

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

May 31, 2019

Nevada Department of Education
700 East 5th Street
Board Room
Carson City, Nevada

Nevada Department of Education
2080 East Flamingo
2nd Floor, Suite 210
Las Vegas, Nevada

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

In Las Vegas:

Randy Kirner
Nora Luna
Stavan Corbett

In Carson City:

Jason Guinasso
Melissa Mackedon

Sheila Moulton

BOARD MEMBERS ABSENT:

Jeff Hinton

AUTHORITY STAFF PRESENT:

In Las Vegas:

Rebecca Feiden, Executive Director
Mark Modrcin, Director of Authorizing
Michael Dang, Management Analyst IV
Sandra Kinne, Education Programs Professional
Lisa Dzierbicki, Education Programs Professional

In Carson City:

Danny Peltier, Management Analyst I
Selcuk Ozdemir, Education Programs Supervisor
Jennifer Bauer, Director of Finance and Operations
Ryan Herrick, General Counsel

Aisheh Barghouti, Legal Assistant

AUDIENCE IN ATTENDANCE:

In Las Vegas:

(See attached Sign-in Sheet)

In Carson City:

Rebecca Phipps

Pat Hickey

Chris McBride

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

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

Chairman Guinasso called the meeting to order at 9:00am with attendance as reflected above.

Agenda Item 2 – Public Comment

Albert Senlinger – Former teacher at Argent Preparatory Academy. He explained that before the school closed, teachers were promised a severance package that has yet to come to fruition. He wanted to know what the status is on this issue. He also noted that kids are the ones who are suffering because mismanagement on the part of the adults. He wanted to know whether anyone was every prosecuted for the way things happened at Argent.

Amanda Kettleon - Made her remarks after Agenda Item 5, the quarterly report from John Haynal, receiver for Discovery Charter School. She expressed her concern that Mr. Haynal's time at the school has not gone as well as has been represented. Her remarks are appended to these minutes.

Agenda Item 3 – Approval of the March 8, and March 11, 2019 Action Minutes.

Member Corbett moved to approve the minutes of the April 19, 2019 Authority Board meeting. Member Moulton seconded the motion. The motion carried unanimously.

Agenda Item 4 – Focus on Schools - Democracy Preparatory Academy

Mark Modrcin, Director of Authorizing, introduced Adam Johnson, who is the director of Democracy Preparatory Academy. Mr. Johnson gave a brief presentation about the middle school program at Democracy Prep. His presentation can be found in the supporting documents for this meeting.

DPAC has had a lot of success by using a holistic approach to address some of the biggest challenges facing the population they are serving. Mr. Johnson explained that the values or pillars of their program has been a most impactful tool that makes the school's approach unique. The pillars are: Increased Rigor, More Instructional Time, Joyous Culture, Exceptional Talent, and Data-driven Decision Making.

Chair Guinasso asked what steps DPAC took when taking over the school - how did they address the cultural changes inherent in such a shift? Mr. Johnson explained that they achieved success by being communicative and transparent with families and by giving them space to communicate as well. Additionally, they consider students' individual needs in order to best set them up for success.

Member Moulton asked about the school's demographic profile. Mr. Johnson explained that of their student population of approximately 950 students, $\frac{2}{3}$ of those students identify as Black, $\frac{1}{4}$ identify as Latino, and the remaining subgroups make up the rest of the student body.

Member Kirner asked Mr. Johnson to explain how DPAC is addressing its ACT performance. Mr. Johnson explained that the scores have improved by about 3-4%, and the school's goal is to have an average score of 24 by the 23/24 school year - for 17/18 their average was 16.

Member Corbett asked about the success of DPAC students in the post-secondary space. Mr. Johnson noted that DPAC students' college persistence rate is higher than the national average and roughly twice what it is for schools with a similar demographic profile. Member Corbett encouraged other board members to go tour DPAC to see the work they are doing.

