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STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Approval of September 28, 2015 SPCSA Board Meeting Minutes, October 26, 2015 SPCSA Board Meeting Minutes and November 10, 2015**

- /  /   Public Workshop
- /  /   Public Hearing
- /  /   Consent Agenda
- /  /   Regulation Adoption
- /  /   Approval
- /  /   Appointments
- /  x/   Information
- /  x  /   Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 2

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority**

**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins**

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**SUBMITTED BY:** \_\_\_\_\_

**NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**September 28, 2015**

Grant Sawyer Building  
555 East Washington  
Room 4412  
Las Vegas, Nevada

And

Legislature  
401 South Carson Street  
Room 2135  
Carson City, Nevada

**MINUTES OF THE MEETING**

**BOARD MEMBERS PRESENT:**

**In Las Vegas:**

Kathleen Conaboy  
Robert McCord  
Adam Johnson  
Melissa Mackedon  
Elissa Wahl  
Marc Abelman  
Nora Luna

**In Carson City:**

None

**BOARD MEMBERS ABSENT**

**AUTHORITY STAFF PRESENT:**

**In Las Vegas:**

Patrick Gavin, Director, State Public Charter School Authority  
Joan Jurgensen, Education Program Professional, State Public Charter School Authority  
Nya Berry, Education Programs Professional, State Public Charter School Authority  
Traci House, Business Process Analyst, State Public Charter School Authority

**In Carson City:**

Jessica Hoban, Administrative Services Officer, State Public Charter School Authority

Angela Blair, Education Program Professional, State Public Charter School Authority  
Kathy Robson, Education Program Professional, State Public Charter School Authority  
Katie Higday, Management Analyst, State Public Charter School Authority  
Danny Peltier, Administrative Assistant, State Public Charter School Authority

**LEGAL STAFF PRESENT:**

**In Carson City:**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Attendance Sheet Attached

**In Carson City:**

Attendance Sheet Attached

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

President Conaboy called the meeting to order at 9:05am with attendance as reflected above.

Member McCord asked for a motion for a flexible agenda. Chair Conaboy agreed and called for a motion for a flexible agenda. Member Van motioned for flexible agenda, Member McCord seconded. There was no further discussion. The motion carried unanimously.

### **Agenda Item 1 – Public Comment**

John Hawk, Nevada State High School spoke in support of the early renewal policy being presented to the Authority and offered a few suggestions for further improvement. He said the Authority should consider working that will allow for future changes to the framework and accountability systems. He also offered some other edits that can be found as an attachment to these minutes.

Boone Kragen, Doral Academy, spoke about the charter school expansion policy. He said the testing requirements may contribute to burnout among students who are already asked to test a lot. He said the testing would also add financial burden to schools who may not be equipped to handle the financial increase in the budget. Member McCord asked if the amount of testing Mr. Kragen was claiming was in fact the amount of time students would be testing, or the amount of time the school would be proctoring. Mr. Kragen said the testing time was what students would actually be spending doing the tests.

Renee Fairless, Mater Academy, spoke in support of the Authority and its continued mission. She said that her parents and students were impressed with the professionalism of the Authority board and encouraged the Authority to continue to work on behalf of students in Nevada.

Steve Werlien, Nevada Connections Academy, spoke in support of the quarterly principals meetings among charter schools, which had begun the previous week. He encouraged all charter schools to continue their involvement in the meetings and said he hoped the schools could work together to address issues that were common amongst charter schools across the state.

Kit Kotler, Silver State Charter Schools, spoke in favor of Silver State Charter School. Her comments follow: Good afternoon. I am Dr. Kit Kotler, the new Executive Director, Academics, at SSSC. I hold a Masters in Teaching and Learning and a Doctorate in Education Administration. My area of expertise is in curriculum and instruction, specifically in school turnaround, and particularly in urban student achievement. In Detroit, our school won the Governor's Award for Academic Achievement when the plan I devised for increasing urban student achievement started at 22% proficient and grew to above 75% proficient in all grades and subjects tested, within three years' time. In Toledo, I turned around a High School Drop Out Prevention and Recovery School to the extent that their Performance Index (measuring Math and ELA improvement) increased by 12 points in less than 1 year. Meanwhile, across the nation the performance index increased during the same time period by only 1.5%---a huge difference. In May of this year I asked God/the Universal Force/Allah, or whatever term one prefers to use to send me to the school that needed me most---anywhere in the country. So...here I am at Silver State Charter Schools. Let me tell you what I know about Silver State Charter Schools in the five weeks I've been with the school:

- It is the oldest charter school in the state. SSSC opened in 2004.
- It is, I believe, the only charter school that busses students to and from school across several counties
- Our teacher to student ratio is 1:8-probably the best ratio in the state

- Many of our students graduate early which shows as a “drop out” under current report card statistics
- Our governing board has completely changed over in the past year. There is only one board member with more than one year’s experience
- The administration of the school has completely changed over the past two months, giving much opportunity for growth and improvement
- We have some of the most talented teachers I have ever seen in my 30 years in the field.

Let me tell you what I’ve heard about Silver State Charter Schools in the five short weeks I’ve been here:

- It consistently underperforms
- They have been allowed to run things into the ground for the past twelve years
- They are going to be closed

Being a researcher by nature and occupation, I decided to look into the allegations myself, using two sources: The 2013-2014 Nevada Report Card and our 2014 Accreditation Report. Here’s what I found (and this does relate directly to our request for the three amendments proposed, so thank you for your patience):

- Our special education population, at 23%, is more than twice as high as the state’s rate of 11.50%
- Our transiency rate of 70% is over 2 times that of the state’s rate of only 27%.
- Our credit deficiency rate is 16 times higher than the state’s rate in 9<sup>th</sup> grade and considerably higher than the state in grades 10, 11, and 12. This tells me that the achievement problem among our students started long ago, in traditional public schools-not as a result of attending our charter school.
- Yes, our graduation rate is considerably lower than that of the state due to the high number of “at risk” students we serve, although 90% of our students graduate with a standard diploma vs. the state rate of only 63%.

In terms of standards-based test performance...

- In Reading, the state showed 14% of students exceeding standards; our rate in the same category is only one point lower, at 13% of students exceeding Reading standards.
- In Writing, the state showed 3% of students exceeding standards; again, we showed just one point less at 2% of students exceeding standards.
- In Mathematics, we exceeded the state in meeting standards at 58% as compared to 54%.
- In Science, we met the identical rate as the state at 70% of students meeting standards.

So, rather than consistently labeling Silver State Charter Schools as “persistently underperforming” as I have heard from your organization on several occasions and as is indicated on the recommendation to the board on page 116 of the support documents, perhaps the facts could be considered. The facts support our allegation that we score as well as the state, in spite of the fact that we have twice the special education population as the state, twice their transient rate, and 16 times the state’s credit deficiency rate at 9<sup>th</sup> grade.

The facts support our allegation that Silver State Charter Schools manages to score relatively equivalent to the state academically, despite spending nearly \$2,000 less per pupil and with 90% of our students earning a standard high school diploma vs. the state’s rate of only 63%.

Finally, Nevada’s “star system” allots thirty points (almost a third of total points available) to “student growth,” yet neither of the two supposed measures of student growth listed are nationally accepted or

research-based and approved methods of actually measuring student growth. Three methods are nationally accepted and research-based: Student Growth Percentiles, Student Learning Objectives, and Value Added Measurements (Sanders & Rivers, 1996; Sherrer, 2011; Stronge, 2010; American Institutes of Research, 2014 & 2015; Silver State Charter Schools will pilot Student Learning Objectives in Term 2, beginning in mid-October. When you consider closing charter schools, please be very careful that the data you are relying on to make these decisions is both reliable and accurate. I submit that both are questionable at the present time. Your decisions can hurt children, as well as help them. Please be so very careful.

In terms of Mr. Gavin's admirable goal to possess only a portfolio of "high performing charter schools" the reality is that the state's demographics prohibit a majority of school's (state or charter) from being categorized as "high performing" at this point in time. It will take a deep understanding of the challenges faced by Nevada's students-and a willingness to tackle those challenges with creativity and a sense of camaraderie around the state-among NDE, authorizers, the Governor's office, SPCSA, and others to resolve these issues. Rather than closing schools (unless you plan to close all of the state's schools that are scoring at the equivalent of SSCS), then my suggestion is that we all collaborate to solve problems, rather than punishing students who are at-risk and/or alternative students-which could reasonably be interpreted as discrimination.

#### **Agenda Item 2 - Approval of August 24, 2015 SPCSA Board Meeting Minutes**

Member Johnson motioned for approval. Member Luna seconded. There was no further discussion. The motion passed unanimously.

#### **Agenda Item 3 – Authority Update**

Prior to beginning the Authority Update, Chair Conaboy asked Deputy Attorney General Ott if she could include two agenda items scheduled later in the meeting in her report for time's sake. Mr. Ott said he saw no problem since both items were for information only.

Chair Conaboy said Member McCord had reached out to West Ed to assist the Authority in developing a process for the evaluation of the Executive Director. Chair Conaboy asked Member Abelman, Member Mackedon and Member Johnson to work with WestEd to begin the development process. She also spoke about the Request for Proposal that had been released by SPCSA staff for a consultant to assist staff with the organizational and operational functions of the agency. Chair Conaboy said the Authority is still planning to have the board retreat, but it would be revisited at a later time due to the amount of work currently being conducted. Chair Conaboy concluded that all of the reappointments have not been made for the Authority and until those are complete the Authority would not hold elections for Board officers.

#### **Agenda Item 4 – Director's Report**

Director Gavin said due to time, he did not have any items to discuss before the board.

#### **Agenda Item 11 - Update on Quest Academy Forensic Audit report and staff recommendation for action regarding possible additional oversight, further investigation, or other actions deemed necessary by the board as authorized by statute or charter contract**

Member Abelman recused himself from the discussion.

#### **ADD QUEST REC REPORT**

Chair Conaboy asked representatives of Quest Academy to speak about staff's recommendation report.

Deb Roberson, Jennifer Anlange, and Terri Barber spoke on behalf of Quest Academy. Ms. Barber began by speaking about the actions the current Quest board had undertaken in response to decisions made by previous governing board members. She said the current board is working with vendors, staff and other interested parties to help fix the financial mismanagement of the previous governing board members. She said the school had replaced Sprint with Cox Cable to save on the technology costs that would have been paid to Sprint. She said the school is also terminating leases at the Azure Business office along with adjusting leases at other properties Quest uses. She said the school had implemented a payment plan with PERS to make up the missing payments owed to the teachers. She said the current board has created a financial and audit subcommittee to assist in managing the changes in the financial management of the school. Ms. Barber said Deloitte representatives were happy with the progress the school had been made. Ms. Barber said the school is more than willing to work with the Authority to fix the problems the previous governing boards of the school. She said the school is in support of the school being placed under receivership to clean up the financial mistakes of the school.

Ms. Roberson said Quest is staffed by exceptional educators and continues to be staffed by dedicated people. She asked the Authority to allow the current governing board to clean up the problems the previous board had. She said she hopes the Authority would not need to place the school under receivership, which may impact the education the school provides. Member Wahl asked for clarification with regard to Quest's request not to be placed under receivership. Ms. Roberson says her hesitation was with the uncertainty of being placed under receivership and how that would impact the school. She said she was also concerned with the financial impact of the receiver would be for the school. Member Wahl asked Director Gavin to clarify the expectations of the receivership.

Director Gavin said the school would lose its autonomy and if the school was not placed under receivership, he would recommend the school be closed. Member Luna asked about the timeline of the receivership. Director Gavin said he would have a more defined timeline upon the implementation of the receiver. Director Gavin said the main responsibility of the receiver would be for them to ensure the school meets its academic responsibilities through the remainder of the 2015-2016 school year. Chair Conaboy asked if the receiver would be a CPA Director Gavin said he did not have the details on the receiver at the time of this meeting. Chair Conaboy asked how the interaction between the receiver and SPCSA staff would work. Director Gavin said the receiver would be the acting representative of the school and would interact with SPCSA staff in that capacity. Member Johnson asked Ms. Roberson is she was opposed to the concept of the receivership as opposed to the uncertainty it would bring. Ms. Roberson said the school was not opposed to a third party being brought in to assist the school with its financial management. Her main concern is the uncertainty of what the school would be asked to do under receivership. She was unclear if that meant the current board would be dissolved or if she would lose academic control if the school were placed under the receiver. Director Gavin said that at the current time the only guarantee he would be willing to make to Quest Academy would be that the receiver would ensure the school completes the 2015-2016 school year.

Member Mackedon asked if the receiver would have control over academic decision making. She envisioned a scenario where the receiver identified financial issues with academic content which could disrupt the academic implementation at the school. Director Gavin said that could be a possibility depending on the findings of the receiver.

Member McCord said he felt a timeline would be very important to clarifying what the receiver was expected to complete. He said this would provide clarity to both Quest's governing board and the Authority itself. However, he said the school had many problems in the past with financial management and it would be no guarantee the school would remain open or be allowed to end its receivership. He did

commend the school on the recent decisions made and hoped the school would continue to examine its deficiencies and recommend changes appropriately.

**Member Mackedon moved for approval of the two part recommendation of SPCSA staff:**

**Because the auditors received no cooperation from the CFEF entity which claimed it was not subject to auditors requests for information, but significant public money continues to flow from the school to this foundation that was established by former board members, staff is directed to forward the audit results to the Attorney General's public integrity unit for further investigation of any issues raised in the audit results and because the audit revealed a pattern of self-dealing transactions by past members of this schools board, and because the ramifications of those decisions continue to impact the school, staff is directed to take immediate actions to work with the school for the installment of a receiver as soon as possible.**

**Member McCord seconded. There was no discussion. The motion carried unanimously. Member Abelman abstained.**

**Agenda Item 10 - Silver State Amendment request pursuant to NAC 386.325**

Director Gavin said Silver State Charter School seeks approval to change the school schedule and operating structure of the school mid-year. The school, which is among the lowest performing in the state and has a written charter which is scheduled to expire at the end of the 2015-16 school year, is in receipt of Notices of Breach due to both academic and organizational performance. The school, which has a new leader, is seeking to move from a 4 day school week to a 5-day school week and is seeking to convert the school from an open campus program with a more flexible student schedule to a closed campus program with a more structured approach. There has been some staff and student objection to this mid-year change.

**Analysis:**

The school's history of poor performance in multiple domains is well documented and it has been evident for some time that the school needed to make dramatic changes to reverse its trajectory. From a general programmatic perspective, the proposed changes seem reasonable and, had they been implemented in prior years, might well have resulted in some improvement in the school's academic performance. It is important to note, however, that there will be little or no opportunity for the school to provide sufficient valid and reliable data on the impact of this change prior to any decision to close the school or to invite the school to submit a renewal application. The Authority must base both its staff recommendations and its Board decisions on clear and unambiguous results, not on last ditch efforts, however sincere and well-thought through. Consequently, it is unlikely that the disruption caused by such midyear changes will be mitigated by any impact the prospect of ongoing operation.

Conversely, the school's long track record of underperformance raises the specter of several hundred young people being under-served under the current academic model. To the extent that these changes can have some impact on the academic outcomes for the school's remaining student body, there is merit in implementing such changes.

**Recommendation:**

Based on the potential for some positive academic impact on the students enrolled at the school, however limited, staff recommend that the Board approve this amendment request with the provision that no last minute initiative, however laudable, will influence the Board's evaluation of the school's performance for

the purposes of upholding any Notice of Closure or arriving at a decision to renew or not renew the school.

Chair Conaboy asked Dr. Kotler to speak on behalf of Silver State Charter School. Ryan Russel, Silver State Charter School's attorney also spoke on behalf of the school. Dr. Kotler explained the past decisions of both the Authority and Silver State Charter School's governing board and why they had decided to amend the instructional for the school. She said last summer the Authority approved an amendment permitting teachers to work four nine-hour days. Upon Dr. Kotler's arrival, she noted the schedule to be that on Mondays, although teachers were on site, they were not scheduled to teach any classes; students were required to attend one half day on Tuesday, Wednesday, or Thursday. The teachers take every Friday off. This is not conducive to improving student achievement. For reasons already stated in the support documents Dr. Kotler wrote, she requested that SSCS be permitted to open the school Mondays through Fridays for instruction and student support, teacher training, etc. The improved programming will permit SSCS to immediately diagnose deficiencies in mathematics and reading and provide content to bring student's up to grade level. It also allows low readers to have text read to them that they cannot read for themselves. These are among the improvements SSCS will make this year, if approved. SSCS also joined Western Nevada College's "Jump Start" program so our eligible students can graduate with a two-year college associate's degree as well as a high school diploma.

Dr. Kotler also noted that rather than this being a "last ditch" effort to improve scores among a majority "at risk" population (as is suggested in your support documents), it is a continuation of an observation-research-planning-and modification of programming-system that she was employing to better meet student learning needs.

In addition, the original mission and vision statements stated that SSCS primarily serve "at risk" and "alternative" education students. Dr. Kotler's understanding is that the school was "talked out of" leaving those items in and they were stricken from the statements. The school revised the mission and vision statements. The approved mission statement, as shown in the Authority's support documents, may be incorrect if it is not reflective of the approved minutes. It should read:

Member Pilant made a motion to approve the minutes of September 8, 2015 with an amendment to the mission statement to satisfy NRS 386.520 (4)(b) such that the mission statement reads: *"Silver State Charter Schools promotes a safe, supportive, alternative learning environment to support the unique needs of our students for the purpose of improving the academic achievement of at risk and general education pupils."*

Chair Conaboy asked about the staff support discrepancy between what SSCS says and what was contained in the SPCSA staff recommendation. Dr. Kotler said staff reaction has been split and about half of the staff is still aligned with the previous administration and due to that support their reaction to this plan has been negative. Chair Conaboy asked if this request may cause the school to lose students who might have already enrolled. Dr. Kotler said she felt the school would be gaining students due to this policy change because of the positive feedback she had received from students and parents.

Director Gavin disagreed with the star rating claim made by SSCS. He said that SSCS is currently the only one star school in the SPCSA's portfolio. He said the school's request to change the mission statement would not receive the support from SPCSA staff at the current time, and recommended the school include that change during the renewal of the charter contract.

Discussion continued between the Authority and Dr. Kotler regarding the staffing of the school if the amendment was approved. Dr. Kotler said there would be no need to change the staffing level if this

amendment was approved because she would be adjusting the electives offered by the school therefore freeing up time from individual teachers to concentrate more on core subject teaching. Member Abelman said he was concerned with such a large change occurring after school had already started. Dr. Kotler said she appreciated the concern, but felt the change would have a positive impact on the students. Member Mackedon said changing the mission of the school may include statutory requirements that she wasn't sure the school had looked into. She said by changing to an at-risk designation would require the school to meet more rigorous reporting requirements than they may be used to.

Chair Conaboy clarified that the amendment request for the meeting today was a programmatic school and the mission change was not to be included in the vote. Director Gavin agreed with Chair Conaboy regarding the amendment request. Ryan Russell also agreed that the only request that should be voted on today would be the programmatic change and the discussion regarding closure or renewal be discussed when it was properly agendaized.

**Member Wahl moved for approval of Silver State Charter School's amendment request pursuant to NAC 386.325. Member Johnson seconded. There was no further discussion. The vote passed 6 – 1, with Chair Conaboy voting against the motion.**

**Agenda Item 5 - Follow-up and possible action on Criteria and Process for High Stakes Review of Charter Contracts and Criteria for Closure, Reconstitution, or Restart of a Charter School**

Director Gavin said within some statutory limits, the SPCSA Board has and should retain broad discretion regarding whether to reconstitute or to revoke/terminate a school and then subsequently restart it or not. To inform the SPCSA Board of all appropriate options, ensure that the process is effective at improving the overall performance of Authority schools, and that all SPCSA students have access to a high quality public school choice, as defined by state law and the SPCSA performance framework, staff recommends the following supporting policies and processes:

Adopt Policy Codifying SB509 Low-Performing Schools: Pursuant to SB509 (and aligned language in SB92), schools are low-performing if they do not meet any one of a number of academic performance thresholds defined in law and regulation. To ensure alignment with SB509, staff recommends that schools which currently fail to meet any academic performance threshold set forth in statute or regulation be subject to a Notice of Closure under the Authority intervention process and subject to reconstitution or revocation/termination followed by possible restart as early as the 2015-16 academic year.

Contractual Disclosure and Reconstitution Limitation Policy: All schools which are scheduled for renewal or have received a Notice of Concern, Breach, or Closure will be required to submit a list of all contracts in excess of \$25,000. The submission will identify the contracting parties, the reason for the contract (including if it is a contract with an EMO), the annual amount, the expiration date of the contract, and any exit or termination clause. Staff recommends that any school which the Authority determines has a management contract which does not comply with the SB509 termination requirement in the event of reconstitution be ineligible for reconstitution. This is a critical component of both the Closure Decision-making Process and the Reconstitution and Restart Review Cycle.

Policy Providing for Notice of Closure to Trigger Reconstitution RFP Process: To maximize the opportunity for current Nevada schools and out-of-state CMOs to provide a seamless transition for students and families, staff recommends that the SPCSA Board authorize staff to begin a Reconstitution RFP process immediately following a staff determination that a school must be served with a Notice of Closure pursuant to law, regulation, or policy as well as immediately following any Board action to

exercise its own authority to serve a school with a Notice of Closure absent staff action, e.g. in the event that the Board votes to revoke or terminate as a result of a high stakes review identified in a charter contract. In the event that the policy preventing reconstitution in the case of non-compliant management agreement ultimately precludes reconstitution, SPCSA staff will work with respondents to the RFP to determine if restart under a new lease in the same building or a nearby facility is a viable option which it can recommend to the SPCSA Board. This is a critical component of both the Closure Decision-making Process and the Reconstitution and Restart Review Cycle.

Policy Providing for Rescission of a Vote to Revoke or Terminate in Favor of Reconstitution with a The Board of a New School or a CMO and for Rescission of a Vote to Reconstitute in Favor of a Vote to Revoke or Terminate: In the event that the SPCSA Board determines that a viable, high quality operator is able to take over a school before it ceases operation or in the event that a previously identified operator is unable to follow through on a reconstitution, the SPCSA Board must reserve the right to rescind its previous vote and replace it with the alternate high stakes intervention. This is a critical component of the Reconstitution and Restart Review Cycle.

Policy Providing for Expedited Renewal: While significant attention must be paid to those schools in the portfolio which are failing to meet academic, financial, or organizational targets, we also have a number of schools which are performing well in all three domains. The performance framework, approved in 2013, references the opportunity for high achieving schools to request expedited renewal. The resource constraints of the SPCSA have limited the Authority's ability to plan for such an eventuality, but it is important to note that there are multiple schools which currently meet or exceed all the criteria identified in the "Go Decision" column above which will be up for renewal over the next several years. These include Somerset, Oasis, and Nevada State High School. The latter, which is up for renewal this year, has already made inquiries about the possibility of submitting an application for and receiving renewal by the end of the calendar year. Staff strongly recommends that the SPCSA adopt a policy permitting such an expedited renewal review and approval for the highest achieving schools in the portfolio beginning in the 2015-16 academic year. Consistent with SPCSA Board guidance, this process would be aligned with the written charter renewal process outlined on page **Error! Bookmark not defined.** and the charter contract renewal process discussed on page **Error! Bookmark not defined.** This process would require a qualifying school to submit a one-page letter requesting expedited renewal, a copy of its current school improvement plan, and a copy of a plan for disseminating the best practices it has successfully implemented to other charter schools in Nevada and around the country.

Policy Providing for Revision and Technical Changes to the Performance Framework: The academic portion of the SPCSA Performance Framework is considered a national model for charter school academic accountability. It is weighted heavily towards academic growth and it rates schools based in large part on the impact they have on students versus the impact of each student's zoned school in their district of residence on their own students. As the Board is aware, the complications of the SBAC rollout will result in not one, but at least two years without any growth data. This will significantly hamper the SPCSA's efforts to comply with its statutory obligation to issue an academic framework on an annual basis. SPCSA staff are in ongoing discussions with NDE leadership, NACSA staff, and other state agencies to devise an appropriate short term solution. The general approach being explored by NDE involves delegating responsibility to districts and schools to develop multiple measures. This presents challenges for a small statewide authorizer, and it is contrary to the Authority's own guidelines regarding mission-specific metrics, which mandates that they be rigorous, valid, and reliable. This effectively excludes most teacher or school created assessments. Moreover, the likelihood that the Authority's existing and new, legislatively approved staff can effectively oversee, support, and analyze the implementation and results up to 23 different third party assessments is highly unlikely unless there is a

dramatic shift in our statutory responsibilities or a significant increase in our legislatively approved budget. Based on a historic review of the performance frameworks and performance management policies from other authorizers which have experienced similar disruptive changes in state testing, including those which have similar resource constraints due to appropriation limitations, staff recommend the expansion of the Authority's current additional assessment, the ACT Aspire, which was incorporated into the Performance Framework as a high school measure, to measure student outcomes in grades 3-10. This assessment, which is aligned with the statewide college and career readiness assessment, the ACT, can be obtained without resorting to an additional lengthy procurement and has the advantage of being supportable by existing staff without additional training or adding significant additional headcount to the Authority. Staff seeks board approval to implement this change to the performance framework and to continue to seek all necessary approvals to purchase this assessment through an expanded contract.

### **Additional Federal Considerations**

Federal policy identifies the mechanisms we define in statute as reconstitution and restart as school improvement methods which are particularly appropriate to charter school authorizers and to portfolio LEAs like the SPCSA, as they do not require the level of day-to-day authorizer/LEA support that the more common turnaround and transformation models more frequently used by school districts. The latter two models assume, for example, that the LEA is the direct employer of school staff and that it has the capacity and authority to terminate or reassign staff. This is also consistent with the types of improvement interventions outlined in SB92. The state's NCLB waiver also recognizes the distinctions between these models.

Under the current statute and agency mandate and resourcing, the SPCSA's authority to support the more district-oriented interventions is constrained to a degree which may make low-performing SPCSA charter schools less competitive applicants for federal school improvement grants and other discretionary federal dollars allocated to low-performing schools. Both federal law and the NCLB waiver assume a robust, district-driven improvement process. Staff is continuing to work with NDE and the Governor's finance office to address the tensions between our statutory and appropriation constraints and the broader set of federal expectations for LEAs versus our statutory mandate to implement and model best authorizing practices. In the long term, however, it is likely that this tension will only be resolved by a statutory change which would make SPCSA charter schools their own LEAs, much like the charter schools to be authorized by the Achievement School District. In the interim, however, it is important to note that the new statutory powers granted by SB509 and other legislation may also provide the SPCSA with the opportunity to access these competitive dollars for the purpose of supporting the reconstitution and restart of schools in the portfolio, including the engagement of external experts to evaluate school performance and make appropriate recommendations regarding the criteria for approving RFP respondents. Consequently, staff request SPCSA Board approval to directly compete for such federal grants in the future and to seek NDE approval to amend the grant applications submitted on behalf of schools the SPCSA Board chooses to close to support this crucial work.

Chair Conaboy asked how the star rating freeze would affect the SPCSA's ability to measure the school's progress. Director Gavin said there were discussions about that would be addressed with an implementation of the ACT test for grades 3 – 10 being possible solution. Member Luna asked which schools would be eligible for the alternative framework. Director Gavin said until the alternative framework was finalized it would not be known which schools would be eligible for alternative framework inclusion.

Chair Conaboy asked for clarification regarding the expedited renewal and if that renewal would only necessitate a one page letter to the Authority requesting the expedited renewal. Director Gavin said he had received feedback that schools that have exceeded the terms in their contracts should not be asked to run through hoops in order to receive and renewed charter contract. Discussion continued regarding dissemination money from federal grants that the SPCSA or NDE may receive for replication of high quality charter operators. Chair Conaboy said she felt schools who were of high quality had a responsibility to the state to give back and provide resources to allow for replication of their models. Member Mackedon said she would have to think about the replication idea more, because it may put undue burden on schools who may not be interested in replicating their model across the state. She said she was more than willing to provide any and all resources her school could, but would withhold final judgement until a more concrete plan was released. Member Johnson added that he felt it would be a benefit to encourage schools to replicate while not burdening the current operation in order to provide quality education to as many students in Nevada as possible. Director Gavin agreed with Member Johnson and said that charter law in Nevada was not meant to create islands of success without providing incentives to replicate that success in other areas across the state.

Director Gavin asked that the board approve the expedited renewal application and approve the contract authority to allow for SPCSA staff to meet state mandated deadlines for approval to spend money on testing, possibly the ACT Aspire. Member Mackedon asked if there would be allowance for changes to the ACT contract in the event schools provide different solutions that may not include the ACT Aspire test. Director Gavin said there would be opportunities to change the testing vendor, and that this request was for staff to be able to pursue the funding authority to enter into a contract with ACT or other vendors if schools so desired.

Caroline McIntosh, Nevada Virtual Academy, disagreed with the SPCSA's staff recommendation to pursue the ACT Aspire test. She said she was the state representative for ACT, but felt the test would not be able to meet the needs of the schools and the Authority. She said her school had implemented the ACT test and had a lot of trouble with the implementation. She also disagreed with Director Gavin's decision stating that she felt there was not enough discussion with charter school operators. Ms. McIntosh requested that the Authority pause the vote until more stakeholders were included in the discussion. Member Wahl asked how the implementation failed NVVA and what the Authority should do in the absence of valid testing data during the star rating freeze. Ms. McIntosh said the administration of the test caused many problems for students, parents and teachers.

Chair Conaboy asked if the approval for funding procurement would mean ACT would be the only option for testing. Director Gavin said this approval was only for the authority to procure the funding to enter into a contract with a vendor regarding testing. Director Gavin also added that he had numerous conversations with schools regarding this request and although some schools may disagree with the recommendation that should not be construed as a lack of communication with interested stakeholders.

**Member Mackedon moved for approval of the expedited renewal policy with changes included from Dr. Hawk's first and second policy recommendations. Member McCord seconded. The vote was unanimous.**

The Authority then considered the second recommendation contained within the Agenda Item 5 recommendation report regarding Authority staff's needed approval from the Authority Board for procurement of funds for ACT Aspire or other testing vendor if ACT was not chosen.

**Member Wahl moved for approval of Authority staff to pursue necessary requirements to meet state deadlines in order for the Authority to be given the approval to contract with ACT or another vendor as determined by the Authority. Member Abelman seconded. The motion carried unanimously.**

**Agenda Item 9 – Timeline, Criteria and Process of Fall 2015 Charter amendment cycle plan pursuant to NAC 386.325**

Director Gavin began by speaking about SB509, which provides that the SPCSA must adopt criteria for evaluating amendment requests to add new facilities. In contrast to historic regulatory language, it also requires that the Authority evaluate both the track record of the school which is seeking the amendment in the areas of academic, financial, and organizational performance, and it requires that the Authority assess the capacity of the school to operate a high quality multi-site school network. Authorizers are increasingly concerned with issues like consistency of implementation, student equity and outcomes, and the capacity of boards and organizations to meet the challenges that accompany significant changes in scale. Recognizing the crucial role of governance in driving exemplary performance, the Authority is continuing to engage in ongoing discussions with NACSA and Board on Track (aka the High Bar) regarding this evolving area of authorizer practice both via research and through participation in discussions with the new National Charter School Governance Institute. Through that research, SPCSA staff has identified a compelling metaphor, the Capability-Maturity Model, which may have significant implications for how we will come to evaluate the effectiveness of boards and schools and determine their capacity of boards to take on new challenges. Based on lessons learned from other industries, including defense, software development, and social enterprise, the Capability-Maturity Model may also have implications for how the SPCSA ultimately organizes and deploys its own authorizing and performance management functions and processes.

***Current Process:***

The current amendment process for adding an additional facility is both opportunistic and ad-hoc. SPCSA staff frequently learns that a school is contemplating adding a new facility after receiving a call or an email from a school inquiring about the next board agenda. This results in a last minute scramble to accommodate schools and evaluate the request. As we have observed, expanding to additional facilities can be a high risk endeavor both for the Authority and for schools. Opportunistic expansion can strain resources, expose systemic weaknesses, and lead to significantly diminished performance across all domains. It is also evident that the current process set forth in NAC requires additional scaffolding in the form of policy and process to provide appropriate clarity to schools, SPCSA staff, and the Board. In this area, it is clear that the SPCSA itself is functioning at the lowest tier of the Capability-Maturity Model. Based on our new statutory responsibility and experience with the current process, it is clear that we need to make significant changes.

Member Mackedon asked about the timeframe for the amendment cycles and if the proposed dates would interfere with the new applicant cycles that happen around the same time. Director Gavin said the submissions would not interfere with the application cycles in either fall or winter cycles.

Ryan Reeves spoke in favor of the timeframe recommendation contained within the recommendation report.

**Member Mackedon moved for approval of bi-annual facility expansion policy. Member Abelman seconded. There no further discussion. The vote was unanimous.**

Director Gavin then discussed the Expansion Amendment Request format as a means of improving the process and increasing the quality of new site expansion across Nevada or authorize staff to publish it with the technical changes and corrections requested by the Board during this meeting. He said the goal was to maximize the flexibility currently contained with NAC while keeping national best practices. He said the goal of the expansion policy would be to limit unrestricted growth while allowing for an avenue for high quality charter schools to expand their instruction to other parts of Nevada.

Chair Conaboy had to leave the meeting at 1:30 pm, but asked to have comments regarding the aforementioned agenda item included in the record. She asked if each school that was replicating would have a board for each site, or if it would be one governing board for all of the sites. Chair Conaboy also reiterated her support for charter schools to define their mission-specific goals. She said she hoped schools would be collaborating with one another regarding offering the Special Education full continuum, but was going to withhold an opinion until she had heard more from charter schools. Chair Conaboy also spoke about transportation at the charter schools and if it would be required by the Authority in the future.

#### **CHAIR CONABOY LEFT THE MEETING AT 1:20 PM. VICE CHAIR WAHL TOOK OVER AS CHAIR OF THE MEETING**

Chair Wahl asked Director Gavin to discuss the expansion policy in more detail. Director Gavin explained the proposals contained in the new policy and the reasoning behind their inclusion. To be eligible to submit an expansion amendment in the fall 2015 expansion amendment cycle, a school must be in good standing in all three domains of the Authority's academic, financial, and organizational performance frameworks and it must not be considered a low-performing school or otherwise ineligible according to any definition set forth in law or regulation. Ineligible schools include, but are not limited to those schools which operate an elementary, middle, or high school rated below the three star level; schools which operate an elementary, middle, or high school program that is a priority or focus school; schools which operate high schools with graduation rates below 60 percent; and schools rated at the approaches, unsatisfactory, or critical level on the Authority Performance Framework either in aggregate or at the elementary, middle, or high school level.

