to keep the Authority apprised of any developments in the case.

### **Agenda Item 11 – Site Evaluations**

Director Modrcin stated that this agenda item is an update on the site evaluation process and protocol. When this protocol was developed, a number of leading authorizers around the country were consulted for their input and their processes to learn what works well and what can be done to tailor it for Nevada. We also sought input from our portfolio, with specifically school leaders, to measure what matters most and both were critical in our recommendation of a site evaluation protocol which this body approved in November of 2018.

Director Modrcin went on to give the first formal in-depth update as to the purpose and progress of site evaluations. His presentation can be found among the supporting materials for this agenda item.

Agenda and presentation objectives are shown on page 2 of the presentation. The purpose and focus of the site evaluations are contained on page 3. Pages 4 and 5 show the differences between site evaluations and site visits. Site evaluations are akin to appraisals and site visits are meant to provide guidance and assistance.

Site evaluation basics are listed on page 6 which are usually one day but could extend based on unique circumstances. The evaluation teams are made up of two to four individuals. The evaluation requires some pre-work from the schools such as gathering information that is not otherwise available to the evaluation team. Final reports and findings are pulled from the analysis of multiple sources. An example would be a school that is operating under a notice of concern. A site evaluation would provide an opportunity to look at the deficiencies to see if the school is addressing these issues and if the plan has been successful.

Page 7 is a graph of the spring semester in review from January through May of 2019. Common trends, which include areas of strength and opportunities for improvement, are set out on page 8. Reflections and areas to improve include logistics, multi-site networks and process and rubric transparency as shown on page 9. Mr. Modrcin noted that the changes discussed on this slide will be made to the handbook and he will bring a recommendation to approve them in the handbook within the next month so they will be formally incorporated with the Body's approval.

There is an attachment that is a 2018-2019 Site Evaluation Survey Response with data that shows school leaders received this process very well and had positive things to say. To avoid confusion on this survey, the highest rating begins at 1 and the lowest score is a 5.

The duties and powers that each sponsor shall carry out under AB 462 are shown on page 10 of the presentation. Staff of the SPCSA will fulfill this obligation as part of the site evaluation process. Page 11 is the tentative schedule of site evaluations for the 2019 - 2020 school year including the four ASD schools that were heard from today.

Member Moulton asked if any additional personnel came to the Authority staff when the ASD schools came on board.

Executive Director Feiden stated that beyond the three new positions that were granted during the legislative session, which will come on board in October, there are no new additions based on the four ASD schools.

Member Kirner asked as part of the on-site visits, does the SPCSA talk about the Open Meeting Law and is the Board following the Open Meeting Law.

Director Modrcin responded that we do ask a variety of questions around governance and how they are addressing Open Meeting Law requirements. Schools have been required to conduct formal governance training, not specifically Open Meeting Law, when it is felt there are deficiencies or areas that need improvement.

Member Kirner is unclear as to the SPCSA's responsibilities as far as ethics training. He said that Board members are required to sign an ethics agreement and wanted to know if the boards at the respective charter schools are also held to that standard.

Director Modrcin responded that the charter school boards are required to disclose if they have any ethical conflicts.

Member Kirner is under the impression that all Board members under the Authority are required to go through ethics training. He asked if the local charter schools have the same requirement and if there is a certification that they attended the training?

Mr. Herrick responded that the governing bodies of the school boards are subject to the Open Meeting Law and the Public Records Act but was not sure about the ethical certification. A two-hour training will be provided to Discovery Charter School which will include the Open Meeting Law, good governance, and ethical and fiduciary responsibilities of being a board member of a public body.

Vice Chair Mackedon responded that all the schools have to sign a conflict of interest policy that does go through some of the high points and issues.

Executive Director Feiden mentioned that the Discovery board packets, as part of the agenda, include some of the Board of Education forms that are required for board members.

Member Kirner replied that he was not making a recommendation but just wanted to know the process.

### **Agenda Item 12 – Executive Director's Report**

Executive Director Feiden presented an abbreviated approach to the Executive Director's Report due to time constraints.

- Appointments to Authority Board – We have three outstanding legislative Board appointments. The Speaker has one and the Majority Leader has two appointments to make. She has reached out to the Legislative Counsel Bureau to make sure they are aware of those vacancies. She is hopeful those positions can be filled by the next meeting. The SBE recently posted their application to the Department of Education website which is available to the public and it is linked to the SPCSA website.
- Grants Update –As to subgrants for the 2019 - 2020 school year, it is anticipated that by the end of August our schools should have full access to spending down those federal grant funds.
- Sponsorship Fee Update – As part of our legislatively approved budget our sponsorship fee is changing to 1.25%, that is down ¼% from last year, and will take effect for the August 1<sup>st</sup> payment so the schools will see a minor change in that payment.
- New Charter School Contract Applications – We received nine applications and we are in the process of doing a completeness check to make sure they submitted all of the appropriate documents. We will reach out to the team if additional information is needed. The team will do the final evaluation against the rubric and also consideration of the Needs Assessment in the coming weeks. The SPCSA often works with external experts that are hired on as contractors to help with that process so we have the highest level of capacity and efficiency. It is anticipated those applications will come to the Board in either November or December. It is a multi-month process and a capacity interview is included as part of that process.
- Charter School Contract Renewal Applications – Seven renewals are up this fall. We anticipate them coming to the Board either in November or December. We will provide a preview of that process at the next Board meeting. Renewal applications are due to the SPCSA between October 1<sup>st</sup> and October 15<sup>th</sup>.
- General School Support – The school support team is working on a strategic plan for their school visits this year so they are responsive to the needs and current state of our schools. The team has been very active in closing out end of year data. The team held a training this past week in special education and Crisis Prevention Institute training. Executive Director Feiden attended two days of the training and felt that it was a success. The school support team will be attending a special education director’s meeting called Mountain Madness.

The Department of Education will be doing Title I on site monitoring visits to several of our schools in September and our team will be joining the Department on those visits.

- We have a couple of new staff members join our team. They are Karen Gordon and Todd Carl. We also had a legal assistant join us on a contract basis. We have one position that we are in the hiring of hiring and three new positions that will be available in October.

### **Agenda Item 13 – Long-Range Board Calendar**

Executive Director Feiden spoke about the Long-Range Calendar. The calendar is posted online as to this agenda item. Executive Director Feiden incorporated two additional items to be added which were quarterly meetings for Discovery Charter School as well as Board elections which will be moved to the October meeting.

Member Kirner asked when the specific dates for calendar year 2020 Board meetings will be available.

Executive Director Feiden said the reason the 2020 Board meetings have not been scheduled is because she would like to have a full Board so that everyone can be involved in deciding what day of the week works best for all members and their schedules. If anyone has any changes, or cannot make a Board meeting, let the Board know so there is always a quorum.

**Public Comment 2** – No public comment in the north or the south.

The meeting was adjourned at 12:39 p.m.