Agenda Item 5 – Discovery Charter School Quarterly Update

John Haynal, receiver for Discovery Charter School, gave a short update regarding the progress made under his receivership. Africa Sanchez, attorney for Discovery Charter School, appeared with Mr. Haynal. He explained that the school has improved dramatically since the beginning of his receivership, and that he is recommending transitioning out of the receivership sooner than initially expected. He highlighted some programs the school has implemented regarding robust professional development opportunities as well as incentives for student performance. They have also held well-attended town hall meetings, with 55 families representing roughly 240 students in attendance. Parents voted to begin developing a k-12 format and are working with a plan to expand grade-by-grade. They will submit an amendment application in October.

Mr. Haynal explained that there has been some misunderstanding regarding payments into PERS. The school made the payments to one entity (payroll company) that did not then turn around and pay PERS. The school is actively working to resolve this issue.

Chair Guinasso commended Mr. Haynal for his work in bringing Discovery to a 3-star level and explained that he believes the goals of the receivership to have been accomplished and therefore the receivership should end in quick succession. The timeline presented by Mr. Haynal can be found in the supporting materials for this meeting. Chair Guinasso asked whether Mr. Haynal has identified all of the required board members. Mr. Haynal explained that he has. Chair Guinasso commended him on his strong team and this, coupled with the strong board, indicated to Chair Guinasso that the wrap-up of the receivership should be relatively simple to execute. He did not see any reason why the existing leadership at the school as well as the board couldn't safely usher the school out of the receivership.

Ms. Sanchez explained that her understanding is that the SPCSA board has to appoint the board of the school and she felt as though the process is being unnecessarily rushed. She also asked that, as this has never been done before, the SPCSA could help identify a process and procedure for exiting the receivership. Chair Guinasso pointed out that while Mr. Haynal has done a

commendable job on turning around Discovery's academic performance, that job is complete. Chair Guinasso asserted that Mr. Haynal is paid twelve thousand dollars per month and the longer the receivership lasts, the more money that will be spent on his salary. Ms. Sanchez explained that they would be happy to adjust the timeline, but that there still needs to be a process and procedure identified in order to do this.

Chair Guinasso asked General Counsel, Ryan Herrick, to give his opinion on the process of ending the receivership. Mr. Herrick explained that exiting the receivership is something that needs to be looked into carefully and that Staff has not been able to do so yet. Chair Guinasso asked why the receivership couldn't be wound down by August 1 instead of October 1.

Rebecca Feiden, Executive Director, explained that she would like to see the receivership wound down efficiently and quickly. She wants it done in a way that is thoughtful and may avoid creating further problems down the road. Member Corbett expressed that he understands Chair Guinasso's zest to wrap up the receivership quickly, but that there is some wisdom in doing it a bit more slowly and mindfully.

Chair Guinasso argued that Mr. Haynal was advised that the receivership should be wrapped up soon two or three meetings ago. He explained that he does not see the value in spending \$60,000 in public monies to continue the receivership when the goals thereof have already been met.

Ms. Sanchez explained that Staff and Mr. Haynal are going to continue to work together to bring the receivership to an end expeditiously. Mr. Haynal explained that, from his perspective, exiting over the summer may be premature. There will not be sufficient data on two years of performance to indicate whether the receivership has been successful in a way that will last and be exhibited in the academic performance over a sustained period of time. As NSPF results for this year will be released in September, he feels that October is a reasonable date to end the receivership.

Members Luna and Moulton expressed that they agree that October is not an unreasonable date. Ms. Sanchez agreed as well. Member Mackedon noted that the exit plan has various requirements that must be met before the receivership ends. She does not agree that all of those goals have to be met prior to the receivership ending.

Chair Guinasso asked that Staff bring this item back during the next meeting and, in the meantime, have Mr. Herrick and Ms. Sanchez work with staff and Director Feiden as well as leadership from the school to come up with a realistic plan to wind down the receivership.

Member Luna made a motion that the school and staff and attorney make a plan to close the receivership by, preferably before, but no later than October 1, 2019, with the direction to Staff, attorneys, and the school to work together to come up with a plan that satisfies all the legal requirements. Member Mackedon seconded the motion. After discussion, board members objected to placing a hard deadline on the process. The motion was tied with Members Guinasso, Mackedon, and Luna voting for and Members Kirner, Corbett, and Moulton voting against. Chair Guinasso directed Staff to work with the school and come back in June with a proposal.