A school which does not have at least one independent financial audit and one year of academic performance data in the Nevada system of accountability is ineligible to apply for an expansion amendment unless the school was approved by the Authority as an EMO replication of a high performing charter school in another state or the operator applied as a CMO applicant and has replicated a high performing charter school model from another state. In such cases, the school will be required to submit updated academic, financial, and organizational performance data in all three domains from the replicated EMO school or CMO school network. Such schools are also encouraged to submit, rigorous, objectively verifiable internal assessment data which demonstrates that the Nevada-based charter school is making progress similar to that of the schools in other states with similarly rigorous academic standards and statewide assessment systems and evaluative criteria. Such non-Nevada schools must be continuing to meet the academic, financial, and organizational performance targets which made them eligible for replication in Nevada for the Authority to consider utilizing their results as a proxy for the performance of a Nevada replication school utilizing the same model. It is also important to note that the Authority will only favorably consider internal assessment results for Nevada campuses which meet or exceed those of schools utilizing the same model in such states. Put simply, such data must, in the Authority's sole discretion, support the finding that the Nevada replication school is on track to perform as well or better than the replicated school on a rigorous, statewide assessment. In the event that the Authority mandates a system-wide assessment to supplement the statewide test and provide for additional data in the event of a

testing irregularity or a change in state testing provider, schools should expect that data from that assessment will outweigh data provided from a school's internal assessment system.

Schools are advised that fiscal or organizational issues which are discovered during the review process, including issues related to or raised in the annual independent audit which is due to the Authority on December 1, 2015, will result in denial of the expansion amendment request.

Chair Wahl asked how the current charter schools are servicing special student populations. Director Gavin said Pursuant to State and federal law, SPCSA schools are required to serve the needs of all students in special populations. Beginning in the 2016-17 school year, the State of Nevada will switch to a weighted formula for special education. For the first time, this will provide for equitable special education funding across all Nevada public schools. Over time, this will necessitate current SPCSA-sponsored charter schools moving from a defined continuum of service to a broader continuum of services. All operators submitting amendment requests to the SPCSA after the conclusion of the 2015 Legislative Session should plan on offering students a broad continuum of services that will expand to the full continuum if the school will grow to serve more than 1,500 students as a result of this amendment request.

The SPCSA operates under the following principles with regards to special populations of students: SPCSA schools serve all eligible students. SPCSA schools do not deny the enrollment of any student based on needs or disability.

Member Mackedon had reservations regarding charter schools entering into MOU's with the school districts in which they operate. She said she would be in full support of schools offering the full continuum, but charter schools need to have access to equal funding both in student funding and facility funding to allow for school to provide the full continuum of service. Ryan Reeves also added he had the same concerns regarding funding equity for charter schools.

Member Mackedon also asked about the expansion of 3 star schools and whether that would still be in effect moving forward. Director Gavin acknowledged inconsistencies within the expansion policy, but did say he believed the more a school wants to expand, the more successful they should be in order to spread high quality education across the state, as opposed to growing for the sake of growth.

Chair Wahl asked Director Gavin to explain the micro-schooling contained within the policy proposal. Director Gavin said micro-schooling was programs that exist within operational schools, and the operational school incubates the micro schooling program until it is ready to operate as its own charter school. Equipo Academy was incubated within the Clark County School District and has had success in becoming a standalone charter school. Member Wahl asked why micro-schooling was included in the expansion document. Director Gavin said schools may need to be required to incubate new programs if they consider growing beyond agreed upon levels. This would allow for the schools to increase the diversity of its student populations. Chair Wahl had reservations about requiring schools to host micro schools and if that was going to put undue burden on high quality schools. Director Gavin said schools would not be forced to host micro schools unless they were planning on expansion. Member Johnson asked what type of support would be provided to schools who may host a micro school. Director Gavin said staff would continue to work with schools on a case-by-case scenario to provide as much support as possible. Member Mackedon felt the application itself was too burdensome and hoped the application could be scaled back. Director Gavin said a lot of the information schools would be asked to submit would already be created and it would be a matter of consolidating data from other reporting requirements the schools already had. Director Gavin also added the reason for a more in depth expansion application

was to prevent schools from over-expanding beyond their capacity and to force the schools to think strategically about the decisions they were making.

**Member Johnson moved for approval of the Expansion Policy Application as submitted by Director Gavin. Member Luna seconded. Discussion continued.**

Member Mackedon asked if the motion included the Special education portion of the application. Member Johnson said his motion was for approval of the application and approval of the opt-in Special Education provisions. Ryan Reeves spoke in support of the motion including the opt-in provision for the Special Education requirements. Bob Beers, treasurer of Founders Academy, hoped the board would take more time to consider the application before them. He said speed of decisions in government without the proper vetting of the document being decided upon may lead to problems in the future. Member Luna asked for Member McCord's opinion on the matter. He said he was in full support of diversification of charter schools across the state.

Member Johnson restated his motion:

**Member Johnson moved for approval of the Expansion Policy Application as submitted by Director Gavin. Member Luna seconded. There was no further discussion. The motion passed 5-1 with Member Mackedon voting no. Chair Conaboy was absent.**

The Authority then began discussion of item four contained within the criteria for expansion policy proposal. The proposed recommendation from SPCSA staff was to require schools that seek to operate larger multi-site schools to commit to key initiatives essential to diversifying the non-White, ELL, Special Education, and free and reduced priced lunch populations on their campuses through a menu of required and optional initiatives. Discussion revolved around moving the Special Education provision, committing schools to serving the full continuum at 1,500 students, from a requirement to being optional until school budgets can be updated with the new expenditures. Director Gavin said he was okay with the change and would work with the Authority to clarify the Special Education provision.

**Member Luna moved for approval of the SPCSA staff criteria for expansion option 4 with the change to require schools to Supplement, and, as necessary, supplant social media and online marketing in favor of comprehensive grassroots outreach plans targeted at communities of color, families living in poverty, families whose home language is not English, and families of students with disabilities to attract and retain a student population which is reflective of the surrounding zoned schools, choosing 3 of the remaining initiatives which will remain optional . Member Abelman seconded. There was no further discussion. The motion passed unanimously. Chair Conaboy was absent.**

Director Gavin then asked if Member Wahl would allow for agenda item 4 to be reopened for an announcement he had just received. Member Wahl agreed to allow Director Gavin to open the agenda item.

#### **Agenda Item 4 – Director's Report**

Director Gavin announced the SPCSA long with the Nevada Department of Education had been awarded \$16 million for the Charter School Start Up Grant from the United States Department of Education.

#### **Agenda Item 6 - Charter School Closure Overview and Procedures**

Director Gavin gave an overview of the charter school closure process. Both the NRS and current NAC contemplate a closure process whereby most of the responsibility for unwinding the affairs of a school which is not renewed or has had its written charter revoked, its charter contract terminated are delegated to the governing body and staff of the school. While there are some penalties for non-compliance with the closure expectations set forth in law and regulation, these primarily fall on the shoulders of the licensed personnel required to serve on the board of the charter school. It is unclear how enforceable such provisions would be, especially in cases where the licensed persons resigned prior to the closure of the school. Moreover, while the delegation of such tasks to the governing body and staff makes sense in the context of Nevada's philosophy of small government, it is unclear whether parties who proved unable to effectively and accountably operate a charter school which met the academic, financial, and organizational performance expectations necessary to merit ongoing operation would suddenly see the error of their ways and conduct an orderly and accountable wind-down of the academic program, operations, and business affairs of the school following a Notice of Closure. It is important to note that the addition of the receiver provision in SB509 was intended, in part, as an authorizer-directed mechanism to appropriately safeguard pupil welfare, public assets, and public funds in the event that the school board and leader proved inadequate to the task. There was no discussion with the board as the item was meant for information only.

#### **Agenda Item 7 – Update on Fall 2015 Charter School Applications received**

Director Gavin said the Authority had received four charter applications for the Fall 2015 Application Cycle. One application was deemed administratively incomplete as was asked to submit during the Winter Application cycle.

#### **Agenda Item 8 - Winter 2016 Charter Application Cycle implementation plan**

Director Gavin explained the Winter 2016 Charter Application Cycle. Staff recommended that the following changes be made to the winter cycle:

1. Notice of Intent deadline of either December 1 or December 15 to allow additional time to work with state purchasing and the finance office to recruit and contract with external reviewers
2. The deadline for Applications: January 15
3. Depending on the option chosen by the Board, staff could proceed on several paths:
  - a. Option 1: Utilize the same RFP templates with minimal changes based on staff and applicant feedback with application going live by October 1. This would keep the same general timeline and process in place, though the additional timeline flexibility offered by SB509 would permit additional time for review
    - i. This would likely result in capacity interviews in mid-February and staff recommendations to the Board by March 31.
  - b. Option 2: Use the new authority under SB509 to bifurcate the process:
    - i. Round 1: An initial submission window where experienced applicants and schools with EMOs submit only their performance data and novice applicants without EMOs submit their governance and academic plans along with a short, conceptual budget. Applicants would be selected to move to Round 2 based capacity interview, track record, and strength of plan by February 15.
    - ii. Round 2: Invitational round where applicants submit full applications and possibly a follow-up interview. Applications would be due March 15 with recommendations to the board by April 30.
  - c. Option 3: Stick with Option 1 for the Winter Cycle and continue redesign of process to more closely resemble Option 2 for the new Summer Round with a contemplated June 1 Notice of Intent and a July 1 Application deadline. This has the advantage of not switching things up on applicants who may already be planning to submit in the winter.

- d. Option 4: To be combined with any of the preceding three options: Provide for priority review of top-tier experienced CMO applicants (Track D) and top-tier replication models (Track C), i.e. Charter School Growth Fund portfolio members and Building Excellent Schools fellows supported by Opportunity 180 to apply on a rolling basis with a staff commitment to review and make a recommendation to the Board within 75 days.

Member Luna asked about the training staff would be able to provide to potential applicants. Director Gavin said that staff capacity at the current makes it difficult to provide the robust training he would like to see. Until budget approvals for new positions are approved, training will likely be limited in the short term.

**Member McCord moved for approval of Option 3 in the 2016 Winter Charter Application Cycle Implementation Plan. Member Johnson seconded. There was no further discussion. The motion passed unanimously. Chair Conaboy was absent.**

### **Agenda Item 12 - Beacon Academy update with meeting enrollments targets set at the July 13, 2015 SPCSA Board meeting**

Tambre Tondryk spoke on behalf of Beacon Academy. She provided the following information regarding the enrollment target. Ms. Tondryk said it was important to note that the data for the 2015-2016 school year is incomplete and will change to reflect new enrollments, missing transcript and high stakes testing information.

The preliminary data presented:

- 551 Total student enrollment on 9/25/2015
- 43% Free and Reduced Lunch
- 13% Special Education or 73 students
- # students in each cohort
- 2019- 40 students
- 2018 – 104 students
- 2017 – 150 students
- 2016 – 180 students
- 2015 and earlier: 77 adult students

Ms. Tondryk said that 54% of all students in the school are credit deficient, not including 9<sup>th</sup> graders and 62% of new students are credit deficient, not including 9<sup>th</sup> graders.

### **Agenda Item 13 - Nevada Virtual Academy update with meeting enrollments targets set at the July 13, 2015 SPCSA Board meeting**

Caroline McIntosh and Ben Gerhardt spoke on behalf of Nevada Virtual Academy. Ms. McIntosh said the school was down around 356 students from the previous school year. Mr. Gerhardt added that each year the school has a large turnover of students who decide to enter back into a regular brick and mortar schools. He said the school did not track why those students left, but was now actively following up with students to see why they withdrew from NVVA. Discussion continued between the Authority and NVVA regarding the enrollment policies and the changes that had been made over the course of the past few years.

Member Wahl asked about the language that was used on NVVA's website and if it may be misleading parents. Ms. McIntosh said she would look into how enrollment policies were described on the site and work with her IT staff to ensure there was no misleading language included. Member Mackedon asked

why messages she had received on social media were saying NVVA would be enrolling K-11 and not K-12. Ms. McIntosh said the school had made a decision to stop enrolling new 12 graders until the school had a more robust credit recovery program. Member Wahl asked if a district brick-and-mortar school could limit its enrollment and not accept 12 graders. Director Gavin said a district school, along with charter schools, could not limit enrollment and not accept 12 graders. Member Wahl added it would be difficult to measure NVVA versus other online schools with regard to graduation rate because it had limited accepting new 12 graders while other online schools had not. Ms. McIntosh said the NVVA board had not meant anything disingenuously and ensured the board that NVVA would look into these policies and rectify the situation.

Member Wahl asked why the NVVA website said enrollment was closed for the 2015-2016 school year and whether that was legal or not. Director Gavin said it was not allowed, a school could say the additional students would be placed on a waiting list, but a school could not say enrollment was closed. Member McCord asked if the school tracks the records it requests as a way to see where students are going once they leave NVVA. Mr. Gerhardt said they do track that information, and Ms. McIntosh added that many times the students did not have a learning coach or the program was too rigorous. Discussion continued between the Authority and representatives of NVVA. Director Gavin asked if NVVA had moved into the additional facility that had been approved at during the last amendment request. Ms. McIntosh said they had not moved in yet but hoped to be doing so soon. Director Gavin also asked if the school would be undergoing a fire drill at the facility they currently operate at. Ms. McIntosh said they would be doing a fire drill at the end of the week. Member Wahl asked if the school would have any financial issues since they had not reached their target enrollment. Ms. McIntosh said the school would be able to make its financial commitments and there would be no issues with the school financially.

#### **Agenda Item 14 - Update regarding new Open Meeting Law provisions passed at the 2015 Legislative session**

Deputy Attorney General Ott spoke about the changes that were made to the Open Meeting Law and how it would affect the Authority. He said it would affect the Authority very little, while Mr. Peltier would have a few additional items he would have to monitor.

#### **Agenda Item 17 – Next Board Meeting**

The Authority Board will meet October 26, 2015

#### **Agenda Item 18 – Public Comment**

There was no public comment in either Las Vegas or Carson City

Member Wahl called for a motion for adjournment.

**Member McCord moved for adjournment. Member Luna seconded. There was no further discussion. The motion passed unanimously. Chair Conaboy was absent.**

The meeting adjourned at 3:55 pm.

# N

## NEVADA

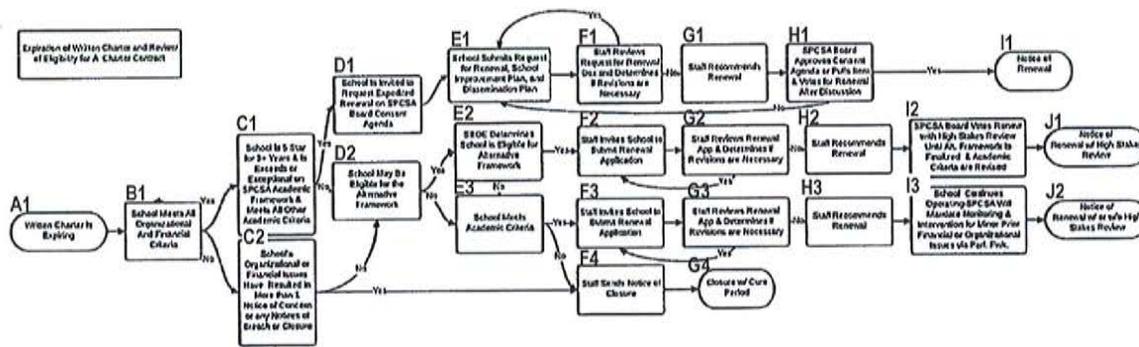
### State High School

September 28, 2015

Mr. Patrick Gavin, Executive Director  
State Public Charter School Authority  
1749 N Stewart Street; Ste 40  
Carson City, NV 89706-2575

Dear Mr. Gavin:

Nevada State High School is offering the following comments and recommendations regarding item 5 on the agenda for the State Public Charter School Authority meeting for M: 9/28/2015. Specifically, numbered page 36 of the Authority's final support documents regarding *Recommended Business Processes: Renewal of Written Charter* that is accompanied by the following flowchart (see below).



**General support comments** related to the flowchart above and information on page 36 including:

1. Expedited renewal will incentivize all schools to perform better on the expectations of the Authority;
2. Expedited renewal will allow more time for schools to spend with students and families;
3. Expedited renewal will provide time for Authority staff to work on projects with highest priority;
4. Allowing schools to supplant their previous charter application with a new, streamlined document during an annual non-material revision period is an excellent suggestion.

Nevada State High School supports an expedited renewal and offers the following **recommendations** to the Authority specifically based on the numbered flowchart above before final action including:

1. Box C1: Consider wording that will allow for future changes to the framework and accountability systems "School is 5-Star for 3+ Years & Is Exceeds or Exceptional on SPCSA Academic Framework & Meets All Other Academic Criteria" **School shows 3+ years of exceeding sponsors performance framework outcomes and state measures of accountability**
2. Box D1: School is invited to Request Expedited Renewal on SPCSA Board Consent Agenda or a school may submit a letter of interest followed by an invitation by SPCSA for Expedited Renewal.
3. Box E1: School Submits Request for Renewal, School Improvement Plan, and Dissemination Plan Highlight Areas of Best Practice to Disseminate.

Regards,

Dr. John Hawk, Chief Operations Officer

# State Public Charter School Authority

## Board Meeting

### Carson City

9-28-2015

Name	Representing	Email Address for SPCSA List serve
Jim Endres	KIVA/K12, INC	JENDRES@KIEWIT.COM
Joe Thomas	NCA	jathomas@connectionseducators.com
Steve Werlein	NCA	Steve.Werlein@connectionseducators.com
Linnee Zelen	SWNS	zelen@swns.net
Janice Winkler	NCA	jwinkler@spcau.com
Robbitt Kotter	Silver State (C)	RKotter@sshs.org
Krystal Hoefling	Silver State Charter	kinoefling@sshs.org
J-Lynn Winkler	Honors Academy of Interact	ms.j.lynn@academyofinteract.org
Kend Russell	SSCS	krussell@allisonmckenzie.com
Denna Wix	NDE	



# State Public Charter School Authority

## Board Meeting

Las Vegas

9-28-2015

Name	Representing	Email Address for SPCSA List serve
BOONE CRAIG	DBAL ACADEMY	BOONE.CRAIG@DBAL.ACADEMY
Victoria Carrion	Guinn Center for Policy/Priorities	vcarrion@guinncenter.org
Andrea Danvers	Beacon Academy	andrea.danvers@beacon.org
Teresa Barber	Quest Academy	t.barber@questlv.com
Dana Parker	Quest Academy	d.parker@questlv.com
Alli Robinson	Quest Prep Academy	a.robinson@questlv.com
<del>Janice Tondrik</del>	<del>Quest Prep Academy</del>	<del>j.tondrik@questlv.com</del>
Janice Tondrik	Beacon Academy	j.tondrik@beacon.org
Caroline Mcintosh	Nevada Virtual Academy	cmcintosh@nvacademy.org

Shawn Brogan	Beacon Academy	
John Hawk	Nevada St. HS	jhawk@earlycollege.com
Tich Moore	Founders Academy	
Erin Stevens	CSJ	estevens@csj.net
Rebecca Fryer	Academy	rebecca.fryer@academy.com
Bryan Reeves	Academy	Bryan.Reeves@academy.com
Clara Brinkman	Academy	clara.brinkman@academy.com
Erin Hydogata	CSJ	erinhdogata@csj.net
Michelle Hall	NCA	mhall@connectionseducation.com
Kymberre LeGron	Quest Academy	k.legron@questiv.com
Nick Sanson	Coral Academy	nick@coralacademy.org
Valerie Blake	Leadership Academy	
World Teaching	Silver Sands Montessori	msmart@silversandsmt.com
Christin Blissett	Easthill High School	christinblissett@gmail.com

VISITOR'S CARD  
Nevada State Public Charter School Authority  
Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full  
that we may maintain accurate records.

Date 9-28  
Name Mrs. TERRI BARBER #1  
Title DIR OF HUMAN RESOURCES  
Address \_\_\_\_\_

Phone No. \_\_\_\_\_  
Representing QUEST  
Subject FORENSIC AUDIT

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD  
Nevada State Public Charter School Authority  
Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so  
that we may maintain accurate records.

Date 9-28  
Name DEB ROBERSON #3  
Title ADMINISTRATOR  
Address \_\_\_\_\_

Phone No. \_\_\_\_\_  
Representing QUEST  
Subject REQUEST OF SPESA

- I Request To Speak
- I am a scheduled speaker
- I am a visitor



VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 01/28/2015  
Name Renee Fairless  
Title Principal, Water Academy  
Address 3445 Mt. Vista Las Vegas 89121  
Phone No. 702-985-2400  
Representing Water Academy  
Subject SPCSA Support

- I Request To Speak
- I am a scheduled speaker
- I am a visitor



VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9/28/15  
Name <sup>Ms</sup> Renee Craun  
Title DOBTL ACADEMY BOARD CHAIR  
Address 7871 SIBBLY LN, LAS VEGAS  
Phone No. 702-285-7857  
Representing DOBTL ACADEMY  
Subject CHARTER SCHOOL EXPANSION

- I Request To Speak
- I am a scheduled speaker
- I am a visitor



VISITOR'S

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9-28

Name JENNIFER ANGLAGE #2

Title BOARD VICE CHAIR

Address

Phone No.

Representing QUEST

Subject BOARD ACTIONS

- I Request To Speak
- I am a scheduled speaker
- I am a visitor



VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9/28/2015

Name John Hawk

Title Chief Operations Officer

Address 233 N. Stephanie St.

Henderson NV 89044

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**NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**October 26, 2015**

Grant Sawyer Building  
555 East Washington  
Room 4412  
Las Vegas, Nevada

And

Legislature  
401 South Carson Street  
Room 2135  
Carson City, Nevada

**MINUTES OF THE MEETING**

**BOARD MEMBERS PRESENT:**

**In Las Vegas:**

Kathleen Conaboy  
Robert McCord  
Adam Johnson  
Melissa Mackedon  
Elissa Wahl  
Marc Abelman  
Nora Luna

**In Carson City:**

None

**BOARD MEMBERS ABSENT**

**AUTHORITY STAFF PRESENT:**

**In Las Vegas:**

Patrick Gavin, Director, State Public Charter School Authority  
Joan Jurgensen, Education Program Professional, State Public Charter School Authority  
Nya Berry, Education Programs Professional, State Public Charter School Authority  
Traci House, Business Process Analyst, State Public Charter School Authority

**In Carson City:**

Jessica Hoban, Administrative Services Officer, State Public Charter School Authority

Angela Blair, Education Program Professional, State Public Charter School Authority  
Kathy Robson, Education Program Professional, State Public Charter School Authority  
Katie Higday, Management Analyst, State Public Charter School Authority  
Danny Peltier, Administrative Assistant, State Public Charter School Authority

**LEGAL STAFF PRESENT:****In Carson City:**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:****In Las Vegas:**

Attendance Sheet Attached

**In Carson City:**

Attendance Sheet Attached

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

President Conaboy called the meeting to order at 9:05am with attendance as reflected above.

Member McCord asked for a motion for a flexible agenda. Chair Conaboy agreed and called for a motion for a flexible agenda. Member Van motioned for flexible agenda, Member McCord seconded. There was no further discussion. The motion carried unanimously.

**Agenda Item 1 – Public Comment**

Students from Doral Charter School along with Bridgett Phillips spoke in support of Doral Academy of Northern Nevada.

Ben Gerhardt spoke about Nevada Virtual Academy's graduation rate publication. Mr. Gerhardt thanked the members of the SPCSA staff including Traci House and Joan Jurgensen, with their assistance with infinite Campus. He said the graduation rate of 68.2 percent was incorrect. The rate as stated by Mr. Gerhardt was around 61 or 62 percent.

Joanna Perry, Silver State Charter School teacher, spoke in support of Silver State Charter School. Ms. Perry said she was a parent of a student at Silver State and he had excelled in their classroom setting. Ms. Perry spoke about the at-risk students that SSCS teaches and how the setting at SSCS helps those students overcome challenges academically.

Catherine Cook, former teacher at SSCS, spoke about the Reduction In Force the school had undertaken during the previous month. She said it came to a surprise to her that she would be let go and hoped the SPCSA would increase its monitoring of SSCS during the remainder of the year and during the renewal process.

David Trujillo, former SSCS teacher, also spoke about the reduction in force. His comments can be found at the end of the minutes.

Kit Kotler, SSCS Executive Director, spoke in support of SSCS and some of the changes the school had made. She said the school had recently moved to a close campus in order to cut down on the loitering students were doing at businesses near the school. She said the school has also updated some of its student software that better allows them to track the progress of the students. They also partnered with Western Nevada College's Jumpstart program that would allow SSCS students to graduate SSCS and achieve an associate's degree at the same time. She said the school was also addressing the financial issues that had been identified in the forensic audit and hoped the school would regain good standing ratings with the SPCSA.

Noah Stevens, Coral Academy of Science Las Vegas, spoke in support of the expansion amendment that was to be heard during the meeting today. He said he hoped the school's request would be approved to allow more students to take advantage of Coral Academy's wonderful academic program.

Monica Vanderheiden, Coral Academy of Science, also spoke in support of the expansion amendment and said the commute from northwest Las Vegas to the current campus puts an unneeded burden on parents and staff.

**Agenda Item 2 – Approval of the September 28, 2015 SPCSA Board Meeting Minutes**

Chair Conaboy asked Member Wahl to oversee this item because she chaired the majority of the September meeting. The minutes were tabled until the following meeting in order to make changes and include public comment attachments.

### **Agenda Item 3 – Authority Update**

Chair Conaboy asked Member Johnson and Member McCord to discuss their time at the NACSA conference. Member Johnson said it was enlightening to see the national ideas and said he felt the conference helped him to better understand the work that needs to be done in Nevada. Member McCord said he was struck by NACSA's tone during the conference. He said there was much more of a regulatory tone that wasn't in existence years ago. He said while he agrees that charter schools need to have oversight, he worries that it may stifle some of the creativity at the school site. Member McCord also found the discussion regarding the CREDO report very enlightening. He also found the session regarding Distance Education to be beneficial because he too felt that more research needs to be done on the efficacy of these online programs.

### **Agenda Item 4 – Director's Report**

Director Gavin spoke about his takeaways from the NACSA conference and echoed the sentiments of Member McCord and Member Johnson. Director Gavin also said a receiver had been identified for Quest Academy. He said the organization was called 10 Square Group and they have substantial experience in this area nationwide and the group had been introduced to Ms. Roberson.

Chair Conaboy asked if there was any additional information on the distribution of the CSP grant. Director Gavin said staff had been working closely with the Governor's office and NDE but since they were the primary recipients of the money, the SPCSA would wait and follow their lead. Chair Conaboy asked Director Gavin to keep the board apprised of the decisions made by the Governor's office and NDE.

### **Agenda Item 5 – Assignment of School Liaisons**

Chair Conaboy said in the past the board had hoped to assign board members to be liaisons to the charter schools it sponsors. She said she hoped these relationships would foster better relationships and better communication with the schools. She clarified that the liaisons would not affect the day-to-day operations of the school or its relationships with SPCSA staff. She also clarified that the liaisons would not interfere with the operational functions of the school or act as a go-between with the charter school and SPCSA staff.

Member Abelman said he was in support of the idea and hoped it would allow for the SPCSA board members to be out at the school sites more often. Member Macedon cautioned that board members needed to be aware of any potential conflicts of interest from the relationships that would be formed between the school and its liaison. Director Gavin said he worried that assigning schools to particular board members may be interpreted as certain schools being part of a board member's constituency. Chair Conaboy said she hoped the liaisons would reach out the school's governing board so they may better know who are actually governing the schools in Nevada. Member McCord asked that this item be revisited in the spring to assess the success of the school visits and make adjustments as necessary.

**Member McCord moved for approval of the assignment of school liaisons and assessment of the project in the spring of 2016. Member Abelman seconded. There was no further discussion. The vote carried unanimously.**

**Agenda Item 6 - Report on the progress of the comprehensive review of the SPCSA executive director position**

Member Abelman led the discussion since he had been appointed the chair of the Evaluation Subcommittee. He thanked Member McCord for facilitating the meeting with WestEd. He detailed how the process would work and said the WestEd recommendations would be placed on the December 4 SPCSA board meeting.

**Agenda Item 8 - Charter School Administrators Report**

J-Lynn Van Pelt spoke on behalf of the charter school administrators report. She said the charter schools had decided to meet monthly to discuss various issues they face as operators in the state. Her testimony follows:

"It was our pleasure to help organize and co-chair the first Director's Meeting and discussion this month. The idea for regular director meetings came during the September Director's Meeting with Patrick Gavin. At the meeting with Patrick, it was agreed that the Directors would again meet in October and discuss suggestions for two pending issues: The SPCSA's desire to implement the ACT ASPIRE test for Charter School students, and the idea of each school taking over the responsibilities for Infinite Campus.

We recognized early on that no one solution would work for all schools as we have such different needs and approaches. The differences in Charter schools sponsored by the SPCSA are numerous and celebrated. Some schools have thousands of students, some under 200, the needs of online schools differ greatly from brick and mortar schools, concerns differ for schools with EMO support vs. small, independent schools, etc. So, we worked as different entities to come to a consensus recognizing that any proposed solutions would need to be multi-faceted.

It is with this common goal and mutual respect for each school's varying needs that the group came to the following suggestions on the above mentioned topics:

As a group, we do not support implementing the ACT ASPIRE testing this year. Major concerns include: increasing the amount of time spent on testing in the year, which reduces the amount of time available to teach and having the necessary time to train staff to administer another assessment with fidelity.

Additionally, we agree in consensus that we continue to be concerned that these measures will not capture the mission specific aspects of our school and we encourage the SPCSA to consider how mission specific goals for each school will be measured going forward. There was also concern because the ACT ASPIRE test as it was presented for implementation is a summative assessment that could only show proficiency, the same as the SBAC testing. The need for growth data would not be met by implementing the ACT assessment. Instead of the ASPIRE, the Directors would like to look at how the SBAC interim measures could be used in combination with the summative SBAC testing to show growth within and between academic years for the SPCSA schools.

Most schools represented at our discussion are in favor of having autonomy with infinite campus. School leaders feel that they will be more effective and timely in managing student information if they have control over their own system. School leaders are concerned about the potential fiscal implications of managing our own systems and securing appropriate professional development to successfully run the system locally. No one was ready to make the move without a better understanding of what part of IC would be funded by the SPCSA and by the schools.

The group also came up with discussion topics for future Director Meetings to include:

- Different and innovative funding options

- Talk about the new legislation that affects schools like the dyslexia bill and bullying and NEPF—how will affect Charter Schools
- Read by 3 requirements so all on same page, what nuances are working and where are we going, share out plans
- Weighted budget formula that is coming
- NIAA and high school sports

The charter school Directors hope that these regular meetings can help develop ongoing dialogue with the SPCSA Board. The Directors of the Charter Schools would like to provide feedback on current topics and ideas up for discussion at SPCSA Board meetings so that the Board is presented with direct perspectives of the schools. The directors would like to request that topics soon to be on the SPCSA Board agendas be shared with the group so that we can discuss ideas and options and present our collective perspectives.

The group also set a monthly meeting for Directors which will be the 2<sup>nd</sup> Friday of each month with the next meeting on November 13<sup>th</sup>. Directors from different schools will chair each month's meetings and Steve from NV Connections Academy has volunteered to chair the November meeting. We look forward to continuing this new forum for dialogue and sharing amongst the SPCSA sponsored charter school Directors.”

Chair Conaboy asked if the tensions between the need to contract with ACT Aspire to measure schools due to the star freeze and the schools disagreement of that choice were being addressed. Director Gavin said while he was sensitive to schools and their wish not to over test, the SPCSA needs something to measure the schools so the terms of the charter contracts were met. Chair Conaboy asked that the dialogue continue with both SPCSA staff and the heads of the charter schools to try and work out the differences of opinions that still exist.

**Agenda Item 9 - Update on Silver State Charter School Forensic Audit report and staff recommendation for action regarding possible additional oversight, further investigation, or other actions deemed necessary by the board as authorized by statute or charter contract**

Director Gavin read from the audit memo he provided to the board. Based on the information provided in the attached documents, staff recommends that the board make the following resolution regarding Silver State Charter School:

- 1) The audit has revealed a pattern of fiscal mismanagement by current and past staff and members of this charter school's governing body and the school has failed to comply with generally accepted standards of fiscal management (NRS 386.535(1)(a)(2)).
- 2) The audit has revealed that the school has invested public funds in a high risk financial instrument, namely a derivatives contract, with Bank of America. This is a violation of NAC 387.565, which mandates that all school funds be appropriately insured. While Bank of America is an FDIC member, derivatives contracts are not insured by the FDIC or any other insurer approved by the State of Nevada. Consequently, the school failed to comply with the provisions of [NRS 386.490](#) to [386.649](#), inclusive, and other statutes or regulations applicable to charter school ((NRS 386.535(1)(a)(3)).
- 3) Because the school has engaged in activities which are grounds for revocation of the written charter pursuant to NRS 386.535, I move that SPCSA staff issue a Notice of Closure to Silver State Charter School.

- 4) Pursuant to NRS 386.535, the school has at least 30 days within which to take corrective actions. The first day of this “cure period” is October 27, 2015. The date by which the school must have completed all efforts to cure these deficiencies is November 27, 2015.

Staff are directed to schedule a public hearing at the December 4, 2015 SPCSA Board meeting during which the Board will determine whether the charter school has corrected the deficiencies identified in this resolution and the forensic audit and whether to revoke the charter for Silver State Charter School. Such revocation, if approved by the SPCSA Board, would be effective at the end of the 2015-16 academic year.

Member Johnson asked what needed to be done for the school to be allowed to remain operational. Director Gavin said the audit that was provided by Deloitte was clear in its findings and the majority of the work that SSCS needs to do is contained in that report. Member Mackedon asked Deputy Attorney Ott what the legal requirements of the SPCSA were with regard to allowing SSCS to remedy the issues found in the forensic audit. Mr. Ott said the SPCSA was not required to allow the school time to fix the problems, but it did have statutory authority to permit the school to fix the problems in a 30 to 90 day window.

Member McCord then called for a five minute recess to allow for Director Gavin and Mr. Ott to discuss the statutes governing the matter.

Representatives from SSCS then spoke on behalf of the school. Ryan Russel, attorney; Edie Grub, governing board president; and Kelli Grahman, CFO addressed the questions from the Authority. Ms. Grub asked the Authority for an extension to address the findings in the audit due to the limited time they had to go over the findings report. Ms. Grahman said the school had software issues had caused errors in the financial management of the school and if they had been able to receive IT assistance the problems found in the audit would have never occurred.

**Member McCord moved for approval of staff recommendations as amended with the statutory citation of NAC 387.765. Member Abelman seconded. There was no further discussion. The motion carried unanimously.**

### **Agenda Item 10 - Coral Academy of Science Las Vegas Amendment request pursuant to NAC 386.325**

#### **Background:**

Coral Academy has submitted a request to amend its charter to acquire and occupy an additional campus in Centennial Hills.

#### **Analysis:**

The expansion request is incomplete. Several key items mandated by NAC 386.3265 were not included, including the required project plan and timelines (i.e. Gantt chart) and explanatory narrative sufficient to gauge the school’s ability to execute on this project and obtain all necessary approvals prior to opening. Without this information, it is impossible to evaluate the school’s capacity to develop the Nellis and Centennial Hills properties simultaneously. The omission of this required information is particularly unfortunate given the complexities and risk factors associated with a high-profile project like the Nellis campus and challenges which have recently been identified in obtaining final Air Force approval for that expansion.