Agenda Item 6 – Argent Preparatory Academy Quarterly Update

Josh Kern, receiver for Argent Preparatory Academy, gave an update regarding the closure of Argent. His comments are appended to these minutes.

In response to earlier public comment, Mr. Kern explained that Mr. Selinger was correct - the teachers were offered a severance package. Mr. Kern has been unable to pay this obligation because he has not yet finished selling off the assets left at Argent. Once the remaining property is sold, Mr. Kern will be able to pay the debts owed by Argent.

Agenda Item 7 – Quest Academy Quarterly Update

Josh Kern, receiver for Quest Academy, gave an update regarding the receivership at the school. His comments are appended to these minutes.

Chair Guinasso asked Mr. Kern to go into more detail regarding the lawsuits he mentioned during his testimony. Specifically, Chair Guinasso asked what the financial exposure is for the school relative to that litigation. Mr. Kern explained that the financial exposure is significant and does threaten the school's financial viability. Chair Guinasso asked Mr. Kern to help the board understand the circumstances and pointed out that this financial problem would be a red flag when it comes time to discuss renewal of the school's charter contract.

Chair Guinasso asked whether the opposing party in the litigation is aware that the school will be unable to pay in the event of an adverse decision. Mr. Kern explained that he has spoken with opposing counsel on the topic repeatedly and has told them that the school will not be financially viable if the litigation goes forward. He entreated the SPCSA to communicate this point to opposing counsel as well.

Chair Guinasso reiterated that the financial viability of the school is going to be an important factor to consider in the coming months. He directed Mr. Herrick to work with Mr. Kern over the next month to resolve the litigation. He commended Mr. Kern for his work in the academic turnaround of the school.

Member Corbett asked why Mr. Kern has not received compensation for his work during the last several months. He noted that the board needs to consider the implications of having someone working for the Board without being compensated. He does not want to set a precedent that may prey upon vendors and take advantage of their generosity. Mr. Kern explained that there simply isn't enough money to pay his salary or to pay for the legal fees.

Chair Guinasso thanked Mr. Kern for his work. Chair Guinasso noted that Mr. Kern has a strong plan in place to make that transition and commended him for being mindful of the renewal application he will submit in the fall.

Agenda Item 8 – Nevada Connections Academy Quarterly Update

Dr. McBride, Superintendent of Nevada Connections Academy, gave a short update on the progress Nevada Connections Academy has made. His presentation is included in the supporting materials for this meeting.

The school is working to increase communication with students and families. They are working to improve attendance and participation. Their test participation numbers, while not finalized, are promising. They believe they have met the participation scores for both middle and high schools, and have 21/22 subcategories for the elementary school. Again, these figures have not been confirmed by the Department of Education. Finally, the school has several upcoming field trips and opportunities for engagement including both northern and southern graduation ceremonies.

Director Modrcin explained that he has been working with the school to help them improve. NCA seems to have made progress and are meeting most of the requirements put forth by staff, particularly in regard to professional development and trainings. Mr. Modrcin explained that staff still has some concerns surrounding the training of learning coaches at the school, but is working with Dr. McBride's team on this. Staff does not believe the learning coach trainings are not well-attended and may not be informative enough. Staff and the school have been in communication about these issues. Director Modrcin explained that the school does appear to be making an effort and, while Staff has not been overly impressed, the school is satisfying most of the requirements of the improvement plan.

Chair Guinasso asked Dr. McBride whether the school has a plan relative to its renewal or where they are in the process of considering their renewal. Dr. McBride explained that the board has an upcoming meeting for which that item has been agendaized; discussing what their renewal application is going to look like.

Agenda Item 9 – Nevada Virtual Academy

Elementary School - Dr. Andre Denson, Nevada Virtual K-8 principal, delivered a quarterly update and information regarding the closure of the elementary school at the conclusion of the 18/19 school year. The accompanying PowerPoint presentation can be found among the supporting materials for this meeting.