Additionally, the school provided insufficient information to permit a determination of the school’s capacity to more effectively implement other statutory requirements, including the requirement in NRS

386.580(1) that the school “shall, if practicable, ensure that the racial composition of pupils enrolled in the charter school does not differ by more than 10 percent from the racial composition of pupils who attend public schools in the zone in which the charter school is located.” In recent months, the SPCSA Board has placed a renewed emphasis on this requirement for those schools which do not have a mission-specific enrollment preference to serve a particular at-risk population—an exemption permitted by NRS 386.580(2)(d) and has emphasized that schools must do significantly more grassroots marketing and direct contact with families in an effort to ensure that schools meet both this statutory requirement and a broader state and federal expectation that schools without a mission-specific enrollment preference also reflect the economic, linguistic, and ability diversity of the surrounding community.

Coral does not have a mission-specific at-risk preference the school as a whole, yet the school’s existing campuses in Henderson do not reflect the racial, economic, linguistic, or ability diversity of the surrounding community—most notably with regard to the percentage of Hispanic students attending the school and the percentages of low-income, special education, and ELL students at Coral (see attached). While the recently approved Nellis campus is eligible for the recently enacted military-connected child enrollment preference and will likely be significantly more representative of its environs due to the greater diversity and social cohesion of the US military community, the proposed Centennial Hills campus will not benefit from the inherent recruitment advantages for a military base campus with a military-connected child enrollment preference. Despite the gap between Coral’s demographics and those of the surrounding community, the school states that “[r]ecruitment at Centennial Hills will mirror the procedures we have in place at our existing campuses and will include many events such as Math Matters, Open Houses, Family Nights, Festivals, STEM Expo, and other events that the central office incorporates.” While these are, no doubt, high quality events which engage many constituencies in the community, the gap between Coral’s population and that of the surrounding community clearly demonstrates that these efforts are insufficient to increase the diversity of Coral’s student body. Additional grassroots marketing aimed at some of Nevada’s fastest growing and most high-needs students is essential.

Recommendation:

Based on a review of the expansion request, staff recommends that the Board deny the request at this time. Staff deeply appreciates the school’s willingness to be an early and eager participant in the expansion amendment request process. Coral has an exemplary academic track record and we fully expect that the school will be able to address the issues raised in this recommendation and expand in the future. Staff notes that it is aware that Coral has recently begun conversations with a consultant who is experienced in school expansion strategic and business planning and it supports the school’s desire to increase its capacity and effectiveness in this area. The school is strongly encouraged to consider both staff and SPCSA Board concerns, modify its plans appropriately, and resubmit a complete and well-developed expansion request during an upcoming expansion amendment window.

Ercan Aydogdu, Executive Director of Coral Academy, spoke on behalf of the school. Mr. Aydogdu explained the plans for the school’s expansion and detailed the advertising, community outreach and lottery process that would be implemented upon the opening of the new campus. He also spoke about the demographic makeup of the school and how it reflects the similar makeup of the comparable district schools.

Member McCord said he was concerned about the school’s capacity to expand at the rate it is requesting. He said the school was doing everything right, but he did not want the school’s quality of education to be degraded by over-expanding in the area. He asked if Mr. Aydogdu felt they had the capacity to take on these new challenges. Mr. Aydogdu said he felt the school had the capacity and would not jeopardize the

quality of the education during the expansion period. He said they have increased staff to meet the new work and that the school had a good strategy in place to meet the student needs at all of their sites.

Hasan Deniz, board chair for Coral Academy, also spoke about the board's capacity to handle the growth of the school. He said the board had spent a lot of time strategizing and critically thinking about the challenges this expansion would pose. He said he was confident the school, along with the staff, administration and board were ready to handle the new campuses. Member Wahl echoed Member McCord comments and added she was concerned about the special needs population at the Nellis base campus would put strain on the school's operation. She also added the campus that was being proposed at the base would require a lot of work to bring the building up to date.

Member Mackedon said she respectfully disagreed with the notion the school was underprepared. She said as a school operator, sometimes it is better to open all the proposed campuses at the same time so you can share professional development among the campuses starting operations. Candy Farthing, academic director for Coral Academy, also spoke in favor of the expansion. She said she had shared the concerns the board had expressed, but was assured by the work that had been done that the school would be able to successfully expand to the new campuses. Mr. Aydogdu added that he had been an administrator at a charter school at an air force base in Tucson Arizona. He said he was intimately aware of the challenges the school would face and was prepared to handle the special needs population.

Director Gavin said staff would be amendable to accepting additional documents that would clarify some of the questions raised during the initial expansion application if the school would be willing to send the documents in. Coral Academy said it would be more than willing to send additional documents if that was what staff was requesting. Then upon the receipt of the additional documents, the item would be heard again at the December 4 SCSA board meeting. Member Mackedon asked if it would be appropriate to make a motion to allow for tentative approval for the SPCSA board with the requirement that SPCSA staff would review the additional documents and give final approval for the expansion request. She said she hoped this would save time for both staff and the charter school, since the Authority was in support of the expansion. Chair Conaboy asked for a five minute recess to discuss the NAC governing the expansion amendment approval timelines.

Mr. Ott said the Authority would be allowed to approve the request with conditions that additional documents would be submitted to staff.

**Member McCord moved for approval of Coral Academy's expansion request with the condition that the school would submit additional documents to SPCSA staff for final review before commencing operation. Member Mackedon seconded. There was further discussion.**

Member Johnson asked why the application for expansion was incomplete. Mr. Aydogdu said the limited timeline for the new application made it difficult to meet the deadline. Due to the new requirements for expansion, it made the process more complicated than it had been in the past. Mt. Aydogdu said he was in support of the more robust application, but it was definitely more difficult than past expansion amendment requests.

**Member McCord moved for approval of Coral Academy's expansion request with the condition that the school would submit additional documents to SPCSA staff for final review before commencing operation. Member Mackedon seconded. The motion carried unanimously.**

**Agenda Item 11 - Quest Academy Governance waiver request**

Before the hearing began, Member Abelman recused himself from the discussion due to his history with Quest Academy. Director Gavin then read from the recommendation report.

Regulatory and Policy Overview:

NAC 386.345 was one of a number of regulations impacting charter schools which were substantially revised in a public process which began in early 2014 and was completed with the Legislative Commission's approval of R035-14A in December 2014. The general public, including staff and board members of charter schools, had the opportunity to participate in that public process and the State Public Charter School Authority has discussed these NAC changes in public meetings, posted links to the revised regulations on its website, and circulated links to the published version of the regulations in the Nevada Register via email and social media. While the Authority has no legal obligation and very limited capacity to notify charter schools of regulatory changes, it has made significant effort to do so.

A number of these regulatory changes codified into regulation past practices of the Nevada Department of Education and the State Public Charter School Authority, both of which have historically required charter school applicants to commit in writing to a variety of good governance practices. The revised NAC 386.345(2)(b) provides that a governing body of a charter school may not include (1) A person who is related by blood or marriage to an employee of the governing body or charter school or (2) A person who is related by blood or marriage to another member of the governing body, unless the governing body of the school petitions the Authority for a waiver of this prohibition and that waiver is approved by the SPCSA. Pursuant to NAC 386.345(3), the Authority may waive the prohibition for "good cause shown and may make its approval contingent upon the governing body agreeing to additional oversight or conditions." The rationale for permitting such waivers was emphasized by former State Superintendent Erquiaga in his consideration of these regulations at a public hearing in November 2014, when he noted that he himself was from a rural county where "everyone is related to each other." Consistent with that reasoning, the Authority has limited its granting of such waivers to rural communities.

Background:

On multiple occasions, SPCSA staff and members of the Authority board have brought both the charter application's nepotism requirements and the regulations prohibiting nepotism to the attention of the school leader and members of the governing body of Quest Academy. As revealed in the Quest forensic audit findings the SPCSA Board reviewed on September 28, 2015, there were multiple incidents of nepotism identified. On September 30, 2015, the governing body of Quest Academy requested that the SPCSA board waive the nepotism prohibition set forth in NAC 386.345, identifying three board member—out of eight total—who would require such a waiver as they have family members who are employed by the school. Subsequent to that request, the Authority received correspondence from one of the three parties indicating that he resigned his position on the Board effective October 13, 2015 and stating that would not rejoin the board unless such a waiver were granted. The three individuals for whom the Board has requested this waiver are:

- Jack Fleeman – spouse of Christina Fleeman, teacher
- Lucas Leavitt - spouse of Quest Special Education Aide, Jennifer Leavitt
- Timothy Zeidler– spouse of Quest Special Education Aide, Linda Zeidler

The school contends that the inclusion of these individuals is essential to comply with the provisions of NRS 386.549, which sets forth expertise which the legislature has determined is essential to the effective governance of a charter school. Mr. Leavitt and Mr. Zeidler meet the board membership requirement of NRS 386.549(1)(a) and (b) as they are licensed educators. If he were to rejoin the board, Mr. Fleeman would meet the board membership requirement of NRS 386.549(1)(d) as he has experience as an

attorney. Based on a review of the Quest board roster submitted via Epicenter on July 21, 2015, it appears that the school is correct in its assertion that the school would be out of compliance with the board membership provisions of NRS 386.549 if those individuals were not permitted to serve on the board.

In its request, the school notes that it has advertised for board members in the local newspaper and did not receive any applicants. It also contends that there is significant competition for board members and cites this as justification for appointing individuals with known familial relationships to staff and is now retroactively seeking approval.

Recommendation and Analysis:

While SPCSA staff sympathizes with the challenges faced by individual board members and staff, we recommend that the waivers be denied for all three individuals. It is important to note that staff's recommendation to deny this waiver request is not based on any evaluation of the competence, intentions, or ethics of the three individuals for whom these waivers were requested. Based on the evidence we have received to date, it appears that their commendable willingness to serve on the governing body of Quest is grounded in a sincere desire to support their children's school and help it to improve. In no way should this recommendation be taken as an opinion that these individuals would not be exemplary members of another charter school governing body.

Instead, this recommendation is grounded in both critical public policy concerns and the context and history of this particular school. Competition and a lack of applicants from a one-time recruitment effort do not constitute a compelling justification to grant any of these waiver requests, let alone three separate waivers for one school. Ongoing board development and the recruitment, selection, and retention of high quality board members is a core responsibility of any self-selecting governing body. The passive and reactive strategies of the governing body of Quest do not constitute best practice in governance and they represent a systemic organizational deficiency. Clark County is by far the most populous county in the state and is home to the nation's fifth largest school district. Approving a waiver request for a Clark County school based on the rationale of competition and lack of applicants to an advertisement would set a precedent by which the SPCSA Board could permit every governing body in the state—including all of our schools in Clark and Washoe—to appoint one or multiple board members related to staff. This would effectively nullify the nepotism prohibition and undermine the integrity and public trust of the charter school movement. Moreover, even if the SPCSA Board were to elect to grant nepotism waivers in Clark or Washoe Counties, Quest's extensive history of organizational and governance issues—including very recent and ongoing patterns of nepotism, noncompliance and mismanagement, strongly argues against permitting any waiver for this school at this time.

Deb Roberson, director of Quest Academy, spoke on behalf of the school. Ms. Roberson said the proposed board members would not be able to make it to the meeting today due to scheduling conflicts. Ms. Roberson introduced Dempsey Jones III. He read from three letters of the members of Quest Academy Board. Lucas Levitt said he was unable to make the board meeting in person, but wanted to express his views to the Authority. He said his wife works at Quest Academy as a special education assistant and had abstained from any motion that directly impacted his wife's employment. He asked that he be allowed to continue as a board member for Quest Academy. The next letter was from Tom Zeigler, who also was unable to make the SPCSA board meeting. He said that he hoped the SPCSA would allow him to continue to serve on the governing board due to the amount of issues that still need to be resolved at the school. He said he had led the board in its transition to a more transparent board that serves the students, parents and staff of Quest Academy. He also said he had abstained from any decisions that affected his wife during hearings of the Quest Academy board. The final letter was from Jack Fleeman

who said he would refrain from any self-dealing and abstain from any decisions that may affect his wife's employment at the school. Mr. Dempsey then added that he was in full support of retaining these preceding board members. He said Director Gavin had referenced the nepotism issues at the school had gone on for eighteen months and wondered why the SPCSA was now enforcing something they had been unwilling, or unable to, enforce in the past. Mr. Dempsey said he had been a board member for eight months and had raised nepotism issues when he first served. He asked why the nepotism problem had not been addressed months ago. Chair Conaboy said she was unsure where a problem had occurred, but assured Mr. Dempsey that staff had taken proper actions vetting the board., Director Gavin added the school had been given ample notice of the nepotism problem in the past, but the past governing board member and super intendent did not relay that information to the school staff and other governing board members.

Terry Barber, director of human resources of Quest Academy, said the school confirmed they had errors and omissions insurance that was requested by Member McCord at the previous meetings. She said the school currently has a claim open with their insurance company regarding past decisions of past board members. She also added that Sharon McCombs from PERS Nevada had been in contact with the school regarding the missed PERS payments for staff at Quest Academy. She said that PERS had confirmed they would be caught up with their PERS payments by December 2015. Ms. Barber said that the proposed board members being heard were instrumental in helping the school work through the problems that had been identified in the forensic audit.

Ms. Roberson said the current board had done a great job helping Quest overcome the problems that had been addressed. She asked the Authority to allow for time to find new board members if the Authority decided to deny Quest Academy's nepotism request. Director Gavin said the school would not need the approval for a time extension to find new members because upon the contracting with the receiver, the school's governing board would be abolished. He said the school had fulfilled its first quarter board meeting, and would not be expected to meet until after the receiver finished its work. Member McCord asked if the scope of the receiver's work would include establishing a new board. Director Gavin said subsequent to January 1, receiver could issue an RFP to appoint a new board. Director Gavin said the scope of the receiver would be two fold, oversee closure procedures if the charter were to be revoked, or oversee the transition of the school's leadership if the school were to keep their charter at the end of the 2015-2016 school year. Chair Conaboy asked Director Gavin to restate the recommendation appointing the receiver that was approved at the previous Authority meeting. Chair Conaboy read from the minutes which confirmed the receiver would be the acting representative of the board. Chair Conaboy continued reading from the minutes which said Ms. Roberson had raised the question concerning whether the board would be dissolved, but Director Gavin would only commit to the receiver ensuring Quest Academy finished the academic year. Chair Conaboy asked if the nepotism approval was even necessary for the agenda today since the school's governing board would be dissolved. Director Gavin felt it was necessary because the Quest Board was planning on meeting the day following the Authority meeting. Chair Conaboy asked if Director Gavin had any discussions with the school regarding the dissolution of the board. Director Gavin said he had not.

Ms. Roberson said she didn't understand how the school's governing board would be dissolved if the school was working toward fixing the problems identified in the forensic audit.

Deputy Attorney General Ott restated the only item agendized for the meeting was the nepotism waiver. No decisions that were made at the previous Authority meeting or future decisions regarding the status of the school's charter would be voted on at this meeting. He said while he understood the topics being discussed were relevant to the nepotism hearing, he wanted to clarify that the only item up for a vote was

the agendized nepotism waiver. Member Mackedon asked if there should be a vote since the receiver would dissolve the Quest board. Mr. Ott said there should be a vote since this was an item placed on the Authority's agenda. Member Luna asked if the school would not have a quorum if the Authority voted to deny the Quest nepotism request. Director Gavin confirmed there would not be a quorum. Chair Conaboy asked Mr., Ott to advise the Authority on how to proceed if no motion was made. Mr. Ott said the Authority had been asked to take action on the agendized item. If no motion were to be made, then by default the board would choose not to take action, thus meaning there would be no waiver approval and the request would be denied.

**Member Wahl motioned to deny the Quest Academy nepotism waiver. Member Luna seconded. There was no further discussion. The motion carried unanimously. Member Abelman abstained.**

### **Agenda Item 12 - Consideration regarding the Application Review Team's recommendation of Doral Academy of Northern Nevada's charter school application**

Director Gavin read from the recommendation report. Doral Academy of North Nevada is dedicated to creating an enhanced and engaging educational experience. Doral will provide an academically challenging learning environment with a strong emphasis on arts integration teaching strategies which will increase literacy, cognitive, and social development. Teachers, parents, students, and staff will establish and achieve individual student goals to build a foundation for all Doral Academy students to be college and career ready. This report is structured around three sections: Academic, Fiscal, and Organizational. Each section contains an overview of key findings based on a totality of the evidence and concludes with the Authority's determination on each of the three guiding questions.

For applicants seeking to replicate an existing model—whether as a direct charter management organization applicant, a committee to form partnering with a non-profit or for-profit education management organization, or a committee to form which seeks to independently replicate, primary consideration must be given to the academic track record of the model.

Staff reviewed Doral academic performance data provided by the applicant and verified it via spot checks of publicly available information. No inconsistencies were found. Staff also supplemented the supplied data with a review of other publicly available data. The findings are below:

- Under Florida's school grading system, four of the five Doral Academy schools in Florida were rated at the A level in 2012-13 and 2013-14. The other school, a high school, was rated at a B in both years. It is important to note that 2014-15 data is not yet available. Moreover, the state passed a law in 2014 modifying its school rating system in light of other changes to the accountability system so future scores may not be directly comparable with past scoring.
- Under the Nevada School Performance Framework, the Doral Academy in Clark County is currently rated as a 5 star elementary school and a 4 star middle school. It is important to note that due to the "pause year," this data is actually from the 2013-14 academic year.
- The school was ranked as Adequate on the 2013-14 SPCSA Academic Performance Framework.
- Due to the 2015 Nevada statewide testing irregularity, there will be no growth data with which to calculate either an NSPF Star rating or an SPCSA Academic Performance Framework rating based on statewide testing data until no earlier than the fall of 2018.

**Conclusion:** The proposed academic model has a strong track record of academic performance in both Florida and Nevada. While high achieving, the Nevada implementation was providing a level of academic results which was on par with, but did not exceed those of its sending schools in 2013-14.

Essential Question: Will the academic program be a success?

**Yes.** The academic program outlined in the application is consistent with the core elements of the successful Florida and Nevada implementations. The application, capacity, interview, and follow-up discussion with members of the applicant team effectively articulate an academic program which can be successful with northern Nevada students. The applicant and the model have demonstrated capacity for continued academic growth and a clear focus on continuous improvement. To that end, staff has identified areas of improvement which should be addressed by the applicant to the satisfaction of staff following board approval and prior to the issuance of the charter contract.

Should the board approve the application based on the totality of evidence related to all three domains, staff proposes to work with the applicant to address the areas for improvement prior to the formal issuance of a charter contract by the Director based on this approval.

The proposed organizational model has a strong track record of organizational performance in Nevada and has been effectively adapted to meet the needs of the Nevada context while continuing to deliver strong academic results.

As noted above, the applicant has selected a model with a strong track record of organizational success. The applicant has a strong understanding of what it takes to oversee an effective and accountable organization and has articulated systems to oversee the implementation of the model. In response to feedback and areas of concern, the applicant has amply demonstrated a growth mindset and a capacity and desire for continuous improvement.

Essential Question: Will the school be an effective and accountable organization?

**Yes.** The organizational program outlined in the application is consistent with the core elements of the other successful implementations. The application, capacity, interview, and follow-up discussion with members of the applicant team effectively articulate an organizational plan which can be successful with northern Nevada students. The applicant group has embraced feedback and committed to additional charter school board development training following charter approval to supplement their existing expertise.

The applicant budget is designed primarily as a performance task to evaluate the applicant's ability to design a budget which accurately reflects the Nevada context, contains reasonable expense assumptions which are correctly calculated, and incorporates the personnel and operating costs specific to the academic model. While many of these assumptions and priorities will serve as the basis for the operating budget adopted by the governing body, is not intended to contractually bind the applicant to a specific set of revenues or expenditures.

The applicant provided financial data, including audited financial statements, for other schools implementing the academic program and for other schools which receive financial management services from Academica Nevada, the applicant's chosen education management organization. Staff also supplemented the supplied data with a review of previously produced financial frameworks for the southern Nevada Doral implementation and other Nevada charter schools which partner with Academica Nevada.

The 2013-14 independent audit report for Doral Academy of Nevada (the Las Vegas charter holder) shows that their financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate remaining fund information, and the respective

changes in financial position in conformity with accounting principles generally accepted in the United States of America. The auditor's consideration of internal control over financial reporting did not identify any deficiencies in internal control considered to be material weaknesses. Multiple years of similarly strong audit results were furnished for Pinecrest Academy of Nevada and Somerset Academy of Nevada, two other Nevada charter holders which contract with Academica Nevada for financial management services. As the Florida-based Doral Academy model receives services from a separate, Academica-affiliated financial management company which is legally and operationally separate from the Nevada finance office, the review of audit results from those schools was not emphasized, though review of publicly available data indicates similarly strong financial performance compounded with a significantly longer operating history and a different state financial support system for schools. Due to the differences between Nevada and Florida's school funding systems and school finance laws and regulations, the results may not be directly comparable.

Conclusion: The proposed financial model has a strong track record of academic performance in both Florida and Nevada and has been effectively adapted to meet the needs of the Nevada context while continuing to deliver strong academic results.

Essential Question: Will the school be fiscally viable.

Yes. The budget and operating plan outlined in the application is consistent with the core elements of the successful Doral Las Vegas implementation and other Academica Nevada clients. The application, capacity, interview, and follow-up discussion with members of the applicant team effectively demonstrated a strong business plan which will result in a financially viable school.

Director Gavin said one of the applicant's husband on the committee to form, Mr. Salcido, provided Director Gavin legal consultation, but it did not have any effect on the applicants recommendation.

Member Mackedon disclosed her friendship with Megan Salcido, but it would have no impact on the recommendation hearing.

Pat Hickey, Megan Salcido, Danielle Cherry, Steve Porter spoke on behalf of the school. Bridgett Phillips, principal of Doral Academy in Las Vegas, also spoke in support of the proposed charter school. Chair Conaboy asked if Bridget Phillips would serve as executive director of both Dorals in the north and the south. She said they would collaborate with the northern school as they started their operations, but she would not oversee the operations of Doral Academy of Northern Nevada. Chair Conaboy asked about the outreach to community arts groups and how that compared to the extensive outreach that had been done in Las Vegas. Mr. Porter said the group had reached out to the local organizations but had yet to receive a final commitment.

Member Wahl asked if there was a principal lined up for Doral Academy Northern Nevada. Ms. Phillips said there would be an applicant process after the charter had been approved.

Member McCord moved for approval of Doral Academy Northern Nevada's charter school application. Member Abelman seconded. Discussion continued.

Member Wahl asked how the staffing would work at the campus site. Mr. Reeves, Academica Nevada, said the staffing would be similar to how Somerset Academy was staffed during its initial opening. He said Academica would have an office in northern Nevada to facilitate the needs of the charter school. Chair Conaboy asked how the relationship with Doral Academy and ythe Turner Agassi Foundation would work with regard to the leasing of the school. Mr. Reeves said the school would have an

opportunity to purchase the school after the third year in order to allow them to build a credit rating up to ensure they received good financial rates.

**Member McCord moved for approval of Doral Academy Northern Nevada's charter school application. Member Abelman seconded. Discussion continued. The motion carried unanimously.**

Chair Conaboy advised Mr. Reeves and Academica to form, to put forth better work into the application in the future. She said she was disappointed with some of the copy and pasting and typos that the application contained.

**Agenda Item 13 - Consideration regarding the Application Review Team's recommendation of Legacy Traditional School Henderson's charter school application**

Director Gavin read from the recommendation. Legacy Traditional School – Henderson's mission is provide motivated students with the opportunity to achieve academic excellence in an accelerated, back-to-basics, safe learning environment taught by caring, knowledgeable and highly effective educators in cooperation with supportive, involved parents.

Staff reviewed Legacy academic performance data provided by the applicant and verified it via spot checks of publicly available information. No inconsistencies were found. Staff also supplemented the supplied data with a review of other publicly available data. The findings are below:

- Under the Arizona State Board for Charter School's (ASBCS) academic performance framework, all of the Legacy Traditional campuses meet or exceed academic standards, with many showing significant academic growth even as the state has transitioned to a new assessment which is closely, albeit not fully, aligned to the Common Core. The operator also reports that embargoed test data from the 2015 administration continues this trend.
- Based on data provided by the applicant which was spot checked for accuracy, both affluent and high-poverty Legacy schools in Arizona outperform their host districts.
- Reference checks with Deanna Rowe, until recently the Executive Director of the ASBCS and with Katie Poulos, until recently the Deputy Director at ASBCS and current leader of New Mexico's statewide charter office, confirm that the Legacy schools are considered academically high performing and that they are among the top performing charter schools statewide for all demographics.

Conclusion: The proposed academic model has a strong and consistent track record of academic performance in Arizona.

Essential Question: Will the academic program be a success?

**Yes.** The academic program outlined in the application is consistent with the core elements of the successful Arizona implementations. The application, capacity, interview, site visit, and follow-up discussion with members of the applicant team effectively articulate an academic program which can be successful with Clark County students. The applicant and the model have demonstrated capacity for continued academic growth and a clear focus on continuous improvement. To that end, staff has identified areas of improvement which should be addressed by the applicant to the satisfaction of staff following board approval and prior to the issuance of the charter contract.

Should the board approve the application based on the totality of evidence related to all three domains, staff proposes to work with the applicant to address the areas for improvement prior to the formal issuance of a charter contract by the Director based on this approval.

Based on a review of the Arizona State Board for Charter Schools Operational Performance Framework, all of the Legacy Traditional Schools in Arizona met the authorizer's operational performance standards in 2015. Consultation with the authorizer revealed no historic issues.

Conclusion: The proposed organizational model has a strong track record of organizational performance in Arizona.

Essential Question: Will the school be an effective and accountable organization?

Yes. The organizational program outlined in the application is consistent with the core elements of the successful Arizona implementations. The application, capacity, interview, and follow-up discussion with members of the applicant team effectively articulate an organizational plan which can be successful in Nevada. The applicant group has embraced feedback and committed to additional charter school board development training following charter approval to supplement their existing expertise.

The applicant budget is designed primarily as a performance task to evaluate the applicant's ability to design a budget which accurately reflects the Nevada context, contains reasonable expense assumptions which are correctly calculated, and incorporates the personnel and operating costs specific to the academic model. While many of these assumptions and priorities will serve as the basis for the operating budget adopted by the governing body, is not intended to contractually bind the applicant to a specific set of revenues or expenditures.

The applicant provided financial data, including audited financial statements, for other schools implementing the academic program. Staff also supplemented the supplied data with a review of the financial frameworks for each Legacy school produced annually by the Arizona State Board for Charter Schools.

The most recent independent audit report for each of the Legacy campuses shows that their financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the aggregate remaining fund information, and the respective changes in financial position in conformity with accounting principles generally accepted in the United States of America. The auditor's consideration of internal control over financial reporting did not identify any deficiencies in internal control considered to be material weaknesses. It is important to note that some earlier audits identified areas of weakness in financial controls but those issues were identified and addressed in the management letter. There is no evidence that those weaknesses have recurred.

In Arizona, most charter school applicants are 501c3 entities, though the law does allow for other kinds of eligible entities, including for-profit companies. They are not created as political subdivisions, as is the case in Nevada. Consequently, Arizona charter schools are permitted to operate at a loss for several years, much like a startup non-profit or for-profit corporation. Outstanding liabilities, such as deferred management fees, often remain on the books as accounts payable instead of the other accounting treatments frequently utilized in Nevada. This difference in accounting expectations makes direct comparison of the financial performance of Legacy's Arizona schools to Nevada schools more challenging. Based on a review of the ASBCS financial frameworks, while Legacy schools that are still in their startup phase typically do not meet the expectations of the framework, their financial performance consistently improves after several years of operation. Based on information received from the Arizona State Board for Charter Schools, this type of financial picture is not uncommon in Arizona and the Legacy schools perform as well or better than most Arizona charter schools on their framework.

Conclusion: The proposed financial model has an improving track record of financial performance in Arizona while continuing to deliver strong academic results.

Essential Question: Will the school be fiscally viable?

Yes. The changes to the fiscal plan described in the capacity interview which will permit the school to defer or postpone payment of management fees will ensure the school operates sustainably in a manner consistent with Nevada law both during its initial startup and throughout the duration of the charter term.

Chair Conaboy then asked members of Legacy to speak. Daniel Stewart, chair of the committee to form, spoke about the process his group had undergone to be able to submit this application before the Authority today. Jennifer Kearney, Amanda Pratt and Tiffany Thomas also spoke on behalf of the school. Mr. Stewart mentioned that Melissa Woodbury also served on the CTF but was unable to attend the meeting due to a conflict at work. Chair Conaboy asked the members of the CTF to explain the relationship between the board and the school's EMO. Mr. Stewart said the board would have the final say and would oversee the EMO and would be directed by the EMO. He said there may have been confusion in the application because Arizona's charter school laws are a little different. Member Wahl said that while she loved the idea behind the school she was concerned that the board was not as actively engaged in the application process and had let the EMO take the lead. Member Wahl said she was pleased to see the board at this meeting speaking on behalf of their proposed school. Discussion continued between Member Wahl and members of the CTF.

Member Johnson asked the CTF how the school would ensure service to all students and accurately reflect the community which it will operate. He said he hoped the school would reach out to all parents in Henderson to limit the exclusiveness of one group of parents over another. Mr. Stewart said the school had been actively looking into community outreach programs to ensure equal access to the charter school for all members of the community. The CTF said it had met with city council members in Henderson to help better identify where the school would have the most impact. Member Mackedon said she had the opportunity to visit Legacy campuses in Arizona and was impressed with the operations they were running.

Chair Conaboy asked what community groups had been contacted by the CTF. Mr. Stewart said they had spoken with the planning commission, the Henderson City Council, the home builders association, the chamber of commerce and numerous non-profits in, and around Henderson.

Chair Conaboy asked about the model the school would be implementing. Ms. Thomas said the school would not offer high school because their experience in Arizona had showed a severe drop off of student enrollment from 8<sup>th</sup> to 9<sup>th</sup> grade.

**Member Mackedon moved for approval of Legacy Henderson Charter School with staff recommendations. Member McCord seconded. There was no further discussion. The motion carried unanimously.**

**Agenda Item 14 - Review of the regulation making process including workshop and regulation responsibilities as well as the differences between laws, policies and regulations, and the possible delegation of some of the regulation making responsibilities to SPCSA Staff; review of regulatory authority given to the SPCSA and other entities in SB509 as well as whether that authority is discretionary or mandatory. Possible actions include authorization for staff to conduct some portions of the regulatory process**

Deputy Attorney General Ott spoke about the regulation workshops the Authority would be able to have after the passage of Senate Bill 509. Mr. Ott detailed the process a committee undergoes during the regulatory process. Pursuant to NRS 233B.050(1)(a), every agency must adopt rules of practice, setting forth the nature and requirements of all formal and informal procedures available, including a description of all forms and instructions used by the agency. The agency must review its rules of practice at least once every three years and file with the Secretary of State a statement setting forth the date on which the review was completed and describing any revisions made to the rules as a result of the review. NRS 233B.050(1)(d). Rules of practice must be available for public inspection. NRS 233B.050(1)(b).

A form used by the agency need not be adopted by regulation or described explicitly in the regulation. Including a general description of the form in the regulation, such as “on a form provided by the agency” is sufficient. If adopted in this manner, the form may then be changed by the agency without complying with the rulemaking requirements of NRS chapter 233B. If an agency elects to adopt a form as part of a regulation, it must be amended by regulation but may not be included as part of the Nevada Administrative Code. NRS 233B.062(1)(b).

Every agency is required to adopt regulations which provide for the filing and disposition of petitions for declaratory orders and advisory opinions as to the applicability of any statutory provision, agency regulation, or decision of the agency. NRS 233B.120. In addition, every agency must provide by regulation for the form and procedure for submission by which interested persons may request the adoption, amendment, or repeal of regulations. NRS 233B.100(1). Upon submission of such a petition, the agency has 30 days within which to deny the petition or initiate rulemaking proceedings.

Administrative procedures for declaratory rulings should facilitate, not complicate, the process of obtaining such relief as such rulings have the beneficial effect of preventing confusion and misunderstanding regarding an agency’s position in a particular matter. The procedures may be as simple as writing a letter to the head of the agency or as formal as conducting an evidentiary hearing followed by the filing of briefs by the parties, depending on the circumstances or wishes of the parties.

In general, the following steps must be completed when adopting regulations: Discuss the content or purpose of the proposed regulation with the board, commission, or agency head with rulemaking authority. Draft the language or determine what regulation changes are needed. Consider the impact of the regulation on small businesses and, if necessary, consult with small business owners and prepare a small business impact statement. If the agency determines that there will be a direct and significant economic burden, it must conduct an analysis of the likely impact. Draft a small business impact statement. Conduct at least one workshop with interested persons to discuss the general topics addressed in the regulation.

This workshop must be conducted according to the requirements of the Open Meeting Law and, at the same time that the agency provides notice of this workshop to the public, an electronic copy of both the notice and agenda for this workshop must be submitted to the Legislative Counsel Bureau. The workshop agenda must also be posted on the State’s official website.<sup>9 4</sup> In the case of a permanent regulation, send the draft regulation language or summary of regulation changes that are needed to the Legislative Counsel for drafting the proposed regulation.

After receiving the proposed regulation drafted by Legislative Counsel, set a hearing for public comment, draft a notice of the hearing, and post it along with the text of the proposed regulation for thirty (30) days. The public hearing must be conducted according to the requirements of the Open Meeting Law and, at the same time that the agency provides notice of this public hearing to the public, an electronic copy of both the notice and agenda for the public hearing must be submitted to the Legislative Counsel Bureau.

The public hearing agenda must also be posted on the State's official website. Conduct the public hearing, evaluate and consider written and oral public comment on the proposed regulation and, in the case of permanent regulations, any revisions of form and style made by the Legislative Counsel. Discuss the comments made with the board, commission, or agency head, if necessary. Amend the draft regulation to reflect any changes resulting from public comment. Draft an informational statement describing the regulation and rulemaking proceeding. Prepare a statement regarding the methods used in determining the impact to small businesses and the reasons for the agency's conclusions. Prepare the Form for Filing of Administrative Regulations, file the form and informational statement together with the final regulation with the Legislative Counsel. In the case of permanent regulations, after approval by the Legislative Commission or Subcommittee to Review Regulations, the Legislative Counsel will file the regulation with the Secretary of State. File a copy of the regulation bearing the seal of the Secretary of State with the State Library and Archives Administrator.

There are three types of regulations, each with different procedural requirements. Permanent regulations are adopted using all the procedural formalities required by NRS chapter 233B. Temporary regulations are adopted in lieu of permanent regulations. Emergency regulations may, under emergency circumstances, be drafted without holding public hearings or observing other procedural formalities. Only permanent regulations become part of the Nevada Administrative Code. A permanent regulation is "a regulation which is not an emergency regulation or a temporary regulation." NRS 233B.036. Emergency and temporary regulations are exceptions to the general rules governing the adoption of permanent regulations. Since most emergency and temporary regulations become permanent regulations, anyone involved in the rulemaking process should be familiar with these rules.

Temporary Regulations if the agency wishes to adopt a regulation, or amend or suspend<sup>12</sup> a permanent regulation between August 1 of an even numbered year and July 1 of the succeeding odd-numbered year, it must adopt a temporary regulation. A regulation proposed during this time period may be adopted without first submitting it to the Legislative Counsel for review pursuant to NRS 233B.063(3) and 233B.064.<sup>13</sup> Such a regulation expires by limitation on November 1st of the odd-numbered year (NRS 233B.063(3)). The term also includes any other regulation which is effective for 120 days or less and is not an emergency regulation.

An agency wishing to adopt a temporary regulation must still have a workshop and a public hearing, but is not required to submit the temporary regulation to Legislative Counsel for review and drafting. Except with respect to a temporary regulation that has been reviewed early by the Legislative Commission or Subcommittee to Review Regulations, an agency may not file a temporary regulation with the Secretary of State until 35 days after the date on which the temporary regulation was adopted. A temporary regulation becomes effective when the final version and a copy of the informational statement required by NRS 233B.066 is filed with the Secretary of State. Id. A copy of the final version and informational statement must also be filed with the Legislative Counsel. Id.

Immediately after filing the temporary regulation with the Secretary of State, an agency must deliver a copy of the final version that bears the Secretary of State's stamp to the State Library and Archives Administrator for the public's use, as well as any material incorporated by reference that has not been filed previously.

If an agency wishes to turn a temporary regulation into a permanent regulation, it should anticipate its expiration date and submit a permanent regulation to the Legislative Counsel in time enough to permit its review.<sup>14</sup> With one exception, an agency adopting a permanent regulation to coincide with the expiration

of a temporary regulation must notice and conduct a second workshop and public hearing. Emergency regulations may be adopted and become effective immediately upon their filing with the Secretary of State. They are effective for a period of not longer than 120 days.

Although the term “emergency” is not defined in NRS chapter 233B, the Legislature has defined the term in Nevada’s Open Meeting Law, NRS chapter 241, for purposes of waiving the 3-day notice requirement for meetings of public bodies as “an unforeseen circumstance which requires immediate action and includes, but is not limited to . . . [d]isasters caused by fire, flood, earthquake or other natural causes or . . . [a]ny impairment of the health and safety of the public.” An emergency regulation may be adopted only under the following circumstances:

1. The agency must submit to the Governor a written statement of the emergency and the reasons for that determination;
2. The Governor must endorse the statement of the emergency at the end of the full text of the statement on the original copy of the proposed regulation; and
3. A copy of the regulation which includes the statement of emergency endorsed by the Governor, together with the informational statement required by NRS 233B.06616 and the Form for Filing Administrative Regulations, must be filed with the Secretary of State and the Legislative Counsel. The statement of emergency must be included in the emergency regulation for all purposes.

Before filing the emergency regulation with the Office of the Secretary of State, if feasible, the agency shall, not later than 9 a.m. on the first working day before the date on which the emergency regulation will be filed in the Office of the Secretary of State, make the emergency regulation available to the public by (a) providing a copy of the emergency regulation to a member of the public upon request and (b) posting a copy of the emergency regulation on the agency’s website, if any.

Before conducting a hearing to consider the emergency regulation, if possible, the agency shall, not later than 9 a.m. on the first working day prior to the hearing, make the version of the proposed emergency regulation that will be considered at the hearing available to the public by (a) providing a copy of the emergency regulation to a member of the public upon request and (b) posting a copy of the emergency regulation on the agency’s website, if any. A regulation may be adopted by this emergency procedure only once. If an agency adopts a temporary or permanent regulation which becomes effective and is substantively identical to its effective emergency regulation, the emergency regulation expires automatically on the effective date of the temporary or permanent regulation.

After Mr. Ott detailed the regulatory process discussion between the Authority and him continued. Chair Conaboy said it would behoove the Authority to include stakeholders throughout the entire process to ensure the proposed regulation would be heard by the legislative committee. Mr. Ott detailed the legislative mandate that was included in SB 509 regarding the Authority’s regulatory responsibilities. He also detailed the timelines that would need to be met to ensure a regulation was approved prior to the next legislative session. Chair Conaboy stressed that the process for approving regulations should be started as soon as possible due to the different timelines that had to be met. She said she had discussed taking previous agenda items and using those as a starting point for regulations with Director Gavin and Mr. Ott. Member Wahl asked how the Authority would prioritize the regulations it wanted to work on first. Chair Conaboy said it would be best for staff to work with NDE to identify where regulations needed to be formed and prioritize based on that.

**Member McCord moved for approval of authorization for staff and or SPCSA Board members to conduct some portions of the regulatory process. Member Luna seconded. There was no further discussion. The motion carried unanimously.**

**Agenda Item 7 - Discussion and possible action for reappointment of the Executive Director**

Chair Conaboy said the item was to ensure the SPCSA was meeting statutory requirements for the definition of the Executive Director's term. Chair Conaboy said there was confusion when Director Gavin took over for former Director Canavero and the terms of his position.

**Member Wahl moved for approval of Executive Director Gavin's three year term to extend from October 1, 2014 to September 30, 2017. Member Abelman seconded. Member Wahl added that she was still very pleased the SPCSA had decided to choose Director Gavin for the position. There was no further discussion. The motion carried unanimously.**

**Agenda Item 15 – Next SPCSA Board meeting**

The next board meeting for the SPCSA will be December 4, 2015 at the Department of Education in Las Vegas and Carson City.

**Agenda Item 16 – Public Comment**

John Hawk, Chief Operating Officer NSHS, spoke in support of the Authority's meeting. He commented on his concern that the Authority not stifle innovation and creativity at the charter school level. While he said the Authority was currently not stifling the creativity, he wanted the board members to keep that in mind as they set forth in future policy and regulatory discussions. He also discussed the expansion policy and spoke in support of the document and the requirements it included. He said schools should sit down like small businesses to really think about the decisions they would be making and to plan accordingly. Dr. Hawk said he had been accepted into the replication cohort and thanked Director Gavin for pointing him towards that. He said due to this commitment, he would be unable to make the December 4 hearing of their expansion of NSHS, but he would work with SPCSA staff to ensure all requirements were met prior to the hearing.

Karmen Rizzo, spoke about teacher employment in the state of Nevada.

Catherine Cook and David Trujillo submitted comments to the Authority which can be found as an attachment to these minutes.

**Member McCord moved for adjournment. Member Abelman seconded. There was no further discussion. The motion carried unanimously.**

The meeting adjourned at 3:59pm

Catherine Cook Comments to Nevada's Public Charter School Authority  
Public Comment, 10/26/15

**Introduction**

Thank you for allowing me to speak today in support of this agency's additional supervision of Silver State's Charter. Until the sudden Reduction in Force on September 17<sup>th</sup>, I was a teacher at the charter school's high school, teaching Drama, Digital Arts, Anthropology, Career Planning, and Film Studies. I am Licensed by the State of NV as an Administrator, and Teacher of English, Social Studies, and Theatre Arts. I am recognized as Highly Qualified in all three areas. I was interviewed on May 15, 2015 and told I would be recommended for hire that same day. During my interview, it was discussed where I would be placed on the salary schedule given my 20 years of experience, post-probationary status, and educational level of having earned a Masters Degree and 19 additional academic credits. It was also discussed that given my Administrative License, it would be expected that I would divide my day between teaching Theatre/Drama courses and administrative duties such as a Dean position. This interview and discussion took place prior to the Board approving the budget for the following school year and; therefore, it should be concluded that my position and salary were part of the budget consideration. I signed my "Letter of Intent to Hire" on May 26<sup>th</sup>, 2015 based on the discussion during my interview. Once I began working on August 10, 2015, I discovered I was not actually doing what had be stated in the interview, but was teaching 7 different courses; however, I went ahead and signed my contract on August 26, 2015 as Dr. Kotler threatened the entire staff with having their licenses revoked if we did not sign our contracts by noon on September 1, 2015.

In reviewing Silver State's Renewal Application dated October 8, 2015, I have several concerns with the way the school has characterized its programs and the status of the school.

**Enrollment Inaccuracies in the Application**

On page 2, Silver State claims it has a student-teacher ratio of 8:1. The application also states that there are 378 students in grades 8 through 12. The fact of the matter is that Silver State's student-teacher ratio was closer to 29:1 given that there were 13 classroom teachers until Mr. Trujillo and I were RIF'ed.

Page 7 of the renewal application states that the school aims for a student-teacher ratio of 20:1. However, that ratio is already the reality for most of the 12 teachers who work at Silver State. The classroom teaching staff was 13 prior to the RIF; however, within two weeks a teacher was hired as a replacement and now there are 12 classroom teachers, bringing the student-teacher ratio closer to 31:1.

The middle school's student enrollment is approximately 42. Given that 2 teachers share the middle school students creating a ratio of 21:1, that leaves 10 high school classroom teachers to serve the needs of the approximately 336 students creating a student-teacher ratio of 33:1.

I find it very difficult to understand why two teachers were terminated due to needing to implement a Reduction in Force and then within two weeks an unlicensed teacher was hired as a replacement. I also find it interesting that a classroom teaching staff of 17 would be needed to reach the “aimed for student-teacher ratio of 20:1” given the enrollment figure of 336 high school students presented in Silver State Charter School’s renewal application.

During the School Board Meeting on September 16, 2015, I spoke during public comment regarding the Reduction in Force. At no time was it mentioned who would be RIF’ed or which positions were being considered for RIF. My comments were as follows:

1. The budget filed in May 2015 was approved for approximately 350 students.
2. No amendments have been recorded in any of the following Board meetings.
3. As stated in the minutes. Enrollment typically increases from count day as the year continues; therefore, it can be assumed that we will also increase this year as the school year progresses. We would therefore receive an increase in funding to match.
4. Why would we have a RIF now when prior trends and assumptions are that we will grow before the next count day and again as the year progresses?
5. End of employment does not end your financial obligation to the employee. Our contracts are subject to NRS guarantees.
6. Silver State Charter Schools’ RIF policy does not reflect the State Model Policy for Charter Schools Reduction in Force under Personnel Model Policy #422.

I will be giving the board today redacted enrollment figures from just the high school, showing a total of 336 students from a recent headcount. The middle school’s student enrollment is approximately 42 to give the total of 378 students noted in the Silver State Charter School’s application. Clearly, the school’s enrollment numbers are not as dire as Silver State’s administration claimed prior to the sudden Reduction in Force on the 17<sup>th</sup>.

### **Financial Inaccuracies in the Application**

On page 7, of the renewal application, Silver State claims it cut a budget deficient of \$300,000 in half by having a Reduction In Force eliminate two teachers.

I was present for that Silver State Charter School board meeting, and listened to the administration try to justify a RIF, which the board never formally voted on. During the administration’s budget presentation that night, the claimed \$300,000 shortfall was apparently due to having to buy 1-2 additional buses, having to spend \$7,000 on tires for buses, having to install two new front doors, having to install speakers in the Mallory building, and having to purchase new curriculum.

Note that all of these expenses are items that cannot be paid from teacher salaries, since maintenance and curriculum funding is restricted, just as salaries are restricted funds. It makes no sense to state that Silver State Charter Schools had to terminate two teachers during the sixth

week of school in order to buy buses and online curriculum programs or to install a speaker system in the Mallory building, a building they now intend to rent out as a means of income. As stated earlier, the week after I was terminated in the RIF, Silver State Charter School hired an un-credentialed individual to take my place, and teach classes that include Drama, Anthropology, Career Planning, Digital Arts, and Film Studies.

### **Conclusion**

After spending 20 successful years as a teacher, I relocated to Carson City this summer to take the job as a Theater teacher and Administrator at Silver States' high school. I did not know about the investigation of this body into Silver States' breach of contract with the authority, reported by the Nevada Appeal newspaper this summer. Nor was I aware that this body gave my school a written notice in May 2010 of a non-renewal of the charter due to financial issues and issues with an attendance audit. If I had, I would have taken several other teaching offers made to me this past summer.

As it stands, I am now using the provisions of NRS 391 to challenge the Reduction in Force, and to force my administration to honor the contract they made with me this summer. If the Silver States school board will not honor its legal obligations under NRS 391 to me and/or its staff, I do not know how it will suddenly change course and honor its legal obligations to this charter authority.

Please hold this current administration responsible for the inaccurate enrollment numbers and budget figures that it has previously provided both to its staff and this authority. Please exercise greater supervision over this charter school, and do not allow it to continue to ignore its legal obligations.

Thank you, again, for allowing me to speak. I would like to submit for the record a copy of these remarks, a copy of my previous complaint against my school, and a copy of redacted enrollment figures.

Actual Silver State High School Enrollment figures, August 31, 2015 through September 4, 2015.  
(Does not include an estimated 42 middle school students.)

Total high school students listed below: 336

Total classroom teachers prior to RIF: 13

	First Name	Last Name	Grade	Attend Day	AM/PM
1	C	A	12	Tue	PM
2	L	A-W	11	Wed	AM
3	S	A	12	Wed	PM
4	J	A	12	Wed	PM
5	R	A	11	Th	AM
6	S	A-S	12	Th	PM
7	J	A	10	Th	AM
8	D	A	12	Tue	AM
9	J	A	11	Th	PM
10	S	A	10	Wed	PM
11	A	A	10	Th	PM
12	C	A	12	Wed	PM
13	K	A	9	Wed	PM
14	W	B	11	Tue	PM
15	J	B	12	Tue	AM
16	K	B	12	Th	AM
17	V	B	12	Tue	AM
18	K	B	12	Wed	PM
19	J	B	11	Wed	PM
20	L	B	10	Wed	AM
21	S	B	10	Tue	PM
22	J	B	12	Mon	PM
23	R	B	10	Mon	PM
24	A	B	9	Tue	PM
25	M	B	9	Th	PM
26	M	B	11	Wed	AM
27	M	B	9	Wed	PM
28	W	B	11	Wed	PM
29	M	B	10	Wed	PM
30	A	B-N	11	Wed	PM
31	M	B	12	Tue	PM
32	N	B	10	Tue	PM
33	G	B	9	Mon	PM
34	A	B	12	Th	AM
35	J	B	12	Wed	AM
36	N	B	12	Mon	PM
37	T	B	9	Tue	AM
38	J	B	12	Th	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
39	J	B	10	Wed	PM
40	J	C	10	Th	PM
41	N	C	10	Tue	AM
42	C	C	12	Th	PM
43	L	C		Mon	PM
44	K	C	11	Tue	PM
45	F	C	9	Tue	AM
46	J	C	11	Tue	AM
47	S	C	12	Tue	AM
48	S	C	12	Mon	PM
49	T	C	12	Mon	PM
50	J	C	10	Wed	PM
51	J	C	11	Th	PM
52	V	C	9	Th	PM
53	G	C	9	wed	PM
54	D	C	10	Tue	PM
55	M	C	12	Mon	PM
56	S	C	12	Tue	AM
57	R	C	12	Wed	PM
58	Z	C	11	Tue	PM
59	B	C	10	Wed	AM
60	E	C	10	Wed	PM
61	E	C	11	Wed	PM
62	K	D-C	11	Wed	AM
63	L	D	10	Tue	AM
64	M	D	9	Wed	AM
65	P	D V	12	Th	PM
66	S	D	9	Wed	AM
67	A	D	11	Tue	PM
68	M	D	11	Tue	AM
69	B	D	11	Wed	PM
70	L	D	12	Th	AM
71	S	D	12	Wed	PM
72	N	D	12	Tue	AM
73	K	D	12	Tue	AM
74	A	E	12	Th	PM
75	Q	E M	11	Wed	PM
76	J	E	12	Wed	AM

	First Name	Last Name	Grade	Attend Day	AM/PM
77	H	F	10	Tue	AM
78	D	F	11	Tue	AM
79	S	F	11	Tue	AM
80	L	F	10	Tue	PM
81	A	F	11	Wed	PM
82	S	F	10	Wed	PM
83	C	F	11	Th	PM
84	J	F		Wed	AM
85	J	F	11	Mon	PM
86	J	G	9	Tue	PM
87	J	G	12	Th	PM
88	K	G	11	Mon	PM
89	J	G	11	Wed	PM
90	M	G-C	11	Wed	PM
91	R	G	11		
92	C	G	12	Th	AM
93	A	G	12	Mon	PM
94	M	G	12	Tue	PM
95	MJ	G	11	Mon	PM
96	S	G	12	Th	PM
97	T	G	10	Tue	PM
98	A	G	11	Tue	AM
99	J	G	10		
100	S	G-F	10	Wed	PM
101	B	G	11	Tue	AM
102	T	G	9	Mon	PM
103	G	G B	12	Wed	PM
104	H	G	12	Th	M
105	C	H	11	Wed	PM
106	S	H	10	Th	M
107	M	H	12	Wed	PM
108	S	H	11	Th	PM
109	M	H	11	Th	M
110	C	H	10	Mon	PM
111	D	H	10	Wed	PM
112	A	H	12	Wed	AM
113	T	H-S	11	Wed	AM
114	T	H	11	Mon	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
115	C	H	12	Wed	PM
116	M	H	11	Wed	PM
117	V	H	12	Tue	AM
118	J	H	12	Tue	AM
119	E	H	11	Wed	PM
120	B	H	9	Tue	AM
121	J	H	10	Tue	AM
122	K	H	11	Wed	PM
123	J	H	12	Th	AM
124	A	H	12	Tue	AM
125	R	H	9	Tue	PM
126	B	H	12	Wed	PM
127	B	H	12	Th	PM
128	P	H	11	Mon	PM
129	F	H	11	Th	PM
130	J	H	11	Wed	AM
131	MJ	H	10	Tue	PM
132	E	H	11	Tue	PM
133	C	H	11	Th	PM
134	J	H	10	Th	PM
135	L	H-F	11	Wed	PM
136	M	I	10	Mon	PM
137	J	J	12	Wed	PM
138	S	J	9	Tue	PM
139	A	J	11	Wed	PM
140	K	J	10	Th	PM
141	W	J-B	12	Tue	PM
142	J	J	11	Tue	AM
143	C	K	12	Th	AM
144	L	K	12	Th	AM
145	C	K	12	Th	AM
146	S	K	12	Tue	AM
147	M	K	9	Tue	AM
148	C	K	12	Wed	PM
149	A	L	11	Mon	PM
150	C	L	12	Th	PM
151	D	L	9	Tue	AM
152	M	L	12	Th	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
153	F	L	10	Wed	PM
154	J	L	11	Th	AM
155	K	L	12	Th	PM
156	R	L	12	Th	PM
157	T	L	10	Mon	PM
158	N	L	12	Wed	PM
159	K	L	12	Mon	PM
160	K	L	9	Th	AM
161	W	L	9	Th	AM
162	A	L	11	Wed	PM
163	T	L	12	Tue	AM
164	S	M	12	Mon	PM
165	V	M	11	Th	AM
166	A	M	11	Wed	PM
167	H	M	12	Wed	AM
168	M	M	11	Wed	AM
169	J	M	12	Th	PM
170	C	M	12	Wed	AM
171	E	M	11	Tue	PM
172	J	M	9	Th	PM
173	H	M	12	Tue	AM
174	G	M	9	Tue	PM
175	D	M	10	Th	PM
176	C	Mc	9	Th	AM
177	B	Mc	11	Tue	AM
178	M	Mc	12	Wed	PM
179	M	Mc	11	Th	PM
180	M	Mc	11	Wed	AM
181	R	Mc	10	Tue	PM
182	R	Mc	9	Tue	AM
183	J	Mc	9	Mon	PM
184	V	Mc	12	Th	AM
185	S	Mc	12	Wed	AM
186	Z	M	12	Wed	PM
187	M	M	10	Wed	AM
188	S	M	10	Wed	PM
189	E	M	11	Mon	PM
190	Y	M	11	Th	AM

	First Name	Last Name	Grade	Attend Day	AM/PM
191	J	M	11	Tue	AM
192	T	M	11	Mon	PM
193	A	M	11	Wed	AM
194	C	M	9	Wed	AM
195	J	M	11	Tue	AM
196	K	M	10	Wed	PM
197	S	M	12	Wed	AM
198	L	M	12	Tue	AM
199	A	M	10	Tue	PM
200	J	M	12	Th	PM
201	J	M	9	Th	PM
202	D	M	10	Wed	PM
203	K	M	11	Th	PM
204	J	M	10	Tue	AM
205	M	M	12	Wed	PM
206	Z	M	12	Wed	PM
207	K	M	12	Th	PM
208	J	M	11	Wed	PM
209	J	M	12	Tue	AM
210	M	M	12	Th	PM
211	C	N	10	Th	AM
212	A	N	11	Tue	PM
213	J	O	9	Mon	PM
214	S	O	12	Th	PM
215	J	P	11	Mon	PM
216	A	P	12	Wed	PM
217	D	P-B	9	Tue	AM
218	A	P	9	Tue	AM
219	C	P	10	Tue	PM
220	A	P	12	Tue	PM
221	A	P	12	Tue	AM
222	J	P	12	Tue	AM
223	S	P	12	Th	PM
224	A	P	11	Wed	AM
225	K	P	11	Wed	AM
226	H	P	9	Wed	PM
227	K	P	10	Mon	PM
228	M	P	12	Mon	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
229	M	P	11	Mon	PM
230	Z	P-S	9	Wed	AM
231	M	P-W	12	Wed	PM
232	S	P	9	Wed	PM
233	P	P	10	Mon	PM
234	K	Q	11	Th	PM
235	E	R	12	Tue	PM
236	B	R	12	Tue	AM
237	A	R	10	Th	AM
238	A	R	10	Tue	PM
239	B	R	11	Tue	AM
240	F	R D	12	Tue	PM
241	A	R	10	Th	PM
242	S	R	11	Tue	AM
243	M	R	11	Th	PM
244	Z	R	11	Tue	AM
245	A	R	10	Wed	PM
246	B	R	9	Tue	PM
247	Z	R	11	Tue	AM
248	A	R-L	12	Tue	AM
249	S	R	12	Tue	PM
250	C	R	9	Tue	AM
251	C	R	11	Tue	AM
252	A	R	11	Th	PM
253	S	R	11	Wed	PM
254	K	S	12	Wed	AM
255	K	S	9	Th	AM
256	J	S	12	Mon	PM
257	J	S	10	Tue	AM
258	C	S	12		
259	C	S	10	Wed	AM
260	R	S	10	Tue	AM
261	C	S	12	Th	AM
262	L	S	11	Tue	PM
263	G	S	12	Tue	AM
264	H	S	12	Mon	PM
265	A	S	11	Tue	PM
266	D	S	10	Tue	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
267	G	S	9	Wed	PM
258	N	S	12	Mon	PM
269	N	S	11	Tue	AM
270	D	S	12	Wed	PM
271	S	S	11	Wed	PM
272	A	S	12	Th	PM
273	C	S	11	Mon	PM
274	E	S	12	Th	PM
275	R	S	9	Tue	PM
276	S	S	9	Th	PM
277	X	S	11	Tue	PM
278	K	S	12	Th	PM
279	M	S C	11	Tue	PM
280	R	S	11	Tue	AM
281	S	S	11	Tue	AM
282	D	S	12	Th	PM
283	T	S	11	Tue	PM
284	J	S	12	Tue	AM
285	K	S	12	Tue	PM
286	J	S	12	Th	PM
287	A	S-C	12	Tue	PM
288	I	S	12	Tue	PM
289	A	S	12	Tue	PM
290	S	S	12	Tue	PM
291	J	S	10	Tue	PM
292	K	S	10	Tue	PM
293	D	S	12	Wed	PM
294	B	T	12	Tue	PM
295	A	T	12	Th	PM
296	K	T	10	Tue	PM
297	S	T	11	Mon	PM
298	I	T	10	Th	PM
299	R	T	10	Th	PM
300	T	V	11	Th	PM
301	K	V	12	Wed	PM
302	C	V	9	Mon	PM
303	S	V	12	Th	PM
304	N	V	9	Mon	PM

	First Name	Last Name	Grade	Attend Day	AM/PM
305	J	V	12	Tue	PM
306	K	V	12	Wed	AM
307	B	W	12	Th	PM
308	K	W	12	Th	PM
309	A	W	12	Th	PM
310	A	W	11	Th	AM
311	J	W	12	Th	AM
312	S	W	11	Tue	PM
313	S	W	11	Tue	AM
314	H	W	11	Wed	PM
315	G	W	10	Tue	AM
316	A	W	12	Wed	AM
317	A	W	11	Wed	PM
318	N	W	9	Wed	PM
319	S	W	9	Mon	PM
320	S	W	12	Wed	PM
321	B	W	12	Wed	PM
322	E	W	10	Th	PM
323	M	W	12	Wed	AM
324	T	W	9	Th	PM
325	H	W	10	Th	PM
326	J	W	12	Wed	AM
327	B	W	12	Tue	PM
328	H	W	11	Wed	PM
329	K	W	12	Th	PM
330	M	W	11	Th	PM
331	C	W	12	Mon	PM
332	T	W	12	Mon	PM
333	T	Y	11	Wed	AM
334	K	Y	12	Tue	PM
335	K	Z-F	12	Th	PM
336	A	Z	10	Tue	AM

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9/24/15

Complaint Re: Silver States Charter Schools

Dear Mr. Peltier,

Thank you for accepting my complaint regarding Silver States Charter Schools. Until I was RIF'd on September 17, 2015, I was a teacher there for six weeks. I signed a letter of intent on May 26, 2015 to work for the charter school, giving up my position in Clark County. I am a post-probationary staff member, though my letter of intent fails to note this. When I was hired, I was told that the school week would be Monday through Thursday. After I signed my letter of intent, however, the new academic executive director, Kit Kotler, she changed the teaching week to be Monday through Friday.

I had received an offer from Douglas County, but turned it down as I had signed my letter of intent in May. When Dr. Kotler changed the work-week, I was tempted to take the Douglas County offer. However, she threatened me that if I did not sign my actual teaching contract on August 26, 2015, that she would seek to have my credential revoked. I signed my attached contract, which states that I may be suspended or dismissed as provided by the Nevada Revised Statutes. (Attachment A).

When the board taped up their last agenda to the Silver States Charter Schools Mallory building on Friday, September 11, 2015, I noticed that one of the items was a possible Reduction in Force (RIF). As a concerned teacher at Silver States Charter Schools, I promoted the meeting and encouraged teachers and parents to attend by discussing the meeting on social media. During a morning staff meeting on Monday, September 14<sup>th</sup>, I asked the charter school's academic executive director, Kit Kotler, if there would be any RIFs. She told the entire staff, "No, no one will lose their job this year." Despite this answer, I was concerned and continued to discuss the upcoming agenda with members of the community. On September 16, 2015 during a private meeting, Executive Director of Finance Kellie Grahmann, I directly asked if there would be RIFs this school year. Mrs. Grahmann unequivocally stated that she knew nothing about the RIF item 5 on the agenda.

I attended the Silver State Charter Schools Governing Board meeting on September 16, 2015. I believe the board is a public body governed by Nevada's Open Meeting Law, since it is an administrative and executive body of a local government which disburses tax revenue. NRS 241.015 (4) (a). I believe that the board's meeting that night was not

exempt from the Open Meeting law, and it had no closed session on the agenda. However, when I arrived to the meeting on September 16, 2015, the front doors were locked and chained. Two audience members, Mr. Rippet and Mrs. Sindlinger both stated this in public comment to the board and stated that this was a flagrant Open Meeting Law violation. I had walked around the school to the East side and found a door propped open. There was no agenda taped to the front door or this back door.

When I finally found the board meeting, I saw that there were no printed agendas. I asked for a printed agenda and was finally given one after someone went and copied an agenda for me. However, when I asked for copies of the supplementary material the board was using to discuss its business, I was ignored. I believe this violates NRS 241.020(5)(c)'s requirement that supporting materials be given to those who request them at a public meeting.

Any members of the public who did not make the effort to search for unlocked school doors at 6 p.m. that night would not have been permitted to attend, since the front doors were locked and chained, violating NRS 241.020(1). The locked front doors meant the facilities were not open, unless members of the public walked to each outside door to discover if any were unlocked, like I did.

It appeared the board had a quorum when I arrived. Present were board members Edie Grub, Kim Pilant, Jeannette Geary, Christina Saenz, and Shane Watson, as well as the board's attorney, Ryan Russell. Also present were Executive Director Dr. Kotler and Executive Director Kellie Grahmann. Mr. Russell seemed to be running the meeting, even though he is not a board member. He kept correcting the board members on how to run the meeting, and they seemed unsure of how to conduct the meeting. President Grub repeatedly asked Mr. Russell how to proceed.

When the agenda turned to item number 5, Kit Kotler, the charter school's academic executive director, discussed a possible Reduction in Force (RIF). I believe this is a matter over which the board has supervision, control, and jurisdiction. The agenda stated, "For Possible Action." However, the agenda did not describe how many positions were being proposed, the alleged total budget deficit, the type of positions being proposed, etc. The public would not have had adequate notice that a RIF of specific positions would be discussed or acted upon that night, because the agenda descriptions were so vague that they were meaningless.

During this agenda item for the possible RIF, Academic Executive Director Kit Kotler stated that she was proposing a Reduction in Force (RIF) based on the needs of the school, and planned to institute one for the current year in order to have funds to replace two buses, meet a budget deficit, pay for two new front doors, pay for speakers in one school building, pay for the free and reduced lunch program, and common core curriculum. Since I am a teacher at Silver State Charter Schools, I knew that her enrollment numbers that she presented to the board were completely off. I also know that teacher salaries cannot be used for facilities, and vice versa, since both are restricted funds.

During the public comment period following item number 5, I spoke at length. I told the board:

- 1) The budget filed in May 2015 was approved for approximately 350 students.
- 2) No amendments had been recorded in any following board meetings to alter the 350 student enrollment projection.
- 3) That, as stated in the minutes, enrollment typically increases from count day as the year continues; therefore, it can be assumed that we will also increase this year as the school year progresses. We would receive increase in funding to match the student increase.
- 4) I asked why would we have a RIF now, when prior trends and assumptions are that we will grow before the next count day and again as the year progresses?
- 5) I told the board that the end of a teacher's employment does not end their financial obligation to the employee, since our contracts are subject to NRS guarantees.
- 6) Silver State Charter School's RIF policy does not reflect the State Model Policy for charter schools Reduction in Force under Personnel Model Policy #422.
- 7) As there is only one hiring season for teachers (March-June), it is very late in the year to find new employment. Many of us gave up jobs at other schools as we had signed letters of Intent for our jobs at Silver States Charter Schools.
- 8) Lastly, I disclosed to the board that the staff was forced to sign contracts by September 1, 2015 at noon and we were told by Dr. Kotler that we would be prosecuted to the fullest extent by the Board, that they were prepared to go to the Department of Education and have our teaching licenses pulled, if we did not sign the contracts.

Others spoke publicly about the RIF during the public comments session, after which board president Edie Grub stated, "I have no problem with a RIF." The board decided that since the handbook allows for a RIF, there was no need to take any action that night. They never went into closed session that night, either. There are no minutes for the September 16, 2015 board meeting available on the board's website, <http://www.sshs.org/Page/72> .

When I went to school the next day, I received an email notice from Dr. Kotler that I had been RIF'd. (Attachment B). She wrote, "You are hereby notified that your services are no longer required at Silver State Charter Schools due to the Reduction in Force, per Board policy." However, she did not attach any board policy. She might be referencing the staff handbook, which states that in a RIF, the executive director will determine what positions need to be eliminated based on the needs of the school.

The fact remains that the board never took action on a RIF during their meeting on September 16, 2015. The board members never discussed my position or that of another teacher who was also RIF'd on September 17, 2015. The last action the board apparently took in regards to my employment was to accept my letter of intent and my teaching contract for the 2015-16 school year at Silver States Charter Schools, just weeks before I was RIF'd.

After getting the email notice that I was RIF'ed, I asked for a rationale of why I was RIF'ed and pointed out that I am highly qualified in English, Social Studies, and Theater Arts. (Attachment C). I got no response until 9/23/15. In her letter to me, Dr. Kotler stated that a teacher does not have to be highly qualified until January, so she could "hire a highly qualified contractor to grade courses virtually at a much lower cost." She also asserted that my question about qualifications was "not relevant" and that "Nevada is a right to work state and issues of seniority are not applicable in our charter school." (Attachment D)

The charter authority requires charter schools to set forth the process by which its governing body will "negotiate employment contracts with the employees of the charter school." NRS 386.520 (5)(j). In this case, my contract clearly states, "A licensed employee may be suspended, dismissed, or not re-employed as provided by Nevada Revised Statutes." (Attachment A, Provision 7)

I believe that Dr. Kotler violated Provision 7 of my contract by failing to follow the Nevada Revised Statutes regarding dismissal of teachers. NRS 391.31297(1)(g) allows for a dismissal if there is a justifiable decrease in the number of positions due to decreased enrollment or district reorganization. However, the enrollment and staffing numbers she presented to the school board on September 16, 2015 were completely inaccurate. There has been no decrease that would justify RIFing two teachers within the first month of school.

Additionally, I believe that Dr. Kotler violated Provision 9 of the contract by failing to give two days' notice to teachers prior to conducting a Reduction In Force, as required by Provision 20(A) of the handbook.

I also believe that Dr. Kotler violated provision 7.03 E of the Silver States Charter School Employee handbook by using the pretext of a RIF in order to take reprisals against me for asking questions about attendance, expressing concerns about teachers being dismissed, and being willing to communicate concerns about how changes in the schedule would alter staffing needs.

I also believe Dr. Kotler violated provision 8.02 E of the handbook by failing to use just cause in discharging me. She presented inaccurate enrollment data to the school board September 16, 2015 in order to use the pretext of a RIF to dismiss me, rather than answer my questions about attendance, expressing concerns about teachers being dismissed, and being willing to communicate concerns about how changes in the schedule would alter staffing needs. I had invited parents and other teachers to the board meeting using social

media, and I believe she discharged me in retaliation for encouraging community participation in the possible RIF process.

I also believe Dr. Kotler violated provision 8.04 of the handbook by failing to comply with the NRS when using the pretext of a RIF to dismiss me. Not only did she present inaccurate enrollment data to the school board on September 16, 2015 to justify a RIF, but she failed to follow any progressive discipline and/or admonition as required by the NRS prior to moving for my dismissal as a post-probationary employee.

Dr. Kotler clearly believes I am an "at will employee" and ignores the clear protections of the NRS, which are set forth in my contract. Under section 13.06 of the handbook, a post-probationary employee like myself is entitled to rights under NRS Chapter 391, and I do not lose those rights because I became employed at Silver State Charter Schools following my post-probationary period. I relied on the contract in which I signed, leaving my employment in Clark County to move to Carson City for this job.