Member Luna asked how the school is evaluating its fidelity to the improvement plan. Dr. Denson explained that the school is relying heavily on data to indicate whether or not they are implementing the plan with fidelity. Member Luna asked whether the school is considering the process by which the results are achieved and not simply the results themselves. Dr. Denson explained that they have stuck to the plan they agreed to a-year-and-a-half ago. Professional development and after-school activities have been implemented even though the school is closing at the end of the school year.

Member Moulton asked whether staff at the elementary school is receiving help from the administration relative to finding other means of employment. Many have applied to work for the middle school and been hired, and many have also decided to go back to the schools from which they came. Chair Guinasso asked for an update during the next quarterly report regarding the transition of students and staff. He would also like to look at the plan presented in December and comparing the results with the plan that was set forth.

Middle and High Schools - Mr. Herrick explained that the board approved the renewed charter contract for NVA's middle and high school in November. The contract contains certain performance benchmarks the school has to meet in order to avoid consequences. The school has retained legal representation to litigate the terms of the contract. The school's position is that the performance benchmarks are not statutorily permitted.

Mr. Herrick explained that the school has less than one month to execute the contract. He explained that staff's position is that there is no reason for litigation until after the ratings are released in September, which will resolve whether the middle school receives a 2-star rating or a 3-star rating - and all indications point to the school achieving a 3-star rating.

Staff and representatives from NVA were meant to have a discussion regarding the renewed charter contract for the middle and high schools. However, in a letter from the school's legal counsel (included in the supporting materials for this meeting), it was made clear that the school's representatives would not be appearing before the board.

Mr. Herrick noted that the school has the right not to appear on their own behalf. He further noted that he's not seen any other school decline an invitation to appear.

Chair Guinasso asked that his comments be transcribed and added to these minutes.

"The decision-makers with regard to the contract are this board and the governing board for NVVA, and the only time that we have to communicate without violating the Open Meeting Law are in these meetings. And so, when you think about, who ultimately makes the decision on, you know, whether a contract term is going to be required or not required, that decision rests with this board. And if there were some objections to a contract provision, I would expect the school's board to come to this board and say, 'Hey, we know you approved the contract renewal with conditions, we have a problem with this condition and here's why.' And that would have given our board the opportunity to consider your concerns and make some adjustments. But by not showing up here and explaining that, you have excluded us from that part of the conversation and that's certainly Nevada Virtual's right to do that but I think that it is a mistake and a missed opportunity because you know we agreed to renew the contract with your school and if there's some problem with the contract I would expect the school to come and talk to us and not just send us a letter from their attorney and expect us to respond to that without hearing from the school's board because, again, it's not the attorneys that decide these issues, it's the respective boards that decide these issues. So that's my only frustration, really, with folks not coming. They certainly don't have to, but it really stunts the process. And here's the risk now that you're facing: I think you need to take this back to the decision-makers on this. If there is no contract signed by the end of the month, then there is no NVVA. Do you understand that? I hope you understand that. And, if there's no contract, that means that there's no school. And if there's no school, that means we have to figure out how to transition all of your middle school and all of your high school to other schools by next school year and we have to do that in roughly six weeks. That seems like an irresponsible posture for the school to take given there are so many students that would be affected. And let me just say one other thing, because I know you all can't speak to the legal issues, but maybe the people who are making these legal decisions will hear what I'm having to say. Let's assume for the sake of argument, that you sue us, and you sue us over the idea that some condition that we've imposed in the renewal is unlawful based on the letter that was sent to us making that allegation. Let's assume that you're right, okay? That you go to the court, the Court says 'Yeah, the SPCSA board does not have a right to negotiate the terms of a contract including conditions regarding performance.' What's gonna happen is that contract will then be invalidated, it'll get sent back to us as a board, and then we're gonna have to decide: do we give you a standard contract without conditions, or do we not renew you at all? Right? So, if you win, what you've won is the opportunity for the board to reconsider the renewal decision based on the fact that we have to either accept a standard contract or not renew at all and, for my vote, I was the swing vote, I want you to remember that, that voted in favor of the renewal. If I have to vote on a contract that doesn't have these conditions, then my vote is going to be to not renew. And so, hopefully your legal counsel will think through those issues, listen to our legal counsel with regard to the plan going forward and we'll have an executed

contract. If we don't have an executed contract, this board may have to meet for an emergency meeting and compel your board to attend so we can figure out what the transition plan is for those kids who won't have a school for the next academic school year.”