I ask the charter school authority to review Silver State's charter in light of the fact that:

- 1) the current administrator is grading the work of my students and students of another teacher she RIF'd, despite having no license in my subject area or the other subject area;
- 2) the current administrator purposefully presented grossly incorrect enrollment figures to the school board, and then failed to have the board act to approve a RIF before terminating me and another teacher
- 3) the current administrator has breached two employment contracts by instituting a RIF in the sixth week of school, and forced the current teachers to sign their contracts after unilaterally changing the work schedule from four days a week to five days a week
- 4) the current administrator refuses to use the grievance process to address my issues, stating that I cannot grieve my RIF because I am no longer employed, which is incorrect. Teachers routinely grieve their dismissals and arbitrate them under the NRS, even when they are no longer in the classroom.

17/2015



Cook, Catherine &lt;ccook@sshs.org&gt;

---

**Reduction in Force**

3 messages

Thu, Sep 17, 2015 at 7:34 AM

Kotler, Kit <kkotler@sshs.org>  
To: Catherine Cook <ccook@sshs.org>

Cate,

You are hereby notified that your services are no longer required at Silver State Charter Schools due to the Reduction in Force, per Board policy. Please collect your personal items and turn in your key and any other items belonging to the school to Sam and exit the premises. Thank you for your service.

Sincerely,

Ruth M. Kotler, Ed. D.

—  
Dr. Kit Kotler  
Executive Director, Academics  
Silver State Charter Schools  
788 Fairview Drive  
Carson City, NV 89701  
(775-883-7900 x112

V17/2015

Silver State Charter Schools Mail - Reduction in Force



Cook, Catherine &lt;ccook@sshs.org&gt;

---

**Reduction in Force**

1 message

---

**Kotler, Kit** <kkotler@sshs.org>

Thu, Sep 17, 2015 at 9:38 AM

To: The Whole School &lt;all@sshs.org&gt;

Good morning. Please be advised that this morning at 7:30 a.m. a Reduction in Force (RIF) occurred which affected two teachers. As a result, you may experience students who do not know where they are to go. They have been instructed to go to their next class. If any students need access to a computer and you have room in your class, please permit them to sit in your room to work. Students will complete the remainder of the term online.

If you were not notified this morning that you were part of the RIF, you are not affected. Thank you for your cooperation. Kit

—  
Dr. Kit Kotler  
Executive Director, Academics  
Silver State Charter Schools  
788 Fairview Drive  
Carson City, NV 89701  
(775-883-7900 x112

9/17/2015

Silver State Charter Schools Mail - Reduction in Force



Cook, Catherine &lt;ccook@sshs.org&gt;

---

**Reduction in Force**

3 messages

---

**Kotler, Kit** <kkotler@sshs.org>  
 To: Catherine Cook <ccook@sshs.org>

Thu, Sep 17, 2015 at 7:34 AM

Cate,

You are hereby notified that your services are no longer required at Silver State Charter Schools due to the Reduction in Force, per Board policy. Please collect your personal items and turn in your key and any other items belonging to the school to Sam and exit the premises. Thank you for your service.

Sincerely,

Ruth M. Kotler, Ed. D.

—  
 Dr. Kit Kotler  
 Executive Director, Academics  
 Silver State Charter Schools  
 788 Fairview Drive  
 Carson City, NV 89701  
 (775-883-7900 x112

---

**Cook, Catherine** <ccook@sshs.org>  
 To: "Kotler, Kit" <kkotler@sshs.org>  
 Bcc: briannrppet@hotmail.com

Thu, Sep 17, 2015 at 8:11 AM

Please understand that a grievance will be filed as this is a clear violation of the staff handbook including but not limited to progressive discipline and just cause.

I will follow your directive and begin packing and removing my possessions. I will check out with Sam once my boxes have been removed. As it took me several days and trips with boxes to move in, it can be anticipated that it will take several days to move out.

Catherine Cook  
 [Quoted text hidden]

---

**Cook, Catherine** <ccook@sshs.org>  
 To: "Kotler, Kit" <kkotler@sshs.org>

Thu, Sep 17, 2015 at 9:34 AM

Dr. Kotler,

Please inform me as to why I was selected for the Reduction In Force. As I am Highly Qualified by the State of Nevada in English, Social Studies, and Theatre Arts I should be offered a position in any of those areas held by someone hired after my May 2015 hire date.

Catherine Cook  
 [Quoted text hidden]

# Silver State Charter Schools

8 Middle School (775) 882-8200

Fax (775) 883-9130

9-12 High School (775) 883-7900

788 Fairview Drive, Carson City, NV 89701

www.SSHS.org

September 18, 2015

Ms. Cook,

This communication addresses your comments in emails to me dated September 17, 2015. There is no violation as a RIF is based on school finances, not discipline. The rationale of why you were subject to the RIF has been explained to you previously; financial reasons, specifically low enrollment that have caused a \$300,000 shortfall in our budget.

Your question about who else on staff is qualified to teach your subjects in Nevada is not relevant. The teacher does not have to be highly qualified until January; further, we can hire a highly qualified contractor to grade courses virtually at a much lower cost.

No specific reports are already in existence that specifically meet the criteria you requested and we have no obligation to create new reports for you. Nevada is a right to work state and issues of seniority are not applicable in our charter school.

Sincerely,

*Ruth M. Kotler, Ed. D.*

Ruth M. Kotler, Ed. D.

Soaring With Technology

**Silver State Charter Schools**  
Carson City, Nevada

**LICENSED TEACHING CONTRACT BETWEEN EMPLOYEE AND GOVERNING BODY**  
2015-2016

THIS CONTRACT between the Governing Body of Silver State Charter High School of Nevada, the employer and:

Name:	<u>Catherine Cook</u>	PERS:	<u>100%</u>
Social Security Number:	<u>XXX-XX-9650</u>	Placement Step:	<u>MA+16/20</u>
Salary:	<u>\$60,951.00</u>	Days of Service:	<u>186</u>
Dates of Service Required:	<u>8/11/15-5/26/16</u>		

WITNESSETH: That the Employee and Employer do hereby covenant, agree and contract regarding employment for professional services with Silver State Charter Schools of Nevada in accordance with the School Laws of Nevada and the rules and regulations prescribed by the State Board of Education and the State Superintendent of Public Instruction. The employer, and employee named below this Agreement may be abrogated as provided by the Nevada Revised Statutes, or by mutual consent, or as provided by the Agreement. This contract is subject only to terms and conditions contained herein. The following conditions and documents referred to therein are made a part of the contract. This contract contains the full and complete agreement of these parties.

1. A licensed employee cannot be legally employed in the public schools of Nevada in a teaching position that requires a license, unless the employee holds a valid Nevada license in appropriate classification(s). The Nevada School Code places responsibility of proper licensing at all times upon the employee. Nevada Statutes allow charter schools to employ up to 30% unlicensed teachers in non-core teaching positions.
2. Salary is subject to deductions as required by the United States and the State of Nevada and where applicable for group insurance and credit union payments, and such other deductions approved by the governing body of Silver State Charter Schools, upon a request in writing, by the employee. The employer agrees to pay the salary provided in twenty - four (24) semi-monthly installments per annum.
3. In the event this contract is not performed in its entirety by the employee, the salary the employee will be entitled to as full and complete satisfaction under the terms of this contract shall be paid proportionally in accordance with the services rendered. The employee shall not be entitled to receive full payment for his services unless he shall have performed this agreement in its entirety. Deductions for absences shall be made according to the provisions of the Nevada Revised Statutes.
4. The employers obligation to pay and the employees right to receive payment of compensation or of any installment under the terms of this contract shall cease upon the discharge, death, or resignation of any employee or failure of the employee to perform in accordance with the terms of this contract. Such payments shall also cease from the date of suspension of any employee under the provisions of the employees contract unless otherwise ordered by the Governing Body. Payments shall be made only for services rendered.
5. Assignments involving additional pay for extra duty of special services may be made at anytime during the life of this contract. These assignments also may be terminated at anytime during the life of this contract. Compensation for these services may be adjusted in proportion to the length of the assignment completed.
6. Licensed personnel will be placed on the salary schedule only once at the beginning of the contract year. When an error has been made in placement an adjustment may be made at anytime during the first ninety (90) days of the contract, upon adequate, timely, written proof to the Superintendent.
7. A licensed employee may be suspended, dismissed, or not re-employed as provided by Nevada Revised Statutes.
8. The services of the employee are to commence at such time, and at such place or places, as may be designed during the term of this contract by the Chief Education Officer or the Chief Educational Officers Representative.
9. Policies and Procedures Handbook of Silver State Charter Schools, as adopted and as amended from time to time during the term of this contract, are a part of this agreement and are incorporated by reference as though fully set forth. The employee reaffirms the oath to support the Constitution of the United States and the Constitution of the State of Nevada.
10. The employee shall be credited with 15 days sick leave accrued monthly at the rate of 1.25 (one and one-quarter) days per month during the term of this contract and may be used in accordance with the Policies and Procedures Handbook. If an employee uses less than 5 sick leave days during the year, they will be allowed 3 days of personal leave for the following year. Used personal leave days will be counted as used sick leave for the purpose of carry over for the following year.
11. The employee understands that he or she may be tested for the use of a controlled substance at the request of Silver State Charter Schools' administration or the Silver State Charter Schools' Governing Body. Random testing may also occur during the contract year.
12. The employee understands and accepts that this is a one year contract subject to renewal in accordance with Nevada statutes.
13. The employee understands that a key to the school premises has been issued to him or her. Because of the nature of confidential documents, if the key issued is lost, the employee may be responsible for the charges incurred to re-key the premises.
14. All contracts are formed on the basis of expected student enrollment. Adjustments to this contract may be necessary should enrollment fall or decline below expectations.

08-26-15 10:38 AM

Signed [Signature]  
President of the Governing Body

Date 9/2/15

Signed [Signature]  
Witness

Date 9/1/15

Signed [Signature]  
Employee

Date 8/26/15

Catherine Cook 10/28/2015

Final Public Comment. 775-813-3609

Silver State Charter School's lack of professionalism and their blatant disregard to financial responsibilities are evident when they offered me a contract in May 2015. After moving to Carson City, signing the contract, and working for 6 weeks, I was terminated due to a R.I.F. Terminating the 4 highest salaries, post-probationary teachers was seen as a means to solving their budgetary errors. This was not a Reduction in Force as RIF process was not followed and as stated by Dr. Kottler & Kellie Grahmann, "fixing financial errors" was the motivator for termination.

I am now unemployable for this school year, have lost a year of retirement, and have lost health & life insurance benefits. Due to my age, education level, and 20 years of experience, I am likely to remain unemployed for the term of my contract with Silver State Charter Schools.

The gross mismanagement of this school and their finances is not only reprehensible, but damaging to staff & students.

My personal loss of employment income, retirement contribution, and insurance benefits has damaged my career continuity and left me living off Unemployment Insurance. Silver State Charter Schools lack of fiscal responsibility has obviously impacted me greatly!

Please continue to keep a watchful eye on Silver State's Board Members & both Executive Directors - Dr. Kotler and Kellie Grahmann and their creative financial practices & arbitrary following of contracts & NRS policies.

To paraphrase Mr. Gavin earlier today -

SSCS Board, Dr. Kotler & Kellie Grahmann have "gambled" with our contracts & consequently our careers & livelihoods.

David Trujillo Comments to Nevada's Public Charter School Authority  
Public Comment, 10/26/15

### **Introduction**

Thank you for the opportunity to speak regarding concerns to the decision making process at Silver State's Charter. Like Cate Cook, who just spoke, I was a teacher at the charter school's high school until the sudden Reduction in Force on September 17<sup>th</sup>. I taught PE and health for one year and 2 months having approximately 200 students enrolled in my classes.

In reviewing Silver State's Renewal Application dated October 8, 2015, I have several concerns with certain statements made by the school's administration, the decision making process and the justification for these decisions. I hope this enlightens you to the current school climate and environment associated with these decisions.

### **Example 1**

#### **Silver State's cavalier conduct during the RIF matches its similar disregard for the two notices of breach it has received from this authority.**

Like Cate Cook, who spoke before me, I was interested in the way Silver States' charter school renewal application dealt with the financial breach notice. I also was interested in the budget figures presented by the administration in Silver State's charter school renewal application. I heard the \$300,000 figure cited on page 7 during the night of the September 16<sup>th</sup> Silver State board meeting. This number was the claimed rationale for instituting a RIF – which the board never formally took action on by voting on.

I would also like to mention that when the possible action item to enforce a RIF was discussed at the Board meeting of 9/16, , there were three issues that were concerning to me.

**First**, they said they were basing the RIF on a student teacher ratio of 1:8, which I believe is based upon average daily attendance and fits their construct for termination. Actual enrollment figures based upon the charter renewal is actually 378 total students which translates to an actual teacher student ratio of 1:33 at the High School and 1:21 at the middle school.

**Secondly**, they listed a monetary need for items such as facility improvement, curriculum and nutritional services, none of which comes out of the personnel budget.

**Finally**, although a Reduction if Force was listed as a possible action item, the Board agreed language for a RIF was already Board Policy so Ms.. Kotler could make the decision, and it did not need to be discussed nor action taken. During this open meeting. She terminated Cate and me the next day, and I have yet to find Board Policy regarding the RIF process.

The morning of the sudden RIF – the day after the school board meeting—I requested from Kit Kotler a rationale for why I was RIFFed, as well as the hiring dates of those hired this academic year. I asked who on the staff was certified and highly qualified to teach health and P.E., and notified Dr. Kotler that I am endorsed in science and have seniority over those hired after me. I am giving this board her response, to demonstrate that there was no understanding by this administration of the factors for RIFing as set forth

under NRS 288, just at the Silver States Board seems to have no understanding of the reasons for the two notices of breach issued to it.

Dr. Kotler's response to my request for rationales is wrong on the law regarding post-probationary teachers under NRS 391, and fails to address any of the NRS 288 elements that school districts across Nevada use when instituting a reduction in force. Those factors include:

1. whether a teacher is employed in a position which is hard to fill
2. Whether a teacher is national board certified
3. The teacher's performance evaluations
4. The teacher's disciplinary record
5. The type of license and degree held by the teacher

Like Silver State's treatment of the two notices of breach, the administration similarly brushed off my request for a rationale. The week after Cate and I were terminated, Silver States hired an non credentialed individual to teach both of our classes, meaning that one non credentialed substitute was hired to teach Health, Physical Education, and Ms. Cooks elective classes.

#### **Example 2.**

##### **Inaccurate Portrayal of the School's Interest in Serving At-Risk Students**

Throughout its charter renewal application, Silver States references the "at risk" population that it serves as one reason its charter should not be revoked. I counted 28 mentions of "at risk" students. However, if they are referring to our population of students who are eligible for special education, it is important for you to know that at the Board Meeting on September 16<sup>th</sup>, which I attended, the board claimed it was compliant with special education requirements "on paper". As this time there were two special education teachers on staff, which indicates we were non compliant, so I am unclear what there interpretation of compliance on paper means. Additionally, they had an action item (Item #7) to hire a retired Special Education Teacher because they were out of compliance. It's confusing to me that the Board moved to hire a retired special education/director teacher, shortly after discussing compliance on paper and the need initiate a RIF (Item #5).

#### **Example 3**

##### **Reevaluation of students diagnosed with ADHD**

They also discussed an intent to reevaluate students with ADHD in order to exit some from the program. I find this interesting, as I believe that no teacher or administrator is qualified to alter a medical diagnosis.

#### **Conclusion**

I have successfully taught as a teacher for 10 years while being involved in education for over 20 years. I am qualified to teach biology, health and P.E, with an endorsement in alternative education. Like Cate Cook, I am a post-probationary teacher with certain protections under NRS 391. However, Silver State will not comply with those requirements, just as I suspect Silver State is not complying with the terms of its charter. My school continues to do its students and teachers a disservice by not dealing honestly with its challenges and by seeking to cover up its flaws.

Thank you for allowing me to speak. I would like to present to you a copy of these remarks, a copy of NRS 288.151, a copy of my request for RIF rationale, Ms. Kotler's response, and a copy of my previous complaints against my school.

(Charter School Handout 1 of 3)

**NRS 288.151 Factors for consideration in reductions in workforce of school districts.** If the board of trustees of a school district determines that a reduction in the existing workforce of the licensed educational personnel in the school district is necessary, the decision to lay off a teacher or an administrator must not be based solely on the seniority of the teacher or administrator and may include, without limitation, a consideration of the following factors:

1. Whether the teacher or administrator is employed in a position which is hard to fill;
2. Whether the teacher or administrator has received a national board certification;
3. The performance evaluations of the teacher or administrator;
4. The disciplinary record of the teacher or administrator within the school district;
5. The criminal record of the teacher or administrator, if any;
6. The type of licensure held by the teacher or administrator; and
7. The type of degree attained by the teacher or administrator and whether the degree is in a subject area that is related to his or her position.

(Added to NRS by 2011, 2295)

## **Introduction**

Thank you for the opportunity to speak on my concerns regarding the decision making process at Silver State Charter Schools.

My name is David Trujillo and like Kate Cook, I was a teacher at Silver State Charter Schools prior to the sudden Reduction of Force on September 17. I taught health and physical education for 1 year and two months having approximately 200 students in my classes.

### **Example 1**

#### **Complete disregard for Nevada State law and NRS 391**

Kate Cook and I are post probationary teachers. As such, there are certain protections afforded to post probationary teachers under NRS 391.

Ms. Kotler failed to comply or even consider these statutes when terminating Kate Cook and myself during last month's RIF, and then replacing us with an uncredentialed individual

### **Example 2:**

#### **Compliance with Individuals with Disabilities Education Act.**

I attended the schools Board meeting on September 16 with Silver State Board members discussing compliance with this federal act (IDEA). Board members stated that we were compliant with SPED requirements on paper.

At the time we had 2 special education teachers, which would indicate that we likely non compliant given the high number of students on IEP's or 504's.

Confusing this issue was additional discussion regarding the hiring a retired special education teacher and director.

Recently SSCS hired another special education teacher that may or may not be properly credentialed, all contributing the confusion regarding the charter schools compliance with this federal law.

### **Example 3**

#### **Reevaluation of students diagnosed with ADHD**

On the September 16<sup>th</sup> board meeting, there was intent to reevaluate students with ADHD in order to exit them from Special Education Services.

I find this cavalier approach similar to the previous example's as I am certain that teachers or school administrators are not qualified to alter a medical diagnosis.

It is my hope that these few examples illustrates the decision making process at Silver State Charter School and the administrations complete disregard for state and federal law.

Thank you for your time and understanding of my concerns.

---

Trujillo, David <dtrujillo@sshs.org>  
To: Kit Kotler <kkotler@sshs.org>  
Bcc: trujillo.djt@gmail.com

Thu, Sep 17, 2015 at 9:29 AM

Kit:

Please provide me with a rationale of why I was Riffed. Additionally, I would like hiring dates of those who were hired this academic year. I would like to know who on staff is certified and highly qualified to teach health and PE in Nevada. Finally, I am endorsed in the Sciences and therefore have seniority over those hired after me.

David  
[Quoted text hidden]

---

Trujillo, David <dtrujillo@sshs.org>  
Bcc: trujillo.djt@gmail.com

Thu, Sep 17, 2015 at 9:44 AM

----- Forwarded message -----  
From: **Kotler, Kit** <kkotler@sshs.org>  
Date: Thu, Sep 17, 2015 at 9:38 AM  
Subject: Reduction in Force  
To: The Whole School <all@sshs.org>

Good morning. Please be advised that this morning at 7:30 a.m. a Reduction in Force (RIF) occurred which affected two teachers. As a result, you may experience students who do not know where they are to go. They have been instructed to go to their next class. If any students need access to a computer and you have room in your class, please permit them to sit in your room to work. Students will complete the remainder of the term online.

<https://mail.google.com/mail/ca/u/0/?ui=2&ik=fo1480cc35&view=pt&search=inbox&th=14fdb061d23c6e6&siml=14fdb061d23c6e6&siml=14fdc03ea798e782&siml=14fdc23d6008f4cc&siml=14fdc3142c150c0&siml=...> 2/6

# Silver State Charter Schools

8 Middle School (775) 882-8200

Fax (775) 883-9130

9-12 High School (775) 883-7900

788 Fairview Drive, Carson City, NV 89701

www.SSHS.org

**\*\*REVISED\*\*** 9/17/2015 8:30am (RK)

From: **Kotler, Kit** <[kkotler@sshs.org](mailto:kkotler@sshs.org)>  
Date: Thu, Sep 17, 2015 at 7:33 AM  
Subject: Reduction in Force  
To: David Trujillo <[dtrujillo@sshs.org](mailto:dtrujillo@sshs.org)>

Mr. Trujillo,

You are hereby notified that your services are no longer required at Silver State Charter Schools due to the Reduction in Force, per Board policy. Please collect your personal items and turn in your key and any other items belonging to the school to Sam and exit the premises. We are providing you with two days' notice by paying you through Friday, 9/18/15. Thank you for your service.

Sincerely,

  
Ruth M. Kotler, Ed. D.

# Silver State Charter Schools

8 Middle School (775) 882-8200

Fax (775) 883-9130

9-12 High School (775) 883-7900

788 Fairview Drive, Carson City, NV 89701  
www.SSHS.org

September 18, 2015

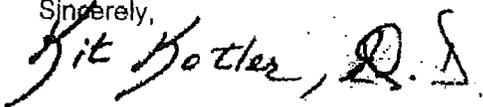
Dear Mr. Trujillo,

A school never knows whether it will need to RIF or not since enrollment continually fluctuate throughout the school year. As such, I deny having made the statement you described on 9/14/17. There is no violation as a RIF is based on school finances, not discipline. The rationale of why you were subject to the RIF has been explained to you previously-financial reasons, specifically low enrollment that have caused a \$300,000 shortfall in our budget.

Your question about whom else on staff is qualified to teach health and PE in Nevada is not relevant. The teacher does not have to be highly qualified until January; further, we can hire a highly qualified contractor to grade courses virtually at a much lower cost.

No specific reports are already in existence that specifically meet the criteria you requested and we have no obligation to create new reports for you. Nevada is a right to work state and issues of seniority are not applicable in our charter school.

Sincerely,



Ruth M. Kotler, Ed. D.

---

Dr. Kit Kotler  
Executive Director, Academics

Kellie Grahmann  
Executive Director, Administration

David Trujillo  
788 Marron Way  
Gardnerville, NV 89460  
[trujillo.djt@gmail.com](mailto:trujillo.djt@gmail.com)  
(775) 720-7436

9/25/15

Complaint Re: Silver States Charter Schools

Dear Mr. Peltier,

Thank you for accepting my complaint regarding Silver States Charter Schools (SSCS). I would like to file this letter with you as an official complaint, but would request that you redact my name, my wife's name, our identities and our contact information if you are ever asked to produce this in response to a public records request. I have previously discussed my concerns about SSCS regarding State and Federal law violations, employee handbook noncompliance, and Governing Body violations with Patrick Gavin prior to being RIF'd from his teaching position on September 17, 2015.

Until I was RIF'd on September 17, 2015, I was a teacher at Silver States Charter Schools for 1 year and 6 weeks. I signed a letter of intent on May 26, 2015 to continuing working for SSCS. I am a post-probationary staff member, which is identified by my letter of intent, as well as my March 13, 2015 evaluation from SSCS. The staff and I were told that the school week would be Monday through Thursday when I was presented with my letter of intent and again during the summer. Then, on 6/29/15, Blaine Spires, my principal resigned. After that, the schools' new academic director, Kit Kotler, changed the teaching week to be Monday through Friday. It was too late for me to seek employment in another school district without significant repercussions. We staff members were threatened with license revocation and prosecution from Dr. Kotler if we decided to go to another school, in light of the abrupt work schedule change.

When Dr. Kotler changed the work week, she told the staff that any teachers who failed to sign their teaching contracts would be prosecuted and have their credentials revoked. I signed my attached contract, which states that I may be suspended or dismissed as provided by the Nevada Revised Statutes. (Attachment 1).

When the board taped up their last agenda to the Silver States Charter Schools Mallory building on Friday, September 11, 2015, I heard that one of the items was a possible Reduction in Force (RIF). During a morning staff meeting on Monday, September 14<sup>th</sup>, another teacher asked the charter school's academic executive director, Kit Kotler, if there would be any RIFs. She told the entire staff, "No, no one will lose their job this

Page 2

year." Despite this answer, I was concerned and attended the Board meeting, inviting Brian Rippet a representative from the NSEA in Douglas County, and my wife, a high school principal from Douglas County.

I attended the Silver State Charter Schools Governing Board meeting on September 16, 2015. I believe the board is a public body governed by Nevada's Open Meeting Law, since it is an administrative and executive body of a local government, which disburses tax revenue. NRS 241.015 (4) (a). I believe that the board's meeting that night was not exempt from the Open Meeting law, and it had no closed session on the agenda. However, when I arrived to the meeting on September 16, 2015, the front doors were locked and chained. Two audience members, Mr. Rippet and Mrs. Sindlinger, both stated this in public comment to the board and stated that this was a flagrant Open Meeting Law violation.

When I entered the Fairview building from the East side, I found a door propped open. There was no agenda taped to the front door or this back door. When I finally found the board meeting, I saw that there were no printed agendas. I asked for a printed agenda and was finally given one after someone went and copied an agenda for me. However, when I asked for copies of the supplementary material the board was using to discuss its business, I was ignored. I believe this violates NRS 241.020(5)(c)'s requirement that supporting materials be given to those who request them at a public meeting.

Any members of the public who did not make the effort to search for unlocked school doors at 6 p.m. that night would not have been permitted to attend, since the front doors were locked and chained, violating NRS 241.020(1). The locked front doors meant the facilities were not open, unless members of the public walked to each outside door to discover if any were unlocked, like I did. It appeared the board had a quorum when I arrived. Present were board members Edie Grub, Kim Pilant, Jeannette Geary, Christina Saenz, and Shane Watson, as well as the board's attorney, Ryan Russell. Also present were Executive Director Dr. Kotler and Executive Director Kellie Grahmann. Mr. Russell seemed to be running the meeting, even though he is not a board member. He kept correcting the board members on how to run the meeting, and they seemed unsure of how to conduct the meeting. President Grub repeatedly asked Mr. Russell how to proceed.

When the agenda turned to item number 5, Kit Kotler, the charter school's academic executive director, discussed a possible Reduction in Force (RIF). I believe this is a matter over which the board has supervision, control, and jurisdiction. The agenda stated, "For Possible Action." However, the agenda did not describe how many positions were being proposed, the alleged total budget deficit, the type of positions being proposed, etc. The public would not have had adequate notice that a RIF of specific

Page 3

positions would be discussed or acted upon that night, because the agenda descriptions were so vague that they were meaningless.

During this agenda item for the possible RIF, Academic Executive Director Kit Kotler stated that she was proposing a Reduction in Force (RIF) based on the needs of the school, and planned to institute one for the current year in order to have funds to replace two buses, meet a budget deficit, pay for two new front doors, pay for speakers

in one school building, pay for the free and reduced lunch program, and common core curriculum. Since I had approximately 200 students enrolled in my classes while I taught at Silver State Charter Schools, I knew that her enrollment numbers that she presented to the board were completely off. I also know that teacher salaries cannot be used for facilities, and vice versa, since both are restricted funds.

Others spoke publicly about the RIF during the public comments session, after which board president Edie Grub stated, "I have no problem with a RIF." The board decided that since the handbook allows for a RIF, there was no need to take any action that night. They never went into closed session that night, either. There are no minutes for the September 16, 2015 board meeting available on the board's website, <http://www.sshs.org/Page/72>

When I went to school the next day, I received an email notice from Dr. Kotler that I had been RIF'd. (Attachment 2). She wrote, "You are hereby notified that your services are no longer required at Silver State Charter Schools due to the Reduction in Force, per Board policy." However, she did not attach any board policy. She might be referencing the staff handbook, which states that in a RIF, the executive director will determine what positions need to be eliminated based on the needs of the school.

The fact remains that the board never took action on a RIF during their meeting on September 16, 2015. The board members never discussed my position or that of another teacher who was also RIF'd on September 17, 2015. The last action the board apparently took was to accept my letter of intent and my teaching contract for the 2015-16 school year at Silver States Charter Schools, just weeks before I was RIF'd. After getting the email notice that I was RIF'ed, I asked for a rationale of why I was RIF'ed and asked about hiring date of other teachers and their qualifications (Attachment 3). I have credentials in health, P.E., and biology, as well as endorsements in alternative education. Apparently, Dr. Kotler used seniority to target me for a RIF me instead of a new biology teacher who was just hired.

I received no response to my questions until 9/24/15. In her letter to me, Dr. Kotler stated, "A school never knows whether it will need to RIF or not since enrollment continually fluctuate[s] throughout the school year." In her letter, she denied stating

Page 4

that no RIFs would occur. She also stated that that a teacher does not have to be highly qualified until January, so she could "hire a highly qualified contractor to grade courses virtually at a much lower cost." She also asserted that my question about qualifications was "not relevant" and that "Nevada is a right to work state and issues of seniority are not applicable in our charter school." (Attachment 4)

The charter authority requires charter schools to set forth the process by which its governing body will "negotiate employment contracts with the employees of the charter school." NRS 386.520 (5)(j). In this case, my contract clearly states, "A licensed employee may be suspended, dismissed, or not re-employed as provided by Nevada Revised Statutes." (Attachment 1, Provision 7).

I believe that Dr. Kotler violated Provision 7 of my contract by failing to follow the Nevada Revised Statutes regarding dismissal of teachers. NRS 391.31297(1)(g) allows for a dismissal if there is a justifiable decrease in the number of positions due to decreased enrollment or district reorganization. However, the enrollment and staffing numbers she presented to the school board on September 16, 2015 were completely inaccurate. There has been no decrease that would justify RIFing two teachers within the first month of school.

Additionally, I believe that Dr. Kotler violated Provision 9 of the contract by failing to give two days' notice to teachers prior to conducting a Reduction In Force, as required by Provision 20(A) of the handbook.

I also believe that Dr. Kotler violated provision 7.03 E of the Silver States Charter School Employee handbook by using the pretext of a RIF in order to take reprisals against me for asking questions about class concerns, the newly proposed calendar, discussing offsite PE and transportation, expressing concerns about teachers being dismissed, and being willing to communicate concerns about how changes in the schedule would alter staffing needs.

I also believe Dr. Kotler violated provision 8.02 E of the handbook by failing to use just cause in discharging me. She presented inaccurate enrollment data to the school board September 16, 2015 in order to use the pretext of a RIF to dismiss me, rather than answer my questions about attendance, expressing concerns about teachers being dismissed/RIF'd, and being willing to communicate concerns about how changes in the schedule would alter staffing needs. I had invited my representative, a school principal, other teachers and local media, and I believe she discharged me in retaliation for encouraging community participation in the possible RIF process.

Page 5

I also believe Dr. Kotler violated provision 8.04 of the handbook by failing to comply with the NRS when using the pretext of a RIF to dismiss me. Not only, did she present inaccurate enrollment data to the school board on September 16, 2015 to justify a RIF, but she failed to follow any progressive discipline and/or admonition as required by the NRS prior to moving for my dismissal as a post-probationary employee. Dr. Kotler clearly believes I am an "at will employee" and ignores the clear protections of the NRS, which are set forth in my contract. Under section 13.06 of the handbook, a post-probationary employee like myself is entitled to rights under NRS Chapter 391, and I do not lose those rights because I was employed at a charter school following my post-probationary period.

I relied on the contract in which I signed, honoring my commitment to SSCS and dismissing similar teaching positions in Douglas County, which I was invited to apply for, as well as positions in the Carson City School District.

I ask the charter school authority to review Silver State's charter in light of the fact that:

- 1) the current administrator is grading the work of my students and students of another teacher she RIF'd, despite having no license in my subject area or the other subject area;
- 2) the current administrator purposefully presented grossly incorrect enrollment figures to the school board, and then failed to have the board act to approve a RIF before terminating me and another teacher
- 3) the current administrator has breached two employment contracts by instituting a RIF in the sixth week of school, and forced the current teachers to sign their contracts after unilaterally changing the work schedule from four days a week to five days a week
- 4) the current administrator refuses to use the grievance process to address my issues, stating that I cannot grieve my RIF because I am no longer employed, which is incorrect. Teachers routinely grieve their dismissals and arbitrate them under the NRS, even when they are no longer in the classroom.

Sincerely,

David Trujillo

[dpeltier@spsca.nv.gov](mailto:dpeltier@spsca.nv.gov)

Gmail

[Move to Inbox](#)

[More](#)

COMPOSE

**Inbox (252)**

Starred

Important

Sent Mail

**Drafts (9)**

Circles

Notes

More

Mr. Peltier:

Thank you for accepting my previous complaint regarding Silver States Charter Schools, which I emailed to you on 9/25/15. Please add this to my previously submitted complaint against Silver State Charter Schools.

Forwarded below (and attached) are two separate announcements to my former health and P.E. students regarding my replacement at Silver States Charter Schools, Annie Rivera. It appears obvious that Ms. Rivera was hired as SSCS's new health and P.E. teacher after I was RIF'd on 9/17/15. There is no evidence that my position was posted properly or that Ms. Rivera possesses the proper teaching credentials for these subjects. As such, it is difficult for me to comprehend my RIF, when almost immediately SSCH hired someone to take my position as a post-probationary health and P.E. teacher.

I recently filed a grievance regarding my RIF, but it was denied by Academic Executive Director Kit Kotler, who stated that I should have grieved my RIF before I was RIF'd. Dr. Kotler has taken the position that a teacher does not have to be highly qualified until January, thus she RIF'd credentialed teachers and replace them with contractors to "grade courses virtually at a much lower cost."

If there is anything you can do to address the lack of an appropriately credentialed instructor who replaced myself and another credentialed instructor after the September RIF, please do not hesitate to contact me.

Respectfully,

David Trujillo

From: "Nadine Branco" <[nlb50050@hotmail.com](mailto:nlb50050@hotmail.com)>  
 Date: Tue, Sep 29, 2015 at 11:24 AM  
 Subject: Announcement made by Mrs. Rivera to students

This is the announcement that was placed on the students' courses.

Date: Tue, 29 Sep 2015 09:22:11 -0700  
 Subject:  
 From: [allisonrazz@gmail.com](mailto:allisonrazz@gmail.com)  
 To: [nlb50050@hotmail.com](mailto:nlb50050@hotmail.com)

**I am on board!!**

**To:** Continuous - P.E. - Term 1 SSHS 15-16 (S)  
**From:** David Trujillo

**Created:** Thu 09/24 1:24 PM  
**Expires:** Thu 10/01

My dear students in PE and Health,

My name is Ms. ANNIE A. RIVERA and I am your new teacher in PE and Health. Please continue to submit all your assignments and I will attend to them immediately. It may take a while though for you to see your grades because of the backlog I have to work on hand, but please be advised that I AM ON BOARD and in FULL CONTROL and we will be able to CATCH up with one another ASAP!!

F Y I

Thank you.

Have a nice day!!

Ms. ANNIE A. RIVERA

10:26:15 12:00

DAVID TRUJILLO

720-4736

PUBLIC COMMENT:

PLEASE EXCUSE MY HANDWRITTEN PUBLIC COMMENT, HOWEVER I AM RESPONSIBLE FOR EXTRACURRICULAR ACTIVITIES IN LYON COUNTY:

I HAVE BEEN TRYING TO RESOLVE MY CONTRACT WITH SSCB. I HAVE FILED GRIEVANCE WITH THE SCHOOL WITHOUT A RESPONSE.

MS COOK + I SIGNED CONTRACT FOR THE TEACHING YEAR. WE NOW KNOW THAT DEEP FINANCIAL ISSUES THAT WERE NEVER DISCLOSED TO US MAY HAVE BEEN THE TRIGGER FOR OUR TERMINATION. THESE FINANCIAL ISSUES WERE NEVER DISCLOSED WITH A COMPLETE LACK OF TRANSPARENCY BY OUR ADMINISTRATION + BOARD.

I ASK YOU TO REVOKE MY R.I.F. + HONOR MY CONTRACT. NOT ONLY IS THIS A PROBLEM FOR MS. COOK + I NOW THERE IS DEEPER FINANCIAL TO



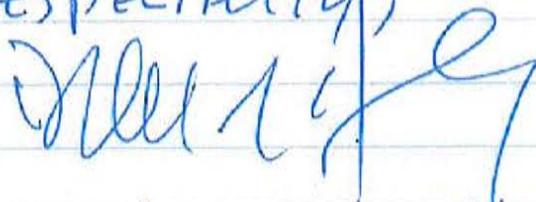
ME + MY COLLEAGUES.

MY FAMILY HAS BEEN DEEPLY AFFECTED BY MY CURRENT UNEMPLOYMENT.

NOT ONLY AM I NOT RECEIVING INCOME FOR PROFESSIONAL ACTIVITIES, I AM ESSENTIALLY UNEMPLOYABLE. I HAVE APPLIED FOR SEVERAL TEACHER POSITIONS + HAVE RECEIVED REJECTION FROM MULTIPLE DISTRICTS. I DO NOT SEE HOW + WHY ANY DISTRICT WILL EMPLOY ME FOR THE REMAINDER OF THE YEAR.

I AM SUGGESTING THAT THE BOARD + MR. GAVIN CREATE A PLAN TO RECTIFY MY + MY COLLEAGUES' ~~FINANCIAL~~ FINANCIAL CONCERNS BY HONORING OUR CONTRACTS FOR THIS ACADEMIC YEAR.

RESPECTFULLY,



David J. Trujillo

1. Introduction

The first part of the document discusses the importance of

maintaining accurate records and the role of the

management team in ensuring compliance with

relevant regulations and standards.

It also highlights the need for clear communication

and collaboration between all stakeholders involved.

The second part of the document focuses on the

implementation of the proposed changes and the

challenges that may arise during this process.

It provides a detailed overview of the project

plan, including the timeline, resources, and

risks associated with the implementation.

The third part of the document discusses the

monitoring and evaluation process, which is

essential for ensuring the success of the

project and identifying any areas for

improvement.

The final part of the document provides

concluding remarks and a summary of the

key findings and recommendations.

It also includes a list of references and

appendices.

10/26/2015

I would like to address the Charter Authority this morning as both a mom and a teacher. I would first like to speak as a mother of a successful student at Silver State Charter School. My son Jakob is a senior at Silver State this year. He came to Silver State in the eighth grade. He was struggling in a "traditional" school." We begged for extra help for Jakob, but often times we never received a response from teachers or counselors. Our frustration grew with the Carson City School District, so my husband and I explored other opportunities. We could not afford private schools so when we found Silver State we thought it might be the perfect fit for Jakob. When we enrolled him into the school we spoke to the counselor about our concerns for Jakob and she assured us that he would be in good hands because they would monitor him and that the low teacher to student ratio would benefit him greatly. We saw Jakob grow as a student at Silver State. He took ownership of his education. He loved the quiet environment that the school afforded. He said that it was nice to not have all of the distractions and interruptions that he endured at his previous schools. He has loved the extra support that his teachers have provided him. He has also enjoyed the kind and caring nature of his teachers. Jakob passed his proficiencies last year and will be graduating early this year. My husband and I are so proud of the strides Jakob has made at Silver State since his eighth grade year. Things that we thought were going to be impossible for Jakob became possible because of the amazing program that Silver State offered.

I was so inspired by the program at Silver State that I knew that I wanted to be a part of it. When I completed my student teaching I wanted a job there. I was blessed this year when a social studies position came open and I applied right away. When I started my teaching position in August I quickly realized why this program is so amazing. I learned early on that many of my students are at risk students. They had minimal parental involvement or have struggled academically. The ability to teach these at risk students in small classes has been a blessing. It allows teachers the opportunity to get to know their students. Because of these small numbers I am able to make weekly phone calls home to all of my students. I am able to speak to families about academic progress and how they can assist their child in their education. I have learned a great deal about my students in regards to what they need academically. It allows me the time to focus on struggling students. I have also been able to listen to some of their stories about issues that are affecting their lives. Many students have also expressed why they chose to come to Silver State. They have said they are there because they were bullied in traditional schools and that their teachers or administrators did nothing to fix the situation. As a teacher this is heartbreaking to hear but at the same time they feel like they are now in a secure environment. Some students are there for the flexibility. They have to work to assist their families with household expenses. Other students are there because they have been kicked out of other schools. These students have received a bad label at their other schools but they have made the choice to do the right thing at Silver State because it is their last chance. I might be a new teacher but I have learned so much from both my students and colleagues at Silver State. My colleagues are some of the most genuine and kind people I have ever had the opportunity to meet. I watched a group of teachers and administrators work tirelessly to fix the previous program. They created a new schedule that would be more beneficial to students. One teacher spent the time to look into new programs that would be more beneficial for the students. These new programs allow us to assess where our students are in reading and math. We are

now able to prescribe new materials through these programs in order to bring them up to grade level in these subjects. This is beneficial for complex subjects like social studies and science because these students need to read at a higher level. One of my colleagues spends some of her free time going to different organizations for food so we can feed our hungry students. Other teachers spend their own money to purchase food for the students so they do not go hungry all day. I think it would be a detriment to the students of this area and the community to close this school. These kids are more than just numbers. They are human beings with a wide variety of learning abilities. They have been overlooked and have fallen through the cracks for many years and I get the amazing opportunity to watch them grow on a daily basis, both socially and academically. I ask for the SPCSA to think about these students and maybe even visit our school and our students before they make their decision on our charter renewal.

Thank You,

Joanna Perry

## **Introduction**

Thank you for the opportunity to speak on my concerns regarding the decision making process at Silver State Charter Schools.

My name is David Trujillo and like Kate Cook, I was a teacher at Silver State Charter Schools prior to the sudden Reduction of Force on September 17. I taught health and physical education for 1 year and two months having approximately 200 students in my classes.

### **Example 1**

#### **Complete disregard for Nevada State law and NRS 391**

Kate Cook and I are post probationary teachers. As such, there are certain protections afforded to post probationary teachers under NRS 391.

Ms. Kotler failed to comply or even consider these statutes when terminating Kate Cook and myself during last month's RIF and then replacing us with an uncredentialed individual

### **Example 2:**

#### **Compliance with Individuals with Disabilities Education Act.**

I attended the schools Board meeting on September 16 with Silver State Board members discussing compliance with this federal act (IDEA). Board members stated that we were compliant with SPED requirements on paper.

At the time we had 2 special education teachers, which would indicate that we likely non compliant given the high number of students on IEP's or 504's.

Confusing this issue was additional discussion regarding the hiring a retired special education teacher and director.

Recently SSCS hired another special education teacher that may or may not be properly credentialed, all contributing the confusion regarding the charter schools compliance with this federal law.

### **Example 3**

#### **Reevaluation of students diagnosed with ADHD**

On the September 16<sup>th</sup> board meeting, there was intent to reevaluate students with ADHD in order to exit them from Special Education Services.

I find this cavalier approach similar to the previous example's as I am certain that teachers or school administrators are not qualified to alter a medical diagnosis.

It is my hope that these few examples illustrates the decision making process at Silver State Charter School and the administrations complete disregard for state and federal law.

Thank you for your time and understanding of my concerns.

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 10/26/15  
Name TERRY BARBER  
Title DIRECTOR OF HR  
Address

Phone No.  
Representing QUEST PREP ACADEMY  
Subject PROGRESS REPORT  
AND THANK YOU

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 10/26/2015  
Name John Hawk  
Title Chief Operations Officer  
Address 233 North Stephanie St Henderson, NV 89074  
Phone No. 702-332-2593  
Representing Nevada State High School  
Subject Item 14 - general comment

Item 16 - Dec. 4th Meeting comment.

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9-5-14

Name Tambra Tondyk

Title Principel

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Representing Beacon Academy NU

Subject \_\_\_\_\_

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 10-26-15

Name Carmen Rizzo

Title \_\_\_\_\_

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Representing \_\_\_\_\_

Subject Various  
-last public comment given

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CA

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full that we may maintain accurate records.

Date 10/26/15
Name Monica Winderheiden
Title Counselor
Address 3304 Termination Ct
LU NV 89129
Phone No. 702-994-9787
Representing Coral Academy of Science
Subject

- I Request To Speak
I am a scheduled speaker
I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 10/26/15
Name Dew Leonard
Title Testimony Coordinator Nevada Virtual Academy
Address 8965 S. Eastern Ave. Suite 330
LAS Vegas NV 89123
Phone No. 702-407-1625 x 7002
Representing Nevada Virtual Academy
Subject GRADUATION RATES

- I Request To Speak
I am a scheduled speaker
I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 12/23/15
Name Noah Stevens
Title Mr.
Address 10738 Leathurstalking Ave.
Las Vegas 89166
Phone No. 619-417-7243
Representing Central Academy
Subject Centennial Hills Campus

- I Request To Speak
I am a scheduled speaker
I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 11/26/15
Name Bridget Phillips
Title Executive Director Doral Academy
Address 9163 Ferdinand Ct.
Las Vegas, NV.
Phone No. 702-334-8201
Representing Doral Academy
Subject Student Skit

- I Request To Speak
I am a scheduled speaker
I am a visitor

T.J. Belz
Katie Peterson
Claire DeSpain
Lexi Schweitzer
Graden Curtis
Benjamin Bryan
Danielle Marshall
(Principal - Cactus)
Doral Campus

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9-5-14

Name Tiecha Ashcroft

Title Parent

Address \_\_\_\_\_

Phone No. \_\_\_\_\_

Representing \_\_\_\_\_

Subject \_\_\_\_\_

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date 9-5-14

Name Kelbow Ter Avast

Title \_\_\_\_\_

Address 331 N. Pueblo Blvd

Phone No. 702-565-1141

Representing \_\_\_\_\_

Subject \_\_\_\_\_

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

VISITOR'S CARD

Nevada State Public Charter School Authority

Meeting

Welcome... PLEASE PRINT LEGIBLY all information in full so that we may maintain accurate records.

Date \_\_\_\_\_

Name William F. Sandoz Jr

Title Sept 5th 2014

Address \_\_\_\_\_

Phone No. 702-764-2800

Representing \_\_\_\_\_

Subject \_\_\_\_\_

- I Request To Speak
- I am a scheduled speaker
- I am a visitor

# State Public Charter School Authority

## Board Meeting

Las Vegas

10-26-2015

Name	Representing	Email Address for SPCSA List serve
David Hyun	CASLA	dhyun@redhookcas.com
Ercan Aydogdu	CASLV	Ercan.aydogdu@coralacademy.lv.org
Erpen Eruc	CASLV	eruc@coralacademy.lv.org
Nick Sarsich	CASLV	nsarsic@coralacademy.lv.org
Candis Cape	CASLV	ccape@coralacademy.lv.org
Candy Farthing	CASLV	cfarthing@coralacademy.lv.org
Alex Roberson	Quest Prep	droberson@questlv.com
Ben BERHARDT	NEVADA VIRTUAL	berhardt@nvacademy.org
Rebecca Fitzgerald	Academica	becca.fitzgerald@academicianlv.com

Tere' Barber	Quest Academy	f.barber@questiv.com
Dana Parks	Quest Academy	d.parks@questiv.com
Greg Canycop	Quest Academy	g.canycop@questiv.com
Joshua Kern	Ten Square	jesk@tensquaregroup.com
Aaron Hale	LTS	Aaron@LegacyTradition.org
Daniel Stewart	LTS-Henderson	daniel.henry.stewart@gmail.com
William Bussler	Legacy-Henderson	bill.bussler@legacytr
Bill Gregory	Legacy-Henderson	bill@legacytraditional.org
Amanda Pratt	Legacy-Henderson	amandap@sportscenter.com
Emrullah Erosten	Corol Academy	eero@corolacademy.com
Fyan Reeves	Academica	fyana.reeves@academicanv.com
Don Sirigani	Flip Switch	don@flipswitch.com
Tambre Tondyke	Beacon Academy	tambre.tondyke@beaconnv.edu
Teresa Gregory	Nevada Virtual	teregory@nvaeds.com
Marlo Tsuchiyama	Silver Sands Montessori	ms.marlo@silversandsmcs.org
John Hawk	Nevada St. High School	jhawk@earlycollegeNV.com

# State Public Charter School Authority

## Board Meeting

### Carson City

10-26-2015

Name	Representing	Email Address for SPCSA List serve
Edie Grubbs	SSHS	esgrub@charter.net
Kara Koster	SSHS	kkoster@sshs.org
Joanna Perry	SSHS	jperry@sshs.org
J-Lynn Vaupel	Houns Academy of Literative	ms.j.lynn@academyoflit.org
Audrey Morency	11	ms.audie@11
KATHY Etchemendy	Mountain West Academy & Imagination Station	Kathy@151c.us
Angela Moore	Mountain West Academy	angela.vincent@charter.net
Christina Saenz	Silver State Charter Schools Carson Montessori School	christina.saenz@sbcglobal.net csaenz@carsonmentessen.com
Catherine Cook	Self	catercook@yahoo.com
David Trujillo	Self	



**NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**November 10, 2015**

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

And

Nevada Department of Education  
9890 South Maryland Parkway  
Board Room  
Las Vegas, Nevada

**MINUTES OF THE EVALUATION SUBCOMMITTEE MEETING**

**BOARD MEMBERS PRESENT:**

**In Las Vegas:**

Adam Johnson  
Marc Abelman

**In Carson City:**

Melissa Mackedon

**BOARD MEMBERS ABSENT**

**AUTHORITY STAFF PRESENT:**

**In Las Vegas:**

Joan Jurgensen, Education Program Professional, State Public Charter School Authority

**In Carson City:**

Danny Peltier, Administrative Assistant, State Public Charter School Authority

**LEGAL STAFF PRESENT:**

**In Carson City:**

Greg Ott, Deputy Attorney General

**AUDIENCE IN ATTENDANCE:**

**In Las Vegas:**

Nick Sarssohm

**In Carson City:**

None

## EVALUATION SUBCOMMITTEE

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

Chair Abelman called the meeting to order at 12:00pm with attendance as reflected above.

**Agenda Item 1 – Public Comment**

There was no public comment in Las Vegas or Carson City

**Agenda Item 2 - Introductions & Overview - Review meeting activities, discuss rationale for WestEd assistance, adjust work plan deadlines as needed, and ensure evaluation meets statute requirements**

Paul Koehler and Shelia Arredondo, WestEd, introduced themselves and began their overview of the rationale for WestEd assistance in the SPCSA's Executive Director Evaluation process. Mr. Koehler said he had spoken with Superintendent Canavero about working with the board and said Nevada was a client of WestEd so this was not an additional contract with the SPCSA. Chair Abelman thanked Mr. Koehler and Ms. Arredondo for assisting the SPCSA through the process.

Mr. Koehler and Ms. Arredondo developed a work plan that proposed how WestEd would assist the SPCSA during this evaluation. They also provided the board a list of statutes governing the Executive Director. Mr. Koehler then gave an overview of the work he and Ms. Arredondo had done prior to the subcommittee meeting. Mr. Koehler and Ms. Arredondo spoke to each member of the subcommittee individually in order to gauge what each thought. They provided a summary of the topics discussed which served as the starting point for the discussion.

**Agenda Item 3 - Subcommittee Interview Results - Share results from the three interviews and outline areas of agreement and disagreement**

Ms. Arredondo explained the interview results with the subcommittee. She said there was a consensus that no process was in place to evaluate the executive director. She said the members had referenced the strategic plan and to set the metrics of measurement based on that. She said the members wanted to identify priorities and goals for the coming years in order to have something to measure the executive director's success against.

She said there was disagreement on the frequency of the evaluations and whether it should be annually or biennially. She said there was disagreement on who should have input on the final evaluation metrics. Members agreed that there were certain decisions that would need to be made quickly including frequency, stakeholder inclusion and overall process. Member Johnson recommended the evaluation be separated into two groups, process and outcome.

**Agenda Item 4 - Initial Goals & Design Specifications - Deliberate, clarify, and finalize goals and design specifications for the evaluation protocol**

Mr. Koehler then detailed the suggested goals WestEd had come up with based on the information they heard during the interviews. The goals were reflect upon and document the performance of the entire organization, calibrate and align expectations and goals between the board and executive director, determine the board's level of approval and support for the executive director, establish priorities, set goals and determine metrics for the coming year.

It was also recommended the SPCSA board assess the strategic plan and update accordingly along with evaluating the executive director. They said some of the goals were set three years ago and should be updated so the metrics for evaluations would be based on more relevant, up-to-date, goals. Member

## EVALUATION SUBCOMMITTEE

Johnsons said he hoped there would be more defined targets to better measure the success or failure of the goals and metrics. Member Mackedon said the targets would have to be updated if they were to be based on the strategic plan. She said the goals had been set at the inception of the SPCSA and many of the indicators had become outdated. Member Johnson agreed that the targets and goals needed to be adjusted, but felt there was good baseline indicators contained within the strategic plan.

Ms. Arredondo explained the full board and executive director would complete and analyze results from the one-page assessment form each year, perhaps in the fall or one-year following the appointment of the executive director. Informal mid-year check-in conversations would also be conducted between the executive director and board chair to assess progress and redirect efforts as needed. A written description of the conversation would be necessary only if major adjustments were made to the work plan. Member Mackedon asked if there would be an assessment for schools to fill out during the process. Ms. Arredondo said there was disagreement on that topic but it had been brought up. Discussion continued between the subcommittee and WestEd regarding the level of detail a mid-year check in could require. Member Abelman and Member Johnson both agreed they would like to see one, but Member Mackedon said she didn't think it should be too forma. She said if the measurements for the full evaluation were robust and defined, there would be no need for the executive director to stop what he or she were doing to give the Authority an update that would already be evident. She said as someone who worked for a board, it can be difficult to stop work mid-year for a report, when a full evaluation would take place yearly.

The front side of the one-page assessment form would be similar in style to the first page of the SPCSA Strategic Plan. The front side would include the overarching goal, four main strategies, and recent data for each of the eleven measures, associated targets, and space to write one numerical rating per strategy. Once the front side of the form is completed, individuals would be encouraged to reflect upon the data and ratings and then use the space provided on the back to respond to the following questions: what are the implications for the board, what should be the board's top priority, what are the implications for the executive director and what should be the executive director's top priority?

**Member Johnson had to leave the meeting at 1:05pm.**

**Agenda Item 5 - Proposed Process - Discuss suggested elements and approach, address any areas of disagreement, check alignment with goals and specifications**

The meeting continued with discussion of updating the strategic plan. Member Mackedon said she wanted to ensure the strategic plan continued to be representative of the SPCSA Board's goals as opposed to something that would be the executive director's plans and goals. She said differences will come up between the Authority and the executive director and the strategic plan should remain consistent with the Authority board as opposed to changing each time there was a change at the executive director position. Both Mr. Koehler and Ms. Arredondo said they would strongly recommend assessing and updating the strategic plan. This would allow the Authority to set more defined goals for the future and assess the successes and failures of past plans. WestEd provides strategic planning session yearly for boards to assess their strategic plans and they recommended the SPCSA consider adding that onto the yearly calendar.

**Agenda Item 6 - Next Steps - Revisit deadlines for version 2 delivery and feedback**

Discussion centered on the timeline for developing and implementing the executive director evaluation, which is listed below:

**2015 -2016 Calendar**

*Data Collection*

## EVALUATION SUBCOMMITTEE

1. The executive director and staff develop definitions to clarify each measure identified in the SPCSA Strategic Plan, compile the most recent data available for each of the measures, and add this information to the one-page assessment form template.

*December*

2. Assessment - Each board member and the executive director independently complete the one-page assessment form.

*January 1 – 14*

3. Analysis - The three-member evaluation subcommittee compiles and analyzes results from the eight independently completed assessment forms. The subcommittee calculates average performance scores for each strategy as well as an average overall rating and summarizes themes resulting from qualitative analysis of responses to the questions on the back of the form.

*January 14-21*

4. The three-member evaluation subcommittee prepares a brief summary report for the January Board Meeting.

*January 29*

5. Reporting - The three-member evaluation subcommittee shares results with the full board and executive director during the January Board Meeting.

*February*

6. Evaluation - The full board and executive director use the information contained in the summary report to collectively evaluate organizational progress; identify priorities for the coming year; establish goal(s), measures, and targets for the organization and the executive director; and determine next steps. Note: This step should be conducted as part of an annual strategic planning session.

*March 1 - 14*

7. Revision - The executive director and three-member evaluation subcommittee use board approved results from the February session to update the strategic plan. New and/or revised goals, strategies, measures, and targets are added to the assessment form template for the next annual evaluation.

*March 21 - 31*

8. Adoption - The full board reviews the revised strategic plan, makes adjustments as necessary, and then adopts the plan for the coming year.

*April*

9. Reporting - Evaluation results are reported publicly.

After the timeline was discussed Mr. Peltier said he would be able to send some of the data collection information to WestEd quickly.

**Member Abelman asked for a motion to adjourn. Member Mackedon seconded. There was no further discussion. The motion carried unanimously.**

*The meeting adjourned at 2:30 pm*

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Authority Update**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 3

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Kathleen Conaboy, Chair, State Public Charter School Authority****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins****SUBMITTED BY:** \_\_\_\_\_

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Director's Report**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 4

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, State Public Charter School Authority****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 5 mins**

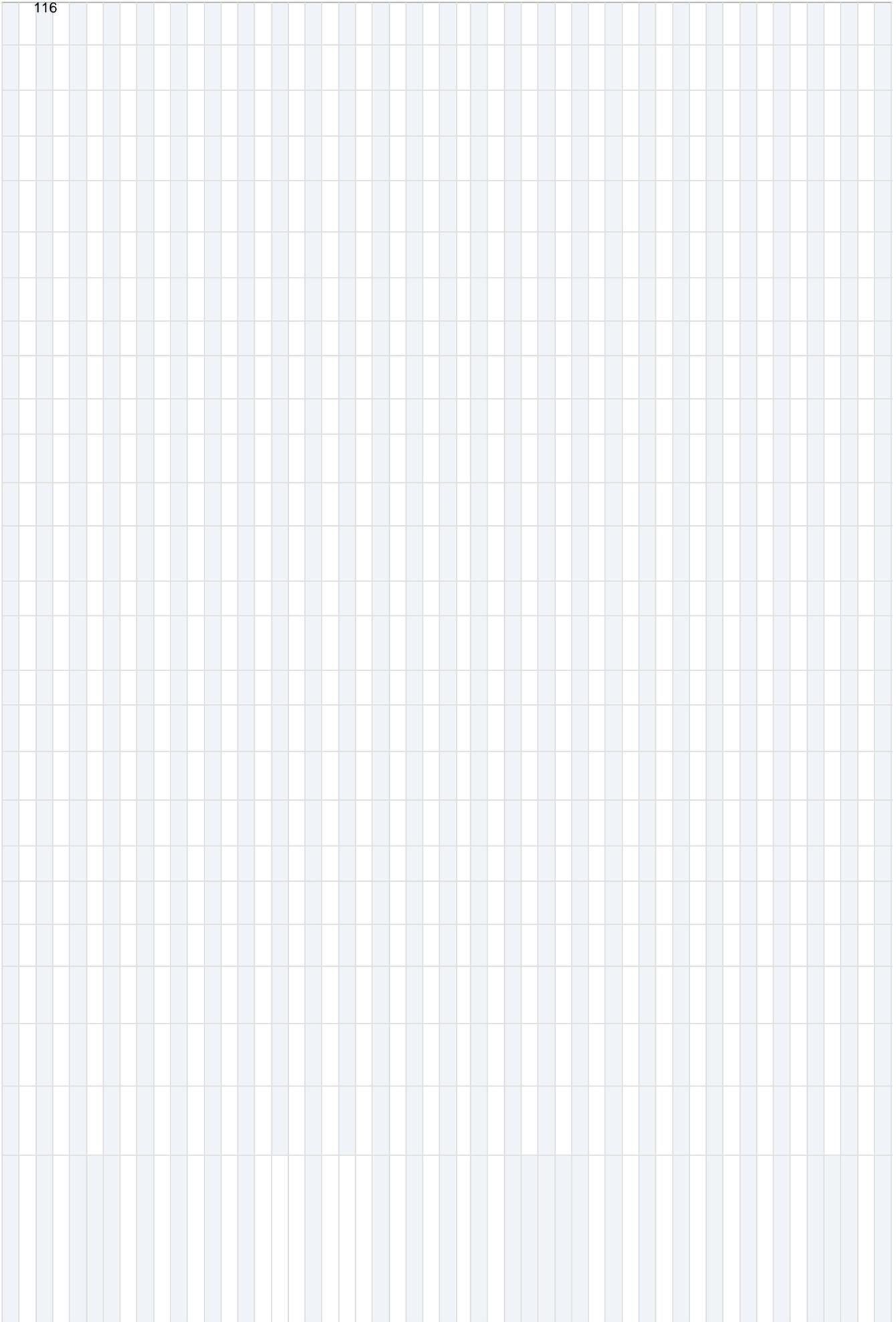
- *Update regarding the SBAC testing results*
- *Demographic update*
- *Notices of Intent update*
- *Associate Director Search update*
- *Charter Applicant Training update*
- *NACSA January presentation to the SPCSA Authority*

**SUBMITTED BY:** \_\_\_\_\_

Demographic Profile

Name	Accountability Year	Total Enrollment	Ethnicity										Special Populations												
			Am In/AK Native		Asian		Hispanic		Black		White		Pacific Islander		Two or More Races		IEP		ELL		FRL		Migrant		
			#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
State of Nevada	2011-2012	439,277	5,025	1.14%	24,796	5.64%	174,033	39.62%	42,347	9.64%	#####	37.42%	5,516	1.26%	23,182	5.28%	47,261	10.76%	69,800	15.89%	226,647	51.6%	122	0.03%	
State of Nevada	2012-2013	445,381	4,961	1.11%	25,243	5.67%	178,081	39.98%	43,338	9.73%	#####	36.76%	5,744	1.29%	24,276	5.45%	49,102	11.02%	66,396	14.91%	222,324	49.92%	96	0.02%	
State of Nevada	2013-2014	451,730	4,782	1.06%	25,264	5.59%	183,212	40.56%	44,795	9.92%	#####	35.98%	5,994	1.33%	25,139	5.57%	51,946	11.5%	67,836	15.02%	239,170	52.95%	77	0.02%	
State of Nevada	2014-2015	459,095	4,649	1.01%	25,276	5.51%	188,701	41.1%	46,667	10.16%	#####	35.07%	6,220	1.35%	26,585	5.79%	54,312	11.83%	74,889	16.31%	244,120	53.17%	178	0.04%	
State of Nevada	2015-2016	467,527	4,455	0.95%	25,618	5.48%	194,914	41.69%	48,961	10.47%	#####	33.98%	6,500	1.39%	28,207	6.03%	54,944	11.75%	78,470	16.78%	260,245	55.66%			
			Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011
			1.25%	4.51%	-2.38%	-7.48%	0.48%	1.94%	8.43%	10.20%	-0.52%	-2.06%	3.05%	12.76%	3.48%	14.68%	3.54%	14.92%	1.77%	7.29%	1.87%	7.71%	9.90%		
			<b>% of NV Students</b>																						
			<b>Total Enrollment</b>																						
Clark County School District	2011-2012	308,237	1,673	0.54%	20,350	6.6%	133,733	43.39%	37,040	12.02%	93,024	30.18%	4,507	1.46%	17,910	5.81%	31,852	10.33%	54,100	17.55%	174,372	56.57%	0	0	
Clark County School District	2012-2013	311,029	1,621	0.52%	20,742	6.67%	136,378	43.85%	37,585	12.08%	91,523	29.43%	4,585	1.47%	18,595	5.98%	33,196	10.67%	51,240	16.47%	166,236	53.45%	0	0%	
Clark County School District	2013-2014	314,636	1,470	0.47%	20,646	6.56%	139,705	44.4%	39,047	12.41%	90,040	28.62%	4,746	1.51%	18,982	6.03%	35,073	11.15%	51,931	16.51%	178,690	56.79%	0	0%	
Clark County School District	2014-2015	318,040	1,393	0.44%	20,491	6.44%	143,274	45.05%	40,691	12.79%	87,723	27.58%	4,903	1.54%	19,565	6.15%	37,000	11.63%	58,523	18.4%	182,950	57.52%	78	0.02%	
Clark County School District	2015-2016	325,990	1,282	0.39%	20,508	6.29%	148,331	45.50%	44,540	13.66%	85,544	26.24%	5,083	1.56%	20,702	6.35%	37,250	11.43%	61,718	18.93%	201,701	61.87%			
			Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011
			1.13%	3.18%	-5.18%	-16.74%	0.17%	6.69%	7.13%	9.86%	-1.46%	-5.70%	2.13%	8.79%	2.23%	9.24%	3.82%	16.16%	1.98%	8.18%	1.21%	4.92%	#NUM!		
			<b>% of NV Students</b>																						
			<b>Total Enrollment</b>																						
Washoe County School District	2011-2012	62,220	1,095	1.76%	2,947	4.74%	23,327	37.49%	1,608	2.58%	29,954	48.14%	540	0.87%	2,749	4.42%	8,092	13.01%	10,452	16.8%	27,531	44.25%	-	-	
Washoe County School District	2012-2013	62,424	1,043	1.67%	2,814	4.51%	23,799	38.12%	1,536	2.46%	29,467	47.2%	575	0.92%	3,190	5.11%	8,379	13.42%	10,259	16.43%	29,527	47.3%	10	0.02%	
Washoe County School District	2013-2014	62,986	1,013	1.61%	2,765	4.39%	24,482	38.87%	1,521	2.41%	29,204	46.37%	621	0.99%	3,380	5.37%	8,470	13.45%	10,028	15.92%	30,063	47.73%	0	0%	
Washoe County School District	2014-2015	63,108	1,033	1.64%	2,712	4.3%	24,952	39.54%	1,478	2.34%	28,811	45.65%	678	1.07%	3,444	5.46%	8,317	13.18%	10,114	16.03%	30,419	48.2%	12	0.02%	
Washoe County School District	2015-2016	66,504	1,017	1.53%	2,914	4.38%	26,417	39.72%	1,500	2.26%	30,077	45.23%	757	1.14%	3,822	5.75%	8,952	13.46%	10,725	16.13%	32,089	48.25%			
			Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011		Growth Rate 2011		Growth Since 2011
			0.35%	1.43%	-1.45%	-5.66%	-2.06%	-7.97%	1.70%	6.97%	-0.97%	-3.82%	5.85%	25.56%	5.80%	25.28%	0.69%	2.78%	-0.82%	-3.23%	2.53%	10.49%			







## ESEA CONFERENCE - EVERY STUDENT SUCCEEDS ACT NAPCS PRIORITIES

ISSUE	NAPCS PRIORITY	CONFERENCE REPORT
<b>Allocation of Funds for State Grants and Replication and Expansion</b>	We support federal grants for the replication and expansion of high-quality public charter schools and funding sufficient to support the expansion of these schools.	<p><b>65% of funds is allocated to State competition, with 7% set aside by states for quality authorizing activities; 3% is for technical assistance. Funds may also be used for replication and expansion of high-quality charter schools.</b></p> <p><b>22.5% is for national activities; 80% must be spent on the replication and expansion of high-quality charter schools; 9% for non-SEA competition, and 11% for technical assistance/dissemination.</b></p> <p><b>12.5 % is for facilities, with at least 50% for the Credit Enhancement competition.</b></p>
	Prioritize funds for states that allow for charter schools to be authorized by an entity other than their local school district, such as a State Charter Board (in current law).	✓
	Prioritize funding for states that provide equitable funding to charter schools (new).	✓
<b>State Law Priorities</b>	Prioritize funding for states that assist public charter schools with accessing facilities (new).	✓
	Prioritize states that do not cap growth of high quality charter schools.	Caps language dropped.
	The CSP should include a competition for CMO replication and expansion.	✓
<b>Authorize Replication and Expansion Grants</b>	Entities other than SEAs will be eligible to receive and disburse state sub grants. The bill defines State entity to include (1) State education agency; (2) State charter school board (3) Governor of a State or (4) a charter school support organization.	✓

ISSUE	NAPCS PRIORITY	CONFERENCE REPORT
<b>Local Use of Funds</b>	We support providing significant flexibility for the use of start-up grant funds to design and open new public charter schools, including the use of funds for facility and transportation costs and preparing individuals to serve on a charter school board	Uses of funds by new and expanding schools are broader and more flexible than current law. Schools will be allowed to use funds for some transportation costs, including the purchase of a bus. Funds cannot be used to obtain a facility, but may be used for renovations and improvements.
<b>Authorizer Quality Requirements</b>	We support language that requires the states to provide a description of how it will provide for the oversight of authorizing activity, without creating issues for states with a single authorizer, or otherwise overriding state law.	✓
<b>Weighted Lotteries</b>	The CSP should clarify and codify the U.S. Department of Education's recent weighted lottery guidance to allow schools to serve more educationally disadvantaged students. Unlike current guidance which requires state law to permit such lotteries, weighted lotteries should be permitted unless prohibited by state law.	✓
<b>Feeder Patterns</b>	The CSP should allow students to remain within an existing network of public charter schools as students move from elementary to middle to high school without having to reapply through a lottery (feeder patterns);	✓
<b>Federal Formula Allocations/ New/Expanding Charter Schools</b>	We support the inclusion of U.S. Department of Education guidance that protects and ensures timely federal formula funding for new and significantly expanding charter schools, including hold harmless provisions in Title I.	✓
<b>Faux Charter Schools</b>	We support strengthening state application requirements to ensure start-up grants are awarded to educational entities that have true autonomy over budget, operations, and personnel and that intend to operate as a charter school after their start-up grant expires	✓
<b>Authorization Level</b>	We support an authorization level of \$500 million.	Most programs authorized at current funding levels, which for the CSP is \$253.1 million. However, the CSP is authorized at \$270 million in FY2017, increasing to \$300 million by FY2020.