Member Moulton asked whether the governing board was made aware of the severity of the situation and stressed the importance of board training relative to these matters so the board knows exactly what they are getting into when they join a governing board.

Chair Guinasso explained that he has reiterated numerous times over the past year that if a school is going to appear to discuss issues related to their contract or performance, that they need to bring a member of their governing board.

Mr. Herrick and Director Feiden have a meeting with NVA and counsel to discuss the contract. There will be more information on this topic at the June meeting.

Agenda Item 10 – SPCSA Staff Reports

1. Executive Director Report
 - a. US News World and Report. Coral Academy of Science Las Vegas was ranked number seven in the state of Nevada. Coral Academy was the only charter school (both north and south) that was ranked in the top ten in Nevada. School administration thanked the board for recognition
 - b. Oasis Academy and Pinecrest Academy were recognized as governor-designated STEM schools. It is a multi-step plan during which they have to identify a five-year plan that are focused on a STEM-focused program.
 - c. Director Feiden explained that she has been facilitating focus group meetings with board chairs and school leaders across the portfolio and she looks forward to sharing themes from these focus groups during the June meeting.
 - d. Budget Closing - the SPCSA's budget has closed and the agency got three of the requested positions for the next biennium. Two positions which will deal primarily with data and one administrative position that will replace a position that has until now been filled by a temporary employee. Additionally, legislators had concerns regarding the amount of the SPCSA's reserve included in the budget. Staff and the Governor's Finance Office have negotiated a reserve level that is more appropriate for the agency. This will be accomplished via a reduction in sponsorship fees from 2% to 1.5% over the next biennium. Chair Guinasso expressed his gratitude to Director Feiden for briefing the board on matters regarding the budget. He explained that, in years past, the board has been left out of discussing the budget but were expected to sign off on it. He asked that the board remain informed on these issues going forward and be given an opportunity to participate. Director Feiden acknowledged that she was aware of this concern and explained that she would work with the Governor's Finance Office to establish some clear responsibilities and guardrails going forward. Chair Guinasso commented that it might be prudent to find some way to track the work that staff is doing relative to these issues in order to share with legislators during the next session in an effort to demonstrate the amount of work the agency has put into this.

- e. Director Feiden also updated the board regarding the new SPCSA office in Las Vegas. The move has happened and the team is still working to get everything up and running.
2. Authorizing
- a. Director Modrcin updated the board regarding the work his team has been doing.
 - i. New School Applications and Amendment Requests: the team has received twenty notices of intent for applications for new charter schools. The deadline for applications is July 15th, so the team is hoping to have received many of those applications by that time. The team has also received seven amendment requests - some operational, some expansion requests. Staff has taken an active role in working with applicants due to the proposed legislation that would place different requirements on schools seeking to expand as well as new applicants. Staff hopes to bring the non-expansion amendment request recommendations to the board during the June 28 meeting, with expansion requests to follow as early as the July meeting.
 - b. 2019 Renewal Preview
 - i. There are seven schools with charter contracts expiring at the end of the 19/20 school year. Those schools are: American Preparatory Academy, Beacon Academy of Nevada, Founders Academy, Leadership Academy, Mater Academy of Nevada, Nevada Connections Academy, and Quest Preparatory Academy. SPCSA staff will be sending each of the schools a formal report that summarizes their performance by June 30th. Schools are required to submit notices of intent to submit an application to renew their charter by September 1, with the formal application coming no later than October 15. Staff will review these applications and will bring recommendations during the November or December meeting.
 - c. Site Evaluation Update
 - i. The team has been working to complete site evaluations as quickly as possible. To date, they have completed 18 evaluations. They will have the remaining reports completed by the June 28 meeting. They plan to spend the summer reflecting on the evaluation process, recalibrating, training, and planning to complete the remaining site evaluations through next year. Both Member Mackedon and Member Moulton expressed an interest in reading the completed reports and any rebuttals. Chair Guinasso agreed that the board should be able to see the completed reports at an upcoming meeting. Director Modrcin stated that Staff could make those reports available. He asked if the team could report out on the completed reports at the July meeting. Director Modrcin stressed the fact that the team is working with the schools' governing boards and leadership to track and address any outstanding issues identified during the site evaluations.
 - d. SPCSA Performance Framework Update
 - i. Dr. Selcuk Ozdemir, Education Programs Supervisor, updated the board regarding the ongoing work to complete the new Academic Performance Framework. The working group has met twice since the last meeting and

has identified four components that will comprise the APF. The NSPF will be incorporated into the framework as it includes several key performance indicators such as student proficiency, growth, graduation rates, etc. One of the most important indicators will still be NSPF in the revised SPCSA framework. The second component is a geographic comparison. This measure will include two parts - an index score comparison with zoned schools and a comparison with the local district index score. The third component is diversity, which consists of three measures - ELL enrollment, FRL enrollment, IEP enrollment. The team is creating a point attribution table - the higher the special populations enrollment, the more points the school is awarded. The fourth and final component of the Academic Performance Framework is School Progress Measures - this indicator will be informational only. The school progress measure is using the prior year's performance and comparing it with the current year. The team will complete the final group meeting in June and will bring recommendations to the board at the end of June.

- ii. Mike Dang, Manager of Organizational and Financial Performance made some brief remarks regarding the Organizational Performance Framework for possible adoption at the June 28th meeting. Organizational performance framework is not as results-driven as the Academic and Financial Performance Frameworks are, but rather it is focused on compliance and processes. To develop the framework, the team met seven different times with stakeholders in the charter school community to get their input. The team intended to present the final draft at this meeting but has decided to more carefully review the comments and suggestions before making a final decision. The team will present the framework to the board during the June 28 meeting.

3. School Support Team

- a. Lisa Dzierbicki, Education Programs Professional, updated the board regarding the work her team has been doing. Ms. Dzierbicki and Sara Jorgensen, her counterpart in the Carson office, have been working to help schools with various data entry, monitoring, completion, and submission issues. The team is currently mapping out its school visit schedule for the 19/20 school year. Additionally, the team has been working to address any testing irregularities that occurred during testing season. Ms. Dzierbicki and Ms. Jorgensen have been working to provide support to schools regarding issues with testing, data collection, as well as parent complaints. The team has attended several trainings and conferences, including Data Madness and an upcoming national conference in June. The School Support team is providing professional development training for schools over the summer.

4. Legal

- a. Ryan Herrick, General Counsel, updated the board regarding the Open Meeting Law complaints made against SPCSA-sponsored schools. Mr. Herrick provided training during the last meeting and several schools attended. Since then, staff has sent out a recording of that presentation as well as the accompanying PowerPoint. Mr. Herrick met with the Attorney General's office to discuss the training and

whether schools have attended and whether they are on track to be in compliance with the requirements outlined in the AG's response to the complaint. Since the training, there have been a few new OML complaints filed, but only two relate to only one SPCSA-sponsored school - Mr. Herrick will follow up with that school. Mr. Herrick has been asked by Dan Tafoya, of Clark County School District, to provide the same training to CCSD-sponsored charter schools. Mr. Herrick will be offering two trainings at the end of June. In addition to inviting CCSD-sponsored charter schools, SPCSA-sponsored schools in Clark County as well as ASD-sponsored schools are welcome to attend.