**OTHER ESEA PRIORITIES**

ISSUE	NAPCS PRIORITY	CONFERENCE REPORT
<p><b>Annual Assessments and Parental opt-out</b></p>	<p>We support current law requirements on annual tests (grades 3-8 in reading and math; once in high school) and grade-span testing in science.</p> <p>We oppose provisions requiring states to allow opt-outs in any circumstance.</p>	<p>Agreement maintains current law requirement on annual statewide assessments. The agreement also permits locally--selected nationally recognized assessments in lieu of required high school State assessments if the local assessment has been approved by the State and provides comparable, valid and reliable data compared to the State assessments. The agreement requires LEAs to notify parents annually of the ability to receive any testing participation policy of the State or LEA. It authorizes the "1% regulation" pertaining to the assessment of students with the most significant cognitive disabilities and requires States to provide additional oversight over LEAs which exceed this 1% limitation. Unlike current regulations, it caps the <u>use</u> of alternate assessments based on alternate achievement standards, instead of the inclusion of test scores based on alternate achievement in accountability measures.</p>
<p><b>Accountability</b></p>	<p>ESEA should hold schools accountable for reaching State-determined goals (for student achievement, high school graduation, etc.), ensures the progress of all groups of students, and ensures that states intervene in the lowest achieving schools.</p> <p>Title I should maintain language from current law stating that accountability for charter schools is to be overseen in accordance with State charter school law. This language is important in clarifying responsibility for charter school accountability and school improvement.</p>	<p>✓</p>
<p><b>School Improvement</b></p>	<p>We support permitting SEAs to make grants to charter organizations to open or expand high performing charter schools in order to serve students attending failing schools without requiring LEA permission. These authorities should be explicit in the statute.</p>	<p>The agreement does not maintain a separately authorized School Improvement Grant (SIG) program. Instead the bill requires States to reserve 7% of Title I funds for school turnaround and innovation, with no specific models or improvement activities mandated. Opening new charters and conversions are not specified as a use of funds, but are permissible.</p>
<p><b>Consultation with Charter School Leaders</b></p>	<p>Charter school leaders should be included in the development and implementation of all federal programs at the state and LEA level, including Title I and negotiated rulemaking at the U.S. Department of Education.</p>	<p>✓</p>
<p><b>Highly Qualified Teachers</b></p>	<p>We support the elimination of this requirement in current law.</p>	<p>✓</p>

December 2, 2015

Name of Proposed Charter School	Applicant Type	Name of Charter Management Organization (if applicable)	Distance Education?	At Risk?	District of Location	Total Enrollment Yr. 1
Coral Academy of Science - Carson City	CTF		No	No	Carson City	600
American Leadership Academy - Centennial Hills	CTF		No	No	Clark County	1,080
American Leadership Academy, North Las Vegas	CTF		No	No	Clark County	1,080
ELAT Public Schools	CMO	Early Learning Art-Tech Group (ELAT) Public	Yes	Yes	Clark County	150
High Point Academy	CTF		No	Yes	Clark County	456
Nevada Arts and Science Academy	CTF		No	Yes	Clark County	240
Nevada Military Academy	CMO	Benchmark Charter Management	No	Yes	Clark County	600
Nevada State High School East	CMO		No	No	Clark County	100
Pathways In Education - Nevada	CMO	Pathways Management Group	Yes	Yes	Clark County	300
Midtown Academy	CTF		No	Yes	Washoe County	150
Mountain West Academy	CTF		No	No	Washoe County	270
						5,026

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T:** Discussion of the regulation  
workshop in conjunction with the Nevada

**Department of Education**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 5

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** Patrick Gavin, Director, State Public Charter School Authority

**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 15 mins

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**SUBMITTED BY:** \_\_\_\_\_

## THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

### Notice of Workshop to Solicit Comments on Proposed Regulation

The State Public Charter School Authority is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for **December 14, 2015** via video conference at the following locations: Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2<sup>nd</sup> Floor Board Conference Room, Las Vegas, Nevada. The purpose of the Workshop is to solicit comments from interested person on the following general topics to be addressed in a proposed regulation:

**9:00 A.M. Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Definitions of key contractual and performance framework terms, including indicators, metrics, and measurements; Clarification of the interaction between contractual charter documents and regulations of general applicability; Accountability requirements for multi-campus schools for the purposes of reporting and evaluation, including whether school will be classified as multi-campus for the purposes of transparency and accountability and the possible conversion form multi to single campus and vice versa; Policy for appointing a new governing body of a charter school which is reconstituted in accordance with NRS 386.535 and SB509; Policy, procedures, and criteria for reconstitution, restart, and revocation/termination decisions;**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Danny Peltier, State Public Charter School Authority, at 775-687-9174, or in writing to the State Public Charter School Authority, 1749 North Stewart Street Suite 40, Carson City, Nevada 89706. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.

**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113

**SMALL BUSINESS IMPACT STATEMENT  
PURSUANT TO NRS 233B.0608**

Date: November 24, 2015

Re: Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Definitions of key contractual and performance framework terms, including indicators, metrics, and measurements; Clarification of the interaction between contractual charter documents and regulations of general applicability; Accountability requirements for multi-campus schools for the purposes of reporting and evaluation, including whether school will be classified as multi-campus for the purposes of transparency and accountability and the possible conversion from multi to single campus and vice versa; Policy for appointing a new governing body of a charter school which is reconstituted in accordance with NRS 386.535 and SB509; Policy, procedures, and criteria for reconstitution, restart, and revocation/termination decisions

I, Patrick Gavin, Executive Director of the State Public Charter School Authority do hereby certify that, to the best of my knowledge or belief:

1. The Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session concerning charter schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulation additions make necessary changes to charter school regulations per SB509, SB460, and the authority given to the State Public Charter School Authority in SB 509.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Authority considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Authority's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Gavin".

Patrick Gavin  
Executive Director, State Public Charter School Authority

# THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

## Notice of Workshop to Solicit Comments on Proposed Regulation

The State Public Charter School Authority is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for **December 14, 2015** via video conference at the following locations: Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2<sup>nd</sup> Floor Board Conference Room, Las Vegas, Nevada. The purpose of the Workshop is to solicit comments from interested person on the following general topics to be addressed in a proposed regulation:

**9:00 A.M. Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Procedures and criteria for soliciting and evaluating applications to form a charter school, application procedures and timelines for evaluating applications to form a charter school, including but not limited to possible differentiated tracks, multiple application cycles per year, invitational or rolling application periods for applicants and operators which meet the strategic goals of the State Public Charter School Authority, expedited review and approval, and the adoption of a prospectus or other pre-screening process prior to inviting applicants to submit full applications; Procedures and criteria for evaluating applications for the renewal of written charters, including differentiated tracks and expedited renewal; Procedures and criteria for evaluating applications for the renewal of charter contracts, including differentiated tracks and expedited renewal; Procedure and timeline for amending a written charter or charter contract and criteria for approval and the inclusion of contractual provisions and conditions deemed necessary by the Authority; The procedure for investigation and review of charter applications, amendment applications, and renewal applications and review criteria**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Danny Peltier, State Public Charter School Authority, at 775-687-9174, or in writing to the State Public Charter School Authority, 1749 North Stewart Street Suite 40, Carson City, Nevada 89706. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**  
1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113

**SMALL BUSINESS IMPACT STATEMENT  
PURSUANT TO NRS 233B.0608**

Date: November 24, 2015

Re: Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Procedures and criteria for soliciting and evaluating applications to form a charter school, application procedures and timelines for evaluating applications to form a charter school, including but not limited to possible differentiated tracks, multiple application cycles per year, invitational or rolling application periods for applicants and operators which meet the strategic goals of the State Public Charter School Authority, expedited review and approval, and the adoption of a prospectus or other pre-screening process prior to inviting applicants to submit full applications; Procedures and criteria for evaluating applications for the renewal of written charters, including differentiated tracks and expedited renewal; Procedures and criteria for evaluating applications for the renewal of charter contracts, including differentiated tracks and expedited renewal; Procedure and timeline for amending a written charter or charter contract and criteria for approval and the inclusion of contractual provisions and conditions deemed necessary by the Authority; The procedure for investigation and review of charter applications, amendment applications, and renewal applications and review criteria.

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I, Patrick Gavin, Executive Director of the State Public Charter School Authority do hereby certify that, to the best of my knowledge or belief:

1. The Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session concerning charter schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulation additions make necessary changes to charter school regulations per SB509, SB460, and the authority given to the State Public Charter School Authority in SB 509.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Authority considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Authority's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patrick Gavin".

Patrick Gavin  
Executive Director, State Public Charter School Authority

## THE STATE PUBLIC CHARTER SCHOOL AUTHORITY

### Notice of Workshop to Solicit Comments on Proposed Regulation

The State Public Charter School Authority is proposing regulation language pertaining to the Nevada Administrative Code. The Workshop has been scheduled for **December 14, 2015** via video conference at the following locations: Nevada Department of Education Offices, Board Conference Room, 700 East Fifth Street, Board Room, Carson City and 9890 South Maryland Parkway, 2<sup>nd</sup> Floor Board Conference Room, Las Vegas, Nevada. The purpose of the Workshop is to solicit comments from interested person on the following general topics to be addressed in a proposed regulation:

**9:00 A.M. Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Timelines, deadlines, and process for applying for a loan from the Account for Charter Schools and approval criteria; Timelines, deadlines, and process for applying for a loan from the Account for Charter Schools using federal funds allocated to the fund under the federal CSP grant and approval criteria; Evaluation of the previous performance of an educational management organization or other person with whom a committee to form or a charter management organization.**

A copy of all materials relating to the proposal may be obtained at the workshop or by contacting by telephone Danny Peltier, State Public Charter School Authority, at 775-687-9174, or in writing to the State Public Charter School Authority, 1749 North Stewart Street Suite 40, Carson City, Nevada 89706. A reasonable fee for copying may be charged.

This Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations: The offices of the Nevada Department of Education in Carson City and Las Vegas, the 17 Nevada School District Superintendents' Offices, the 17 Nevada County main public libraries, the Nevada State Library and Archives, and at the meeting locations.



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113

**SMALL BUSINESS IMPACT STATEMENT  
PURSUANT TO NRS 233B.0608**

Date: November 24, 2015

Re: Workshop to Solicit Comments on Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session. Specifically regarding the formation of: Timelines, deadlines, and process for applying for a loan from the Account for Charter Schools and approval criteria; Timelines, deadlines, and process for applying for a loan from the Account for Charter Schools using federal funds allocated to the fund under the federal CSP grant and approval criteria; Evaluation of the previous performance of an educational management organization or other person with whom a committee to form or a charter management organization

I, Patrick Gavin, Executive Director of the State Public Charter School Authority do hereby certify that, to the best of my knowledge or belief:

1. The Proposed Regulations related to Senate Bill 509 of the 78<sup>th</sup> Legislative Session concerning charter schools are not likely to (a) impose a direct or significant economic burden upon a small business, or (b) directly restrict the formation, operation or expansion of a small business. The proposed regulation additions make necessary changes to charter school regulations per SB509, SB460, and the authority given to the State Public Charter School Authority in SB 509.
2. A concerted effort was made to determine any economic burden.
3. All relevant materials were reviewed and the Authority considered its history with implementing similar regulations; the proposed changes are within the historic scope of the Authority's activities and present no new cost of enforcement.
4. Comment has not been solicited from small businesses, and no summary of their response is provided, because small businesses are not impacted by this regulation and thus no burden or economic impact can be assessed.

I hereby further certify that, to the best of my knowledge or belief, a concerted effort was made to determine the impact of the regulation on small businesses and that the information contained in this statement was prepared properly and is accurate.

Respectfully submitted,

Patrick Gavin  
Executive Director, State Public Charter School Authority

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Charter School Administrators****Report**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 6

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Steve Werlein, Chair, Charter School Administrators****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins****SUBMITTED BY:** \_\_\_\_\_

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Consideration and possible action on an invitational, rolling application track with expedited approval for proven models identified by SPCSA staff**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 7

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, SPCSA**

**FISCAL IMPACT:**

**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 25 mins**

**SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113**

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Track E: Expediting Excellence  
**DATE:** December 2, 2015

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Nevada continues to take significant steps towards making our charter environment more attractive to best in class school models and charter operators—proven, nationally recognized programs and organizations delivering excellent results for high need and intentionally diverse student populations. It is critical that the Authority position itself as an authorizer which welcomes such best in class programs and organizations.

Nevada has recently been awarded a federal CSP grant to support the development of high quality charter schools and the state is seeking a non-profit partner to serve as a charter school harbormaster to support the development of the movement. In the long term, these programs have the potential to support our objective of a quality public school choice for every child by dramatically increasing the number of high quality seats available to students statewide and ensuring that our student body reflects the diversity of the New Nevada. The fact is that the rollout of those programs will take time to implement and it is difficult to predict how those initiatives will impact the pool of charter school applicants which seek to work with the Authority over the next 18 months. Based on the data we reviewed in the Director's Report, it is clear that there has been progress but we still have significant work to do as an Authority to ensure that we are delivering high quality options to our most vulnerable and underserved populations.

In an ideal world, we would be in a position to aggressively market ourselves to top tier programs and providers and compete with both our out-of-state and in-state authorizer competitors for these scarce resources. The fact is that our authority to direct our resources to this priority are more constrained in this area than we might like.

While more flexibility to devote our resources is a laudable goal, we cannot wait for resources to meet these authorizing priorities. In the absence of resources, we must adjust our behavior to send the message to best-in-class models and organizations serving high need and intentionally diverse populations that the State Charter School Authority welcomes their applications and is committed to supporting the development of a charter sector which delivers excellent results to all of our students.

Consequently, I am proposing a fourth application track, Track E, which is proposed to be an invitational track for proven models and organizations which have consistently demonstrated excellent results with high need and intentionally diverse populations.

Key features of this track:

1. Invitational—based on track record of results as determined by Authority staff or Board vote.
2. Rolling—applications can be considered at any time.
3. Streamlined—a flexible application with several completion options and less up-front compliance requirements, including the option to submit a proposal recently approved by the Achievement School District or another high quality charter school authorizer along with a commitment to address any requirements which must be addressed due to statute or regulation in pre-opening requirements. For this track, format would be less critical than record of results.
4. Expedited—review and recommendation in less time than a typical application cycle.
5. Accelerated Opening—at SPCSA Board discretion based on capacity evaluation.

If the board approves this Track, staff would begin issuing application invitations to best-in-class operators by January 1, 2016.

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T:** Consideration regarding the  
Application Review Team's recommendation of  
Nevada State High School's charter school  
application renewal

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 8

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S):** Patrick Gavin, Director, SPCSA

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES):** 25 mins

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**SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Nevada State High School Expedited Renewal Request  
**DATE:** December 2, 2015

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Background:

Nevada State High School has submitted a request for expedited renewal in response to an invitation issued by the SPCSA Director pursuant to board policy.

Analysis:

**Academics:** The SPCSA issues an Academic Performance Framework on an Annual Basis. Nevada State High School has been a 5 Star School since the inception of the NSPF. It was ranked as Exceeds on the 2013 SPCSA Academic Framework and as Exceptional on the 2014 SPCSA Academic Framework.

**Organizational:** In its current iteration, the SPCSA Organizational Framework is a rolling evaluation of school organizational performance. Based on verified complaints and spot checks of school organizational performance, the Authority issues Notices of Concern or Notices of Breach for Organizational Performance. Schools which have not received such notices are presumed to be in Good Standing. Nevada State High School has received no Notices of Breach or Notices of Concern since the inception of the Framework and is currently presumed to be in Good Standing.

**Financial:** Nevada State High School has a strong history of clean audit findings. The SPCSA Financial Framework monitors a variety of indicators of financial health. Nevada State High School has not received any Notices of Concern or Notices of Breach in relation to the financial framework. After multiple years of significant operating surpluses, Nevada State High School's board made the strategic decision to forgo incurring debt and opted to spend down prior year surpluses over the past several years to support expansion to serve additional students and the addition of new leadership capacity to support succession planning and future growth. The school has consulted with the Authority regarding these investments and has proactively monitored its performance relative to the Financial Framework calculations to balance out the short term need to dip into prior year surpluses (thereby expending funds in excess of revenues) with the benefits of expansion and pipeline investments. While these declines in fund balance and the incurring of

expenses which exceed revenue merit ongoing monitoring, they have not resulted in any findings under the Financial Framework.

Additional Context:

It is important to note that the school has engaged in collaborative discussions with the Authority regarding its plans following renewal, including the submission of both an expansion amendment request and a Notice of Intent to apply for a separate charter under the same board in northern Nevada. As part of that planning and self-evaluation, the school is currently an active participant in the Quality Schools Replication program pioneered at the New York City Center for Charter School Excellence and currently hosted by the Tennessee Charter School Incubator. Through that process, the school has drafted a more resilient, scalable financial model which is intended both to support appropriate investments in the school's current operations and position the school for sustainable expansion. A copy of the more comprehensive financial model, including several growth scenarios for the existing charter, is supplied as Attachment 1.

Recommendation: Approve Renewal

Nevada State High School is one of the strongest academic and organizational performers in the SPCSA portfolio. As noted above, the school's financial performance merits ongoing monitoring to ensure that the operating deficit related to the expansion and pipeline investments does not recur. The school agrees that more aggressive internal monitoring of these indicators and segregating contingency, expansion, and capital refresh reserves from the school's general funds and operating accounts to more appropriately reflect the school's financial position are opportunities for growth and improvement which will only enhance the organization's viability. The school also recognizes that recurrence of fund balance declines and expenditures exceeding revenue in FY '16 would necessitate a Notice of Concern and heightened monitoring and intervention.



NEVADA  
State High School

November 13, 2015

Mr. Patrick Gavin, Executive Director  
State Public Charter School Authority  
1749 N Stewart Street; Ste 40  
Carson City, NV 89706-2575

Dear Mr. Gavin:

Nevada State High School (NSHS) is responding to your invitation on October 16, 2015 to submit an application for expedited renewal and requesting to be on the agenda for renewal for the Friday, December 4, 2015 meeting of the State Public Charter School Authority (SPCSA). On August 20, 2015 (agenda item 3d), the NSHS Governing Body approved for the school's administration to request renewal. Subsequently, given the recent positive actions by the SPCSA, that now allows for expedited renewal, the Governing Body revisited this item and approved during public meeting on October 20, 2015 (agenda item 5) for the school's administration to seek expedited renewal. Both of these agendas and respective meeting minutes are included in the school's expedited renewal application.

Nevada State High School also refers to the required plans under the State Public Charter School Authority's (SPCSA) *Recommended Business Processes: Renewal of Written Charter Flowchart* which was approved by the SPCSA in public meeting on M: 9/28/2015. At this time, NSHS also includes in its application for expedited renewal these required plans for dissemination and school improvement.

Nevada State High School is anxious to have your staff review the application for expedited renewal. It is understandable that this review will take time away from other important work that your office completes on daily basis; however, it would support Nevada State High School to have a renewal as the NSHS enters recruiting season, possible negotiations of an expansion site, and retaining students and employees. As you evaluate the capacity of your staff to complete this review for expedited renewal, NSHS is requesting that this application be considered during the SPCSA meeting on Friday, December 4, 2015.

Should you have any questions, then please contact me [jhawk@earlycollegenv.com](mailto:jhawk@earlycollegenv.com) or 702-332-2593.

Best regards,



Dr. John Hawk, *Chief Operations Officer*

John  
Hawk

Digitally signed by John Hawk  
DN: cn=John Hawk, o=Nevada State High School, ou=Administration, email=jhawk@earlycollegenv.com, c=US  
Date: 2015.11.13 09:05:11 -06'00'

# Nevada State High School

SIX-YEAR EXPEDITED RENEWAL APPLICATION, FALL 2015

SUBMITTED BY: NEVADA STATE HIGH SCHOOL

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## **Section A: Executive Summary**

Nevada State High School (NSHS) has a mission to support students in a college environment with personal, academic, and social skills to promote college success. This is done through the school's' model of dual-enrollment, distribution of resources, curriculum design and system of student supports. Students are eligible for NSHS in 11<sup>th</sup> and 12<sup>th</sup> grade with multiple measures of admissions to accept all students without prejudice of handpicking or restricting enrollment to only the top students. NSHS has been an exemplary or 5-star school for nine out of eleven years performing just as well or better than magnet or selective programs that exclude underrepresented students. The school's vision to see that every student college ready is meant for every student, not just the top students. By establishing and communicating strong expectations, supporting students in a real college environment, and giving every motivated student a chance to succeed in college regardless of their history, the school has shown success. This goes along with an unwritten saying at the school, *"we don't care what you look like when you come into the school – we care what you look like when you leave."* The school provides support services, ongoing assessments, and college preparation and planning for students and parents as an essential part of its college readiness curriculum to increase student achievement. The purpose of this document is to satisfy the requirements necessary for an expedited renewal to the State Public Charter School Authority including a school dissemination plan and a school improvement plan.

**Dissemination Plan:** NSHS is committed to disseminating information and resources regarding Nevada State High School's best practices. The goal is to disseminate Nevada State High School's best practices that can be customized by any school to improve performance outcomes. The school will use outcome measures and targets of 1) disseminating *Showcase* presentations, 2) providing *Digging Deeper* workshops, 3) posting resource tool-kits on the school's website, and 4) targeting attendance by school leaders. The objectives to meet these outcomes are focused around academics, operations, and finances.

**School Improvement Plan:** Through an inquiry process and action plan design, NSHS has prioritized the need to increase student college readiness performance. The school's measurable objective is to record 75% of NSHS students at minimum performance levels of college readiness. The school will use action steps that include the following: 1) professional development, 2) family engagement, 3) curriculum/instruction/assessment, and 4) other collections of college readiness. The plan also includes necessary resources, verification of the action steps, and responsible individuals.

**Appendix:** NSHS provides information in the appendix that includes, but is not limited to the following: 1) a timeline using a Gantt Chart showing activities for both plans, 2) letter of invitation by State Public Charter School Authority to submit expedited renewal application, 3) letter from NSHS Governing Body Chair to request renewal, and 4) meeting agendas and minutes in which the request was approved.

**Section B: Project Description Aligned to Indicators**

**I. Dissemination Plan**

**Project Alignment:**

Charter schools were established to be innovative centers of change in educational practices. Sometimes these ideas and practices have failed and sometimes they have succeeded. Too often, charter schools operate as small islands and the ones that have been successful often times unknowingly harbor this information or lack the capacity or platform to share these best practices that could benefit all schools. Nevada State High School is in its 12<sup>th</sup> successful year of operation, and it has looked to share best practices and help other schools along the way. In the past, NSHS has worked to share and disseminate best practices to help charters and all schools in the following ways:

1. Gathering state and district schools to teach a processes for tracking drop outs with the presence of the SPCSA Director and CCSD Data Services;
2. Presenting the school's three pillars to college transition and school mission at the Department of Education's Mega Conference and Charter School Association of Nevada (CSAN) Conference;
3. Presenting student data scorecard tracking for college readiness at the CSAN Conference, Utah Charter Conference, and National Early College Conference,
4. Hosting workshops for new charters and individual meetings with existing charters to share data tracking applications, activity for developing a school mission, and shared the school's method for implementing staff performance incentives.

NSHS is committed to disseminating information on its best practices to help build capacity and better solutions for schools.

<b>Indicator 1 Goal: Commitment to Disseminate Nevada State High School Best Practices</b>				
<i>To disseminate Nevada State High School's best practices that can be customized by any school to improve performance outcomes.</i>				
<b>Outcomes Measures/Targets</b>	<b>Target</b>	<b>Change from previous year</b>		
Disseminate public "Showcase" presentations of best practices	5	Reported in deliverables to the State Public Charter School Authority due September 30, 2016		
Provide three 45 to 90-minute "Digging Deeper" workshops of best practices	8/1/16			
Post tool-kit of resources used for best practice and implementation on website	9/1/16			
Attendance by school leaders to receive information about best practices	100			
	<b>Progress towards meeting objectives</b>			
<b>Objective(s)</b>	<b>Great Progress</b>	<b>Good Progress</b>	<b>Little Progress</b>	<b>No Progress</b>
<b>Objective 1.1: NSHS will provide opportunities for school leaders to learn about best practices at Nevada State High School in the area of academics.</b> Topics: program of assessments, student scorecard report, data tracking (TrackVia), student interventions, academic planning report, and tracking dropouts.				
<b>Objective 1.2: NSHS will provide opportunities for school leaders to learn about best practices at Nevada State High School in the area of operations.</b> Topics: performance incentives/matrix/evaluations, project pledges, progress updates to governing body, scaling-up planning (RQS Tennessee program), strategic framework activity for building (mission, vision, core values, and envisioned future).				
<b>Objective 1.3: NSHS will provide opportunities for school leaders to learn about best practices at Nevada State High School in the area of finance.</b> Topics: Budget assumptions activity and data management (AptaFund) program used to support internal controls and process payroll				
<b>Implementation of Objectives:</b>				
The school will: 1) present 10-min Showcase presentations regarding NSHS best practices at public meetings, conferences, non-profit organizations, etc. 2) conduct three 45 to 90 minute Digging Deeper workshops on specific areas of strength for NSHS in academics, operations, and finance that other school leaders can customize at their schools to improve performance outcomes, 3) post on the school's website the resources as a tool-kit of items used at the presentations for schools to use, customize, and reference, and 4) count the number of school leaders using sign-ins at the showcase and digging deeper presentations.				
<b>Deliverables:</b>				
Nevada State High School will use the format of this table to provide evidence of its self-assessment for meeting each objective and give data on outcomes of meeting the schools measures and targets. Showcase materials, presentations, and resources and attendance in sessions will be presented to the SPCSA in the form of a summary report outlining reported progress.				

## II. School Improvement Plan

### Project Alignment:

NSHS submitted the School Performance Plan (School Improvement Plan (SIP)) to the SPCSA Epicenter for the 2015-16 School Year on August 24, 2015. Over the summer of 2015, school staff, a student representative, and a parent representative analyzed collected information from the previous year's data related to the school meeting its mission and developed an improvement plan to better support the mission and vision of NSHS. Data were collected from a variety of sources including: NSPF, Statewide assessments; formative assessments; ACT® scores; data surveys from students and parents; and most importantly, the school's customized student college readiness scorecard results. The desired result of NSHS is to have 90% of its students performing successfully in a college environment. As a whole, beginning the 2015-2016, NSHS students are less than 10% college ready which is an 80% gap of where the school desires to be in June 2016. Data for this statistic are based off initial student scorecard results. A student's scorecard data provides a college readiness indicator based off pre and post assessment data and student progress before coming to NSHS and while at the school. These data points include, but are not limited to the following: ACT®, Accuplacer®, assessment, incoming college math level, the highest high school math class prior to coming into NSHS, ACT Engage®, incoming GPA, ACT WorkKeys® assessment, grades earned each semester, proficiency levels, timeliness with meeting due dates and classes, attendance, and social participation to name a few. Data are grouped, weighted, and totaled to identify students who are performing successfully at a college level and those who need more support. By tracking student progress and growth with these scorecards, the school can narrow in on its mission to supporting students in a college environment with personal, academic and social skills for college success. The school improvement plan is focused around this main purpose and the root causes that are holding students back from earning a green college ready indicator including:

1. Students failed one or more college courses that were not required for high school during their final semester before graduation.
2. Students did not pass remedial courses with a C or better.
3. Students refused to comply with NSHS charter and meet the necessary school deadlines and expectations of study skills and transition course assignments.
4. Students had a lack of college level study habits.

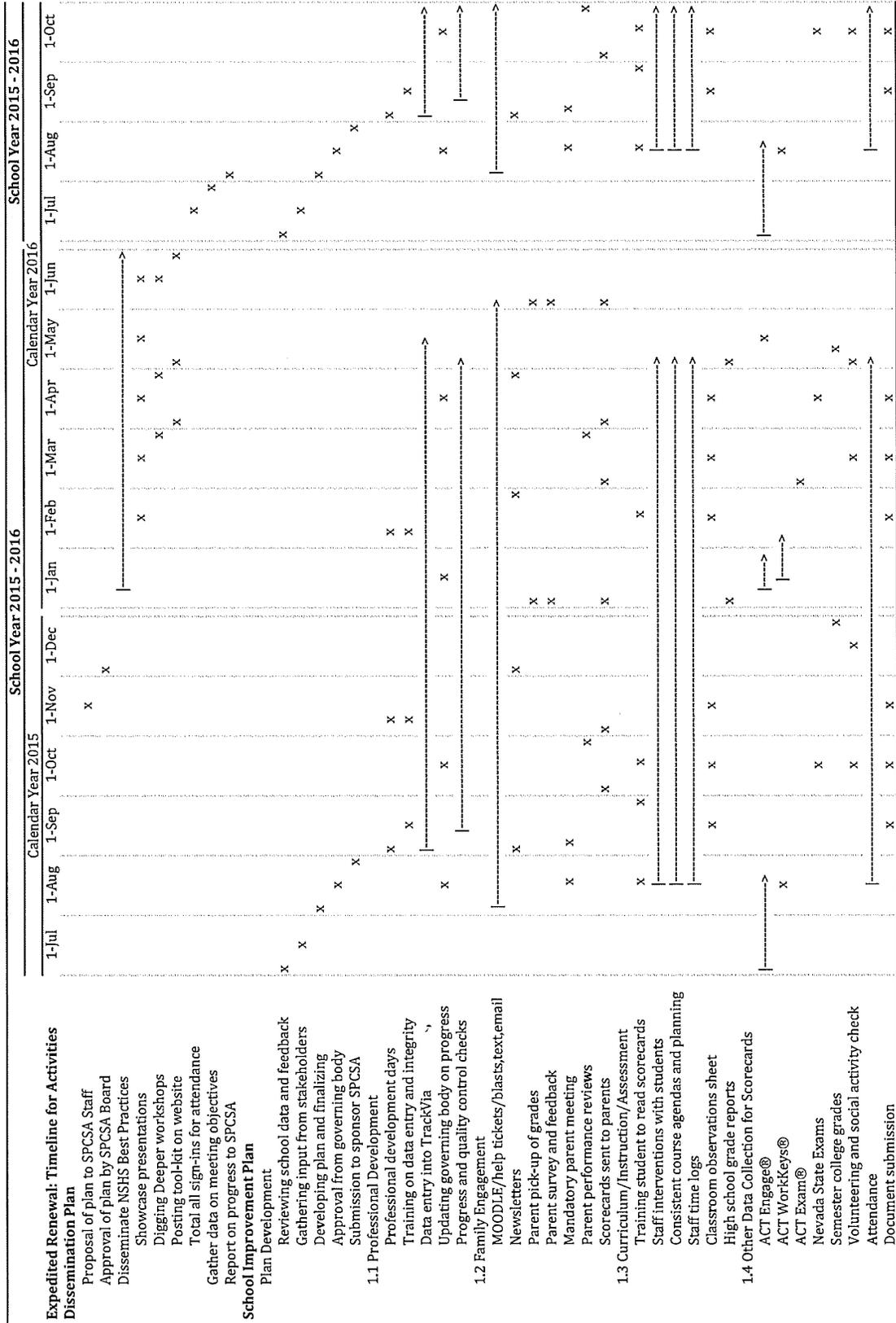
### Inquiry Process & Action Plan Design

PRIORITY NEED/GOAL 1: INCREASE STUDENT COLLEGE READINESS PERFORMANCE				
Measurable Objective: 75% of NSHS students will record minimum performance levels of college readiness.				
Action Step (please only list one action step per box)	Resources and Amount Needed for Implementation (people, time, materials, funding sources)	List Artifacts/Evidence of Progress: Information (Data) that will verify the action step is in progress or has occurred.	List Timeline, Benchmarks, & Position Responsible	Monitoring Status
<b>1.1 Professional Development (Required)</b>				
Staff will develop strategies for student intervention tracking and share with other staff to increase college readiness.	Tracking system for scorecard and TrackVia, staff development for messaging, data entry and tracking, and staff to enter intervention data and scorecard data.	Continuation From Last Year Data System reports documented student interventions. 1. Professional Development Agendas 2. Administrative progress summaries 3. Scorecard distribution time lines 4. Training new student workers on scorecard data entry into TrackVia	NCCAT-S Indicators: September 2015-May 2017 Dr. Wendi Hawk, Chief Academic Officer	On Task
<b>1.2 Family Engagement (Required)</b>				
NSHS will continue to provide outreach and communication methods to help parents maintain an active role in supporting their student in an early college environment.	Staff to review documents, update MOODLE, compile a newsletter, send texts and emails, communicate individually with parents, and increase positive contacts.	Continuation From Last Year Parental outreach will be collected and activity of parental involvement will be documented. 1. Sign in sheets 2. Student Situation Reports logged in TrackVia 3. Newsletter proof 4. Documented text and email	NCCAT-S Indicators: September 2015 – May 2017 Mark Schumm, Director of Site Administration James Yoder, Director of Site Administration	On Task

Action Step (please only list one action step per box)	Resources and Amount Needed for Implementation (people, time, materials, funding sources)	List Artifacts/Evidence of Progress: Information (Data) that will verify the action step is in progress or has occurred.	List Timeline, Benchmarks, & Position Responsible	Monitoring Status
<b>1.3 Curriculum/Instruction/Assessment (Required)</b>				
Lessons will be developed and coordinated between instructors to support college readiness skills.	Educational Advising Coordinators, staff to collaborate on lesson planning, staff to intervene with students and staff to participate and supervise activities.	<b>Continuation From Last Year</b> Course agendas, student grades, scorecard and student intervention logs and staff logged hours. 1. Logged interventions through Student Situation Reports 2. Course Agendas 3. Teacher observation forms 4. Staff time logs 5. Student grade reports	<b>NCCAT-S Indicators:</b> September 2015 – May 2017 Mark Schumm, Director of Site Administration James Yoder, Director of Site Administration	On Task
<b>1.4 Other Collections of College Readiness (Optional)</b>				
Collect data for pre-assessment on all new students to determine scorecard coding and utilize June coding with summer updates on returning students.	Staff for assessment implementation and data processing of WorkKeys, remedial course placement, Engage, Proficiency scores, activity involvement, and document submission timelines.	<b>Continuation From Last Year</b> Data will be available on each student and logged three times a semester to track performance over time. 1. Scorecard reports	<b>NCCAT-S Indicators:</b> September 2015 – May 2017 Greg Nelson, Data Coordinator	On Task

# Appendix

Gantt Chart for Dissemination and School Improvement Plans



**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113**

October 16, 2015

Dr. John Hawk  
Nevada State High School  
850 South Durango Drive #100  
Las Vegas, NV 89145

Dear Dr. Hawk:

Nevada State High School has been identified for expedited renewal. Nevada State High School has shown three plus years of exceeding sponsor's performance framework outcomes and state measures of accountability. Therefore Nevada State High School is invited to request expedited renewal on the SPCSA Board Consent Agenda.

Sincerely,

A handwritten signature in black ink that reads "Patrick J. Gavin". The signature is written in a cursive style with a large initial "P" and "G".