Agenda Item 11 – Legislative Update

1. Assembly Bill 78
 - a. This is the SPCSA's bill. As amended, the bill designates the SPCSA as the LEA for SPCSA-sponsored schools, codifies some annual reporting requirements to NDE and also clarifies NDE's responsibility to evaluate all sponsors of charter schools in the state. The bill also adds two members to the Authority Board, to be appointed by the State Board of Education. The bill clarifies provisions related to providing Special Education services. Finally, the bill eliminates the Achievement School District and moves the ASD-sponsored schools to the SPCSA's sponsorship.
 - b. The only item that was mentioned during earlier meetings but has since been removed is the regulatory authority or SPCSA's rulemaking piece of the bill. The Superintendent of Public Instruction did not want the agency to have this authority in an effort to avoid any future conflict over regulations. Director Feiden stated she would still like to ensure the board is engaged in the rulemaking process and also that the SPCSA ensures alignment with NDE on these issues.
2. Senate Bill 321
 - a. This bill is identical to the ASD portion of AB78. Both are effective upon passage, and it's possible SB321 will not pass.
3. Senate Bill 451
 - a. This bill would allow for variable-length contracts upon renewal. It will authorize SPCSA renewed contracts to have a term between three and ten years on renewal. Staff will be looking closely at this when considering renewals. This gives the Authority an opportunity to align the term of the renewal with the performance of the school.
4. Senate Bill 441
 - a. Allows for a separate regulation of online schools. Staff will be working with NDE on these regulations.

Agenda Item 12 – Assembly Bill 462 Implementation Update

Director Feiden gave an overview of the work being done relative to the implementation of AB462, including the Academic and Demographic Needs Assessment and the Growth Management Plan mandated by AB462. This bill has been enrolled and will go to the governor shortly for his signature. Director Feiden's presentation can be found among the supporting materials for this meeting.

When it was introduced, AB462 was intended to place a moratorium on opening new charter schools. Since then, it has been amended in such a way that there is no longer a moratorium at all, but rather an imperative that the Authority create and implement a plan for strategic growth. Legislators were concerned that the portfolio has grown too rapidly and is too unwieldy - but also that it does not accurately reflect the demographics of the state. The SPCSA portfolio has some representation challenges with regard to the special populations it serves. AB462 requires there to be a real consideration of the demographics a proposed school or campus would serve.

The current strategic plan contains the following points: Open and sustain quality schools that reflect the demographics of their community, ensure fulfillment of public school obligations, including ensuring equitable service to traditionally underserved populations, and, by 2020, enroll a statewide student population which is representative of the sending schools.

AB 462 has four key components that will directly impact the work of the SPCSA: Complete **all** site evaluations (one for each campus) and provide a report to the Legislative Committee on Education by June 30, 2020, provide written notice to local school district and NDE of any notices of intent, new school applications, amendment requests and approvals, conduct the Academic and Demographic Academic Needs Assessment to identify geographic areas within the state that are in need of high quality school options by July 30, 2019 and use this tool to inform authorizing decisions going forward and, finally, submit initial Growth Management Plan by January 1, 2020.

Member Kirner asked whether school districts have a chance to approve or disapprove of the proposed amendments or applications. Director Feiden explained that no, they do not have any kind of veto power. This notice is just meant to be a matter of information only.

Chair Guinasso brought up the fact that schools may already have secured property prior to their approval. How does the agency mitigate the risk involved there? Director Feiden agreed that this is a challenge and there is an opportunity to reach out to the districts to help address this. The process needs to be formalized and appropriately implemented. Open communication with the school districts will be key throughout this process.

Prior to July 30 of this year, the SPCSA must prepare an evaluation of demographic information of pupils, the academic needs of pupils and the needs of any pupils who are at risk of dropping out of school. Going forward, this evaluation will inform authorizing decisions and be updated annually.

The SPCSA must establish a plan to manage the growth of charter schools. The plan must include new charter schools as well as additional campuses, grade level expansion or other increased enrollment, and any likely charter renewals that the Authority will approve. The plan must additionally consider statewide pupil performance, including data for specific groups and subgroups, and the academic needs of students in geographic areas of the state. At the June board meeting, Staff will introduce the Growth Management Plan and provide an overview of the process for developing it.

This legislation is an opportunity for the SPCSA to become a more strategic authorizer and to develop authorizing practices that are directly responsive to the needs of all Nevada students.

Academic and Demographic Needs Assessment - this will be an evaluation of demographic information of pupils -including the academic needs of pupils, and the needs of any pupils at risk of dropping out of school.

Growth Management Plan - this will reflect the SPCSA's plans to manage the growth of charter schools and include projections for expansions in enrollment over the next five years. The SPCSA will align its anticipated growth to the needs reflected in the Academic and Demographic Needs Assessment.

Both the Needs Assessment and the Growth Management Plan will inform new school authorization priorities as well as changes to accountability practices that respond directly to the needs of Nevada students.

The Academic and Demographic Needs Assessment will evaluate the need for new schools across districts and within zip codes according to the demographic information of pupils, the academic needs of pupils and the needs of any pupils who are at risk of dropping out of school. The Academic and Demographic Needs Assessment will be updated annually by January 31.

The SPCSA will work collaboratively with the Department and local school districts to obtain a comprehensive data set inclusive and to establish business rules for analyzing the data in a way that is reliable and sound. The SPCSA will analyze student demographic and academic performance data throughout state and will make its findings publicly available. The SPCSA's findings will be incorporated into the charter school authorizing processes and may influence what applicants are required to submit, how the staff conduct their application review, and how the SPCSA makes authorizing decisions.

When reviewing an application, the SPCSA must "consider the degree to which the proposed charter school will address the needs identified." The SPCSA must "solicit input from the board of trustees of the school district in which the proposed charter school will be located." In approving authorization recommendations, the SPCSA board must ensure that applicants "address one or more of the needs identified" and that the SPCSA has received "sufficient input from the public."

Moving forward, the SPCSA's review processes will provide for local district and public input and all staff recommendations will include an assessment of the degree to which the proposed school addresses one or more of the needs identified in the Academic and Demographic Needs Assessment.

Stakeholder engagement will be a critical part of implementing AB 462. So far, Staff has engaged with the Washoe and Clark County school districts and the Department of Education on the Academic and Demographic Needs Assessment and Staff is in the process of reaching out to other school districts. Beyond school districts, Staff also intends to engage with representatives

from the following stakeholder categories: legislators, business community organizations, parent/family groups, community groups, municipalities, and others.

AB 462 is an opportunity to enhance the agency's authorizing and accountability practices to drive strategic, responsible growth of charter schools in response to concentrated needs throughout Nevada. Starting this summer, application review and authorization recommendations will align with needs as reflected in the Academic and Demographic Needs Assessment. After completing the initial Academic and Demographic Needs Assessment, the SPCSA will refresh the Academic and Demographic Needs Assessment on an annual basis to ensure that SPCSA practices are aligned to and responsive to statewide needs as they evolve.

Staff will continue stakeholder engagement regarding the Academic and Demographic Needs Assessment. The SPCSA will develop a first draft of the Academic and Demographic Needs Assessment and share it with stakeholders for feedback. At the June board meeting, SPCSA staff will provide an update on the Academic and Demographic Needs Assessment process and provide an Overview of the Growth Management Plan process.

Agenda Item 13 – Long-Range Calendar

Director Feiden intends to incorporate items from AB462 into the Long-Range Calendar. Member Moulton asked for a date in September. Chair Guinasso asked that the calendar not have the past months included. Chair Guinasso will be out of town for the July meeting.

Earlier in the meeting, the Board received public comment dealing with Discovery. Chair Guinasso asked that Staff make sure that, as part of that agenda item during the next meeting, there be a clear idea of the leadership team that the school will have going forward in order to better understand how that transition will happen.

There was some discussion around changing dates or days of the week for meetings, but it was ultimately decided that, as there are new board members being appointed, those decisions wait until there is more of a consensus.

Agenda Item 14 - Public Comment #2

(None)

Agenda Item 14 – Adjournment

The meeting was adjourned at 3:30 pm.