Patrick J. Gavin  
Director



August 20, 2015

Patrick Gavin  
1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543

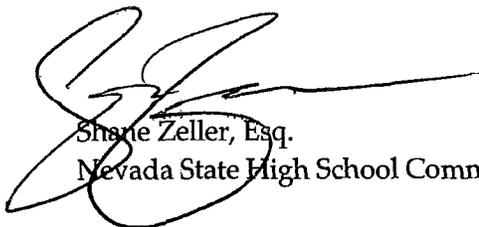
Dear Mr. Gavin:

In the summer of 2015, the Governing Body of Nevada State High School began the process of preparing for the submission of its Charter School Renewal Application. It is the Governing Body's intent to continue operation of Nevada State High School for the next six years and beyond. Additionally, due to our continual success as a five star or exemplary school over several years, I am confident the State Public Charter School Authority is anxious for Nevada State High School to continue to be part of Nevada's charter school movement as well. I am also very excited about the extraordinary improvements, growth, and accomplishments under the guidance of our Board, as well as the outstanding support of our administrators and other stakeholders.

We continue to progress as an organization and are making significant strides in achieving our goal to improve the academic performance of our students. Our entire Governing Body has an extremely strong commitment to, and supportive of, the continuation of Nevada State High School. On August 20, 2015, our Governing Body approved unanimously to direct our administrators to finalize the renewal of our charter and apply for a charter contract with your organization.

It is our hope that due to Nevada State High School's high standards, years of exemplary achievement, and compliance with the State Public Charter School Authority, it will be given consideration to streamline the renewal process for its charter contract. It is our hope that this high performing charter school which boasted a graduation rate of 98.9% during the 2013-14 school year will be accepted upon submission and approval by your Board of the required narratives labeled a-c and meet the intent of your request for amended original charter application as indicated in a letter from you to Dr. John Hawk dated June 30, 2015.

Sincerely,



Shante Zeller, Esq.  
Nevada State High School Community Member, Chair

Note: This public notice has been posted at the locations including: Clark County Library, Las Vegas Library, Spring Valley Library, Sunrise Library, West Charleston Library, Whitney Library, Sahara Library, Rainbow Library, West Las Vegas Library, Department of Education and Members of NSBE (Charter Schools Office), and at the Administrative offices of the Nevada State High School.

## **TELECONFERENCE MEETING // Toll Free: 1-866-953-2610 PIN #: 2600**

**Date:** Thursday, 08/20/2015 // **Time:** 6:30 pm // **Location:**  
Nevada State High School; 233 North Stephanie Street; Henderson, NV 89074

### **AGENDA**

The public is hereby noticed that NSHS reserves the right to take agenda items out of posted order. A time limit may be placed on public testimony by the Governing Body President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Body. If you are requesting to be a part of the teleconference, then contact the NSHS not later than 2 days before the meeting to get the conference telephone number and meeting pin. The public is hereby noticed that the Nevada State High School Governing Body reserves the right to take agenda items out of posted order, with the exception of public hearings, and items may be pulled or removed from the agenda at any time and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting. The Chair reserves the right to call on individuals from the audience or to allow for public comment at any time. Individuals providing testimony should be prepared to state their name, affiliation, and contact information during testimony. Time limit: A time limit (three minutes) will be imposed by the Governing Body Chair on public testimony in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Governing Body.

### **REGULAR MEETING GOVERNING BODY // NEVADA STATE HIGH SCHOOL 6:30 PM TO 8:00 PM**

Call to Order; Roll Call; Pledge of Allegiance (Shane Zeller, Chair of Governing Body)

Approval of a flexible agenda (*Action*)

- 1) Public comments on any action item on the agenda

Governing Body Chair may impose a three minute time limit for each speaker.

- 2) Executive update (*Information/Discussion/Action*)

- a) A school progress and quality update using staff performance incentives (John Hawk, COO)
- b) A school progress update on desired result using student scorecards (Wendi Hawk, CAO)
- c) Approval of Nevada State High School's goals report FY1415
- d) Approval of the accountability information pursuant to NRS 385.347 to comply with NRS 386.605.

- 3) Approval of Consent Agenda (Shane Zeller, Chair) (*Information/Discussion/Action*)

Information concerning the following consent agenda items has been forwarded to Governing Body members for study prior to the meeting. Unless a Governing Body Member or a member of the public has a question concerning a particular item and asks that it be withdrawn from the consent list, items are approved at one time by the Nevada State High School Governing Body.

- a) Approval of the minutes from 05/14/2015 NSHS Governing Body meeting
- b) Approval of the school's student handbook FY1516
- c) Approval of the school's staff handbook FY1516
- d) Approval of the administrator's identified objectives and performance pay structure for FY1415
- e) Approval of the school's Emergency Action Plan/Crisis Plan for FY1415 PCDR\_04.003
- f) Approval of the school's Report and Progressive Discipline/Firearms Posting Plans for FY1415 NRS 392.4644
- g) Approval of the school's Internet Safety Policy PLCY\_04.002
- h) Approval of the school's Safe and Respectful Learning Environment Policy PLCY\_04.003
- i) Ratify employees contracts for FY1415;

During public meeting on 4/16/2015, the Governing Body gave approval of Nevada State High School administration to hire part-time/full-time personnel and/or profession services at the school that include, but are not limited to teacher(s), staff position(s), student worker(s), counselor(s), nurse(s), and other professional staff to assist with the efficient or successful operation of the school. The Governing Body will seek ratification of any such position and/or service at a subsequent board meeting.

- j) Ratify performance pay, accrual of time, longevity, and doctoral pay earned by employees;
- k) Ratify the Memorandum of Understanding by and between the SPCSA and NSHS regarding the provisions and funding of special education services.
- l) Approval of the school's Parent Involvement Plan FY1415
- m) Approval of the school's School Improvement Plan FY1415 to comply with the NRS 385.357 plan to improve achievement of pupils to comply with NRS 385.3573
- n) Approval of the school's Test Security Plan and Test Security Annual Update FY1415
- o) Ratify the school's purchase orders for FY1415 school policy 3.03\_0R
- p) Ratify the Student Code of Conduct progressive discipline, attendance, and harassment policy review and district implementation report NRS 392.4644

- 4) Approval of Nevada State High School Governing Body's responses directly related to the statutory and regulatory responsibilities of charter school governing bodies requiring board action in an open meeting (John Hawk, Chief Operations Officer) ***(Information/Discussion/Action)***
  - a) NAC 387.770(3) Inventory – Designation of the person responsible for the maintenance of property, equipment and inventory records to comply with NAC 387.770(3)
  - b) NRS 386.573(1) Orders for Payment – Designation of the person to draw all orders for the payment of money belonging to the charter school to comply with NRS 386.573(1)
  - c) NAC 387.770(3) Payment of Money – Prescription of the procedures by which orders for the payment of money belonging to the charter school must be approved and cumulative voucher sheets signed to comply with NRS 386.575(2)
  - d) NAC 386.583 Retention – Adoption of rules for the academic retention of pupils to comply with NRS 386.583
  - e) NRS 386.585 Behavior – Adoption of written rules of pupil behavior and appropriate punishments for violation of the rules to comply with NRS 386.585
  - f) NAC 386.410(5) Contractor Evaluation – Review of the performance of each entity with whom the board has entered into a contract to comply with NAC 386.410(5)
  - g) NAC 387.720 Tentative Budget – Public hearing on tentative budget to comply with NAC 387.720(3-6)
  - h) NAC 387.725 Final Budget – Adoption of final budget to comply with NAC 387.725(1)
  - i) NRS 386.605 Accountability Report – Review and approve the accountability information concerning the charter school that is required pursuant to NRS 385.347 to comply with NRS 386.605.
  - j) NAC 387.775(5) Annual Audit – Presentation of the NAC 387.775 Annual Audit to the board to comply with NAC 387.775(5)
  - k) NAC 387.775(9) Audit Recommendations – Adoption or rejection of the recommendations of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9)
  - l) NRS 385.357(6) Achievement of Pupils – Receive, review and approve the NRS 385.357 plan to improve achievement of pupils to comply with NRS 385.357
  - m) NRS 386.600 Annual Report of Budget – Review and approve the NRS 386.600/NRS 387.303 annual report of budget, including the NRS 386.600(1)(a) written description of the progress of the charter school in achieving the mission and goals of the school set forth in its application, to comply with NRS 386.600
  - n) **NRS 386.552 Implementing New Statutes – Determination of which statutes and bills from the recent legislative session directly affect pupils, parents, teachers, administrators or other educational personnel of the charter school and require a plan for implementation to comply with NRS 386.552(1)**
  - o) NRS 386.610(2) Progress Achieving Goals – Review and approve the NRS 386.610(2) written report of the progress of the school in achieving its educational goals and objectives to comply with NRS 386.610(2)
- 5) Approval to continue staff and administrative performance incentives as approved by NSHS Governing Body on 8/16/12, 8/15/2013, 8/21/2014. It is noted that Dr. John Hawk is requested to look at a new performance pay for administrators that may be adopted at a subsequent meeting. (John Hawk, COO) ***(Information/Discussion/Action)***
- 6) Approval to seek a new facility for a third site opening within the next two years. (John Hawk, COO) ***(Information/Discussion/Action)***
- 7) Board Member Comments
- 8) Public Comments
- 9) Adjournment

**NEVADA STATE HIGH SCHOOL  
Governing Body Meeting (Teleconference)  
Thursday, August 20, 2015 – 6:30 p.m.  
Nevada State High School  
233 North Stephanie Street  
Henderson, Nevada**

**APPROVED at Special Meeting of the Governing Body on Th. 9/10/2015  
MINUTES OF MEETING**

**Members**

**Present:** Shane Zeller (Chair) Luke Adamo (Vice Chair)  
Dianna Burns (Member) Laurie Nanni (Member) Vicki Brumberg (Member)

**Others**

**Present:** Dr. John Hawk (Chief Operations Officer) Dr. Wendi Hawk (Chief Academic Officer)  
Mark Schumm (Director of Site Administration Henderson)  
James R. Yoder (Director of Site Administration Summerlin)  
Skylar McKim (Office Assistant)

**Call to Order/Roll Call/Pledge of Allegiance/Approval of a Flexible Agenda**

Chair Zeller called the meeting to order at 6:36 p.m., with all members present.

**Vice Chair Luke Adamo moved to approve a flexible agenda. Member Laurie Nanni seconded the Motion. Motion carried unanimously.**

At this time, agenda item 8 was opened.

**1. Public Comment on any action item on the agenda**

There were no public comment requests.

**2. Executive Update**

- a) A school progress and quality update using staff performance incentives
- b) A school progress update on desired result using student scorecards
- c) Approval of Nevada State High School's goals report FY1415
- d) Approval of the accountability information pursuant to NRS. 385.347 to comply with NRS 368.605

Dr. John Hawk stated the Board has been receiving performance incentive updates and this report was the final report for the year to show quality and progress of the employees at Nevada State High School. Dr. Wendi Hawk stated the 50% of the students score cards are green, showing half of the student population is showing college readiness. She continued by explaining the school's plan to prevent senioritis is to push Academic Plans that focus on achieving Associates Degrees. It was noted that the data for the upcoming scorecards will be skewed due to the change from proficiency testing to End of Course Exams. Dr. Wendi Hawk explained the school's plan and progress on creating a long term tracking systems so data, goals, and statistics do not drop. This accountability report will be reviewed during the next meeting, as it is still in Carson City.

**Vice Chair Luke Adamo moved to approve items 2a-d. Member Laurie Nanni seconded the motion. Motion carried unanimously.**

**3. Approval of Consent Agenda**

- a) Approval of the minutes from 5/14/2015 NSHS Governing Body meeting
- b) Approval of the school's student handbook FY1516
- c) Approval of the school's staff handbook FY1516
- d) Approval of the administrator's identified objectives and performance pay structure for FY1415
- e) Approval of the school's Emergency Action Plan/Crisis Plan for FY1415 PCDR\_04.003
- f) Approval of the school's Report and Progressive Discipline/Firearms Posting Plans for FY1415 NRS 392.4644
- g) Approval of the school's Internet Safety PLCY\_04.002
- h) Approval of the school's Safe and Respectful Learning Environment Policy PLCY\_04.003
- i) Ratify employees contracts for FY1415;
- j) Ratify performance pay, accrual of time, longevity, and doctoral pay earned by employees;
- k) Ratify the Memorandum of Understanding by and between the SPCSA and NSHS regarding the provisions and funding of special education services
- l) Approval of the school's Parent Involvement Plan FY1415
- m) Approval of the school's School Improvement Plan FY1415 to comply with the NRS 385./357 plan to improve achievement of pupils to comply with NRS 385.3573
- n) Approval of the school's Test Security Plan and Test Security Annual Update FY1415
- o) Ratify the school's purchase orders for FY1415 school policy 3.03\_OR
- p) Ratify the Student Code of Conduct progressive discipline, attendance, and harassment policy review and district implementation report NRS 392.4644

Dr. John Hawk stated that the school in the process of renewal for six additional years and reviewed the school's plan to open a third site in the valley. Vice Chair Adamo asked for clarification on the location, and Dr. John Hawk stated that the exact location of a third site is still pending due to finding a space that is cost effective. Dr. Wendi Hawk introduced Nevada State High School's new Directors of Site Administration, Mr. Mark Schumm and Mr. James R. Yoder, and New Educational Advising Coordinator, Mr. Jerek Hough. Dr. Wendi Hawk continues to explain that she and her team are working on cleaning-up Student Legacy Data for renewal, and to clear-up misconceptions from the public about Nevada State High.

**Member Laurie Nanni moved to approve items 3a-p. Vice Chair Luke Adamo seconded the motion. Motion carried unanimously.**

4. Approval of Nevada State High School Governing Body's responses directly related to the statutory and regulatory responsibilities of charter school governing bodies requiring board action in an open meeting
- a) NAC 387.770(3) Inventory – Designation of the person responsible for the maintenance of property, equipment and inventory records to comply with NAC 387.770(3)
  - b) NRS 386.573(1) Orders for Payment – Designation of the person to draw all orders for the payment of money belonging to the charter school to comply with NRS 386.573(1)
  - c) NAC 387.770(3) Payment of Money – Prescription of the procedures by which orders for the payment of money belonging to the charter school must be approved and cumulative voucher sheets signed to comply with NRS 386.575(2)
  - d) NAC 386.583 Retention – Adoption of rules for the academic retention of pupils to comply with NRS 386.583
  - e) NRS 386.585 Behavior – Adoption of written rules of pupil behavior and appropriate punishments for violation of the rules to comply with NRS 386.585
  - f) NAC 386.410(5) Contractor Evaluation – Review of the performance of each entity with whom the Board has entered into a contract to comply with NAC 386.410(5)
  - g) NAC 387.720 Tentative Budget – Public hearing on tentative budget to comply with NAC 387.720(3-6)
  - h) NAC 387.725 Final Budget – Adoption of final budget to comply with NAC 387.725(1)
  - i) NRS 386.605 Accountability Report – Review and approve the accountability information concerning the charter school that is required pursuant to NRS 385.347 to comply with NRS 386.605
  - j) NAC 387.775(5) Annual Audit – Presentation of the NAC 387.775 Annual Audit to the Board to comply with NAC 387.775(5)
  - k) NAC 387.775(9) Audit Recommendations – Adoption or rejection of the recommendation of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9)
  - l) NRS 385.357(6) Achievement of Pupils – Receive, review and approve the NRS 385.357 plan to improve achievement of pupils to comply with NRS 385.357
  - m) NRS 386.600 Annual Report of Budget – Review and approve the NRS 386.600/NRS 387.303 annual report of budget, including the NRS 386.600(1)(a) written description of the progress of the charter school in achieving the mission and goals of the school set forth in its application, to comply with NRS 386.600

**n) NRS 386.552 Implementing New Statutes – Determination of which statutes and bills from the recent legislative session directly affect pupils, parents, teachers, administrators or other educational personnel of the charter school and require a plan for implementation to comply with NRS 386.552(1)**

**o) NRS 386.610(2) Progress Achieving Goals – Review and approve the NRS 386.610(2) written report of the progress of the school in achieving its educational goals and objectives to comply with NRS 386.610(2)**

Dr. John Hawk stated that these will be standing items as they are laws the Board needs to be aware of for the current school year. With regard to the implementation of new statutes, Nevada State High School may see some issues due to limited categorical funding. The SPCSA now has regulatory power making the renewal process more difficult, but should have no affect overall.

**Member Vicki Brumberg moved to approve items 4a-o. Member Dianna Burns second the motion. Motion carried unanimously.**

5. Approval to continue staff and administrative performance incentives as approved by NSHS Governing Body on 8/16/12, 8/15/2013, 08/21/2014. It is noted that Dr. John Hawk is requested to look at a new performance pay for administrators that may be adopted at a subsequent meeting.

**Member Dianna Burns moved to continue staff and administrative performance incentives. Member Laurie Nanni seconded the Motion. Motion carried unanimously.**

6. Approval to seek a new facility for a third site opening within the next two years.  
Dr. Hawk stated Nevada State High School is looking to expand into a third site. Dr. John Hawk explained that the Summerlin location had a good price per square foot, but there is minimal room for the school to grow in that building. Dr. John Hawk suggested creating a boutique like office, similar to what was held by Nevada State High School on Basic and Water St. It would be located on the southwest side of town as well, and could be ran like a one room school house. Chair Zeller and Vice Chair Adamo sought clarification that this might split the population of the Summerlin campus. Dr. John Hawk stated that this could attract more students.

**Vice Chair Luke Adamo moved to approve to seek a new facility for a third site opening within the next two years. Member Vicki Brumberg seconded the motion. Motion carried unanimously.**

7. Board Member Comments

Board Members welcomed new members of the Nevada State High School administration.

8. Public Comment on any action item on the agenda

There were no public comment requests.

9. Adjournment

There being no further business, the meeting adjourned at 7:07 p.m.

**Vice Chair Luke Adamo moved to adjourn the meeting. Member Lauri Nani seconded the Motion. Motion carried unanimously.**

This public notice has been posted at the locations including: Nevada State High School; 850 South Durango Drive Suite 100; Las Vegas, NV 89145, Nevada State High School; 233 North Stephanie Street; Henderson, NV 89074, City of Henderson; 240 S Water Street; Henderson, NV 89015, Henderson Libraries; 280 S. Green Valley Parkway; Henderson, NV 89012. Clark County Library, Las Vegas Library, Spring Valley Library, Sunrise Library, West Charleston Library, Whitney Library, Sahara Library, Rainbow Library, West Las Vegas Library, State Public Charter School Authority.

**TELECONFERENCE MEETING // Toll Free: 1-866-953-2610 PIN #: 2600**

**Date:** Thursday, 10/15/2015 // **Time:** 6:30 pm // **Location:**

Nevada State High School; 850 South Durango Drive Suite 100; Las Vegas, NV 89145

**SCHOOL PICTURES ☺ // Anytime between 4 – 7pm**

**AGENDA**

The public is hereby noticed that NSHS reserves the right to take agenda items out of posted order. A time limit may be placed on public testimony by the Governing Body President in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Body. If you are requesting to be a part of the teleconference, then contact the NSHS not later than 2 days before the meeting to get the conference telephone number and meeting pin. The public is hereby noticed that the Nevada State High School Governing Body reserves the right to take agenda items out of posted order, with the exception of public hearings, and items may be pulled or removed from the agenda at any time and items may be combined for consideration. A time for public comment is provided at the beginning and at the conclusion of the meeting. The Chair reserves the right to call on individuals from the audience or to allow for public comment at any time. Individuals providing testimony should be prepared to state their name, affiliation, and contact information during testimony. Time limit: A time limit (three minutes) will be imposed by the Governing Body Chair on public testimony in order to afford all members of the public who wish to comment an opportunity to do so within the timeframe available to the Governing Body.

**REGULAR MEETING GOVERNING BODY // NEVADA STATE HIGH SCHOOL 6:30 PM TO 7:30 PM**

Call to Order; Roll Call; Pledge of Allegiance (Shane Zeller, Chair of Governing Body)

Approval of a flexible agenda (*Action*)

- 1) Public comments on any action item on the agenda  
Governing Body Chair may impose a three minute time limit for each speaker.
- 2) Executive update (*Information/Discussion/Action*)
  - a) A school progress and quality update using staff performance incentives (John Hawk, COO)
  - b) Update on denial of the College and Career Readiness Grant by Nevada State High School (John Hawk, COO)
  - c) A school progress update on desired result using student scorecards (Wendi Hawk, CAO)
  - d) Update on dissemination of accountability Nevada Report Card report NRS 385.347 to comply with NRS 386.605.
- 3) Approval of Consent Agenda (Shane Zeller, Chair) (*Information/Discussion/Action*)  
Information concerning the following consent agenda items has been forwarded to Governing Body members for study prior to the meeting. Unless a Governing Body Member or a member of the public has a question concerning a particular item and asks that it be withdrawn from the consent list, items are approved at one time by the Nevada State High School Governing Body.
  - a) Approval of the minutes from 09/10/2015 NSHS Governing Body meeting
  - b) Approval and ratification of purchase orders in compliance with school policy PLCY\_03.003
- 4) Approval of Nevada State High School's Chief Operations Officer to execute a First Amendment to Lease at 850 South Durango Drive, Suites 100 – 107 for an additional term from July 1, 2016 through June 30, 2019 under the conditions of the original lease and subject to any material changes made by the school sponsor the State Public Charter School Authority (John Hawk, COO) (*Information/Discussion/Action*)
- 5) Approval for Nevada State High School to complete a renewal of the school's written charter that is set to expire at the end of this school year 2015 – 2016 and engage in a charter contract with the State Public Charter School Authority. The school may complete an expedited renewal subject to an invitation from the State Public Charter School Authority (John Hawk, COO) (*Information/Discussion/Action*)
- 6) Approval of the NAC 387.775 Annual Audit to the board to comply with NAC 387.775(5) (John Hawk, Chief Operations Officer) (*Information/Discussion/Action*)
- 7) Adoption or rejection of the recommendations of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9) (John Hawk, Chief Operations Officer) (*Information/Discussion/Action*)
- 8) Approval of Nevada State High School Governing Body's responses directly related to the statutory and regulatory responsibilities of charter school governing bodies requiring board action in an open meeting (John Hawk, Chief Operations Officer) (*Information/Discussion/Action*)
  - a) NAC 387.770(3) Inventory – Designation of the person responsible for the maintenance of property, equipment and inventory records to comply with NAC 387.770(3)

- b) NRS 386.573(1) Orders for Payment – Designation of the person to draw all orders for the payment of money belonging to the charter school to comply with NRS 386.573(1)
- c) NAC 387.770(3) Payment of Money – Prescription of the procedures by which orders for the payment of money belonging to the charter school must be approved and cumulative voucher sheets signed to comply with NRS 386.575(2)
- d) NAC 386.583 Retention – Adoption of rules for the academic retention of pupils to comply with NRS 386.583
- e) NRS 386.585 Behavior – Adoption of written rules of pupil behavior and appropriate punishments for violation of the rules to comply with NRS 386.585
- f) NAC 386.410(5) Contractor Evaluation – Review of the performance of each entity with whom the board has entered into a contract to comply with NAC 386.410(5)
- g) NAC 387.720 Tentative Budget – Public hearing on tentative budget to comply with NAC 387.720(3-6)
- h) NAC 387.725 Final Budget – Adoption of final budget to comply with NAC 387.725(1)
- i) NRS 386.605 Accountability Report – Review and approve the accountability information concerning the charter school that is required pursuant to NRS 385.347 to comply with NRS 386.605.
- j) **NAC 387.775(5) Annual Audit – Presentation of the NAC 387.775 Annual Audit to the board to comply with NAC 387.775(5)**
- k) **NAC 387.775(9) Audit Recommendations – Adoption or rejection of the recommendations of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9)**
- l) NRS 385.357(6) Achievement of Pupils – Receive, review and approve the NRS 385.357 plan to improve achievement of pupils to comply with NRS 385.357
- m) NRS 386.600 Annual Report of Budget – Review and approve the NRS 386.600/NRS 387.303 annual report of budget, including the NRS 386.600(1)(a) written description of the progress of the charter school in achieving the mission and goals of the school set forth in its application, to comply with NRS 386.600
- n) NRS 386.552 Implementing New Statutes – Determination of which statutes and bills from the recent legislative session directly affect pupils, parents, teachers, administrators or other educational personnel of the charter school and require a plan for implementation to comply with NRS 386.552(1)
- o) NRS 386.610(2) Progress Achieving Goals – Review and approve the NRS 386.610(2) written report of the progress of the school in achieving its educational goals and objectives to comply with NRS 386.610(2)
- 9) Approval of an amended NSHS Budget for FY1516 (Ref NAC 387.725/NAC 387.720 )  
(John Hawk, Chief Operations Officer) *(Information/Discussion/Action)*
- 10) Approval to continue staff and administrative performance incentives as approved by NSHS Governing Body on 8/16/12, 8/15/2013, 8/21/2014, and 8/20/2015. It is requested that the Board adopt a new administrative performance incentive calculation for administrators that accounts for vertical and horizontal calculations rather than simply vertical calculations. This new calculation was requested by the Governing Body last school year 2014 -2015 and then again this year in the administrative identified objective for the school’s Chief Operations Officer. A beta example is provided for comparison. (John Hawk, COO) *(Information/Discussion/Action)*
- 11) Approval for Nevada State High School to engage in opening a third site at 4250 East Bonanza that is owned by the same owner as the current facility at 850 S. Durango and that the lease and terms would be similar to those used to open 850 South Durango Drive. The Chief Operations Officer of Nevada State High School is given the authority to negotiate and begin the amendment process to open a third site with the State Public Charter School Authority and begin filling out paperwork for any necessary conditional use permits with the appropriate jurisdiction to begin operation of the school by fall 2016. The school may decide to seek replication rather than expansion of a third site depending on the ability to receive grant funds to support the replication. (John Hawk, COO)  
*(Information/Discussion/Action)*
- 12) Approval for Nevada State High School’s Chief Operations Officer to work with the school’s lawyer and accountant to seek non-profit incorporation status under NRS 386.553(1). (John Hawk, COO) *(Information/Discussion/Action)*
- 13) Approval for Nevada State High School to submit a letter of intent to complete a charter application to open a site in Northern Nevada Reno or Carson City area and is subject to Nevada State High School being eligible to become a non-profit corporation in Nevada and operate as a CMO. (John Hawk, COO) *(Information/Discussion/Action)*
- 14) Approval for Nevada State High School to apply for grant funds (US Department Charter School Program Grant) through the Nevada Department of Education and elsewhere that would allow for money to be used towards the dissemination, expansion and/or replication of Nevada State High School in areas of East Las Vegas, Reno, and/or Carson City areas. (John Hawk, COO) *(Information/Discussion/Action)*
- 15) Board Member Comments
- 16) Public Comments
- 17) Adjournment

**NEVADA STATE HIGH SCHOOL**  
**Governing Body Meeting (*Teleconference*)**  
**Thursday, October 15, 2015, 6:30 p.m.**  
**Nevada State High School**  
**850 South Durango Drive**  
**Las Vegas, NV 89145**

**MINUTES OF MEETING**  
APPROVED DURING PUBLIC MEETING ON 11/10/2015

**Members**

**Present:** Shane Zeller (Chair)—*via teleconference*, Vicki Brumberg—*via teleconference*, Dianna Burns, Laurie Nanni

**Members**

**Absent:** Luke Adamo (Vice-Chair)

**Others**

**Present:** Dr. John Hawk (Chief Operations Officer), Dr. Wendi Hawk (Chief Academic Officer), Mark Schumm (Director of Site Administration, Henderson), James Yoder (Director of Site Administration, Summerlin), MJ Franzen (Staff), Russ Klegovits (Community Member)

**Call to Order/Roll Call/Pledge of Allegiance/Approval of a Flexible Agenda**

Dr. John Hawk called the meeting to order at 6:34 p.m., with a quorum of four members present.

**Laurie Nanni moved to approve a flexible agenda. Dianna Burns seconded the Motion. Motion carried unanimously.**

At this time, agenda item 1 was opened.

**1. Public Comment on any action item on the agenda**

There was no public present to comment on this item.

**2. Executive Update**

- a. A school progress and quality update using staff performance incentives (John Hawk, COO)
- b. Update on denial of the College and Career Readiness Grant by Nevada State High School (John Hawk, COO)
- c. A school progress update on desired result using student scorecards (Wendi Hawk, CAO)
- d. Update on dissemination of accountability Nevada Report Card report NRS 385.347 to comply with NRS 386.605.

Dr. John Hawk explained that the CCR Grant was denied and that he is expecting to receive detailed results of the application evaluation soon. Dr. Hawk thanked the Board members for their assistance by holding an emergency meeting to approve the school's application.

Dr. Wendi Hawk gave an update on the Scorecards. Data shows improvement of 2<sup>nd</sup> year students. Some student scores are low due to the fact that end-of-course assessment results are not available from the state. The school is working to obtain that information as soon as possible. Dr. Hawk shared a preliminary copy of the school's Nevada Report Card. She stated that the school is appealing one student's drop out coding.

**Dianna Burns moved to approve agenda subsection items 2a-d. Vicki Brumberg seconded the Motion. Motion carried unanimously.**

3. **Approval of Consent Agenda**
  - a. **Approval of the minutes from 09/10/2015 NSHS Governing Body meeting**
  - b. **Approval and ratification of purchase orders in compliance with school policy PLCY\_03.003**

Dr. John Hawk explained that he is seeking approval for the purchase orders made on behalf of the school. No other discussion was held on these items.

**Laurie Nanni moved to approve agenda items 3a and b. Dianna Burns seconded the Motion. Motion carried unanimously.**

4. **Approval of Nevada State High School's Chief Operations Officer to execute a First Amendment to Lease at 850 South Durango Drive, Suites 100–107 for an additional term from July 1, 2016, through June 30, 2019, under the conditions of the original lease and subject to any material changes made by the school sponsor the State Public Charter School Authority (John Hawk, COO)**  
*(Information/Discussion/Action)*

Dr. John Hawk explained that he is seeking permission to extend the lease of the Summerlin building. If approved by the Board, Dr. Hawk will also seek the approval of the Nevada State Charter School Authority. No other discussion was held on this item.

**Dianna Burns moved to approve agenda item 4. Laurie Nanni seconded the Motion. Motion carried unanimously.**

5. **Approval for Nevada State High School to complete a renewal of the school's written charter that is set to expire at the end of this school year 2015–2016 and engage in a charter contract with the State Public Charter School Authority. The school may complete an expedited renewal subject to an invitation from the State Public Charter School Authority (John Hawk, COO)**  
*(Information/Discussion/Action)*

Dr. John Hawk explained that he has been working with the Nevada State Charter School Authority (NSCSA) to develop an expedited charter renewal process. He is asking for approval from the Board to move forward with an expedited renewal with the NSCSA. No other discussion was held on this item.

**Vickie Brumberg moved to item 5. Dianna Burns seconded the Motion. Motion carried unanimously.**

6. **Approval of the NAC 387.775 Annual Audit to the board to comply with NAC 387.775(5) (John Hawk, Chief Operations Officer)**  
*(Information/Discussion/Action)*

Dr. John Hawk explained that this item is the school's annual audit. He reported that the school has received a glowing report, and that the auditor indicated that he had no recommendations for improvement. He is asking the Board to approve the audit report. No other discussion was held on this item.

**Laurie Nanni moved to approve agenda item 7. Dianna Burns seconded the Motion. Motion carried unanimously.**

7. **Adoption or rejection of the recommendations of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9) (John Hawk, Chief Operations Officer)**  
*(Information/Discussion/Action)*

Dr. John Hawk again explained that the auditor indicated that he had no recommendations for improvement. No other discussion was held on this item.

**Laurie Nanni moved to approve agenda item 7. Dianna Burns seconded the Motion. Motion carried unanimously.**

8. Approval of Nevada State High School Governing Body's responses directly related to the statutory and regulatory responsibilities of charter school governing bodies requiring board action in an open meeting (John Hawk, Chief Operations Officer) (*Information/Discussion/Action*)
- a. NAC 387.770(3) Inventory – Designation of the person responsible for the maintenance of property, equipment and inventory records to comply with NAC 387.770(3)
  - b. NRS 386.573(1) Orders for Payment – Designation of the person to draw all orders for the payment of money belonging to the charter school to comply with NRS 386.573(1)
  - c. NAC 387.770(3) Payment of Money – Prescription of the procedures by which orders for the payment of money belonging to the charter school must be approved and cumulative voucher sheets signed to comply with NRS 386.575(2)
  - d. NAC 386.583 Retention – Adoption of rules for the academic retention of pupils to comply with NRS 386.583
  - e. NRS 386.585 Behavior – Adoption of written rules of pupil behavior and appropriate punishments for violation of the rules to comply with NRS 386.585
  - f. NAC 386.410(5) Contractor Evaluation – Review of the performance of each entity with whom the board has entered into a contract to comply with NAC 386.410(5)
  - g. NAC 387.720 Tentative Budget – Public hearing on tentative budget to comply with NAC 387.720(3-6)
  - h. NAC 387.725 Final Budget – Adoption of final budget to comply with NAC 387.725(1)
  - i. NRS 386.605 Accountability Report – Review and approve the accountability information concerning the charter school that is required pursuant to NRS 385.347 to comply with NRS 386.605.
  - j. NAC 387.775(5) Annual Audit – Presentation of the NAC 387.775 Annual Audit to the board to comply with NAC 387.775(5)
  - k. NAC 387.775(9) Audit Recommendations – Adoption or rejection of the recommendations of the report of the NAC 387.775 Annual Audit to comply with NAC 387.775(9)
  - l. NRS 385.357(6) Achievement of Pupils – Receive, review and approve the NRS 385.357 plan to improve achievement of pupils to comply with NRS 385.357
  - m. NRS 386.600 Annual Report of Budget – Review and approve the NRS 386.600/NRS 387.303 annual report of budget, including the NRS 386.600(1)(a) written description of the progress of the charter school in achieving the mission and goals of the school set forth in its application, to comply with NRS 386.600
  - n. NRS 386.552 Implementing New Statutes – Determination of which statutes and bills from the recent legislative session directly affect pupils, parents, teachers, administrators or other educational personnel of the charter school and require a plan for implementation to comply with NRS 386.552(1)
  - o. NRS 386.610(2) Progress Achieving Goals – Review and approve the NRS 386.610(2) written report of the progress of the school in achieving its educational goals and objectives to comply with NRS 386.610(2)

Dr. John Hawk explained that this is a standing agenda item which refers to items which the Board is required to review and approve by law. He referred Board members to their agenda packet for the corresponding reports. No other discussion was held on these items.

**Vicki Brumberg moved to approve agenda of items 7a-o. Laurie Nanni seconded the Motion. Motion carried unanimously.**

9. Approval of an amended NSHS Budget for FY1516 (Ref NAC 387.725/NAC 387.720) (John Hawk, Chief Operations Officer) (*Information/Discussion/Action*)

Community member Russ Keglovits joined the meeting via teleconference at this time. Dr. John Hawk gave an overview of the budget. He explained changes made by the state regarding average daily enrollment, and how it affects the school's revenue. He announced that a former employee may be returning to work for the

school and would work with Dr. Hawk in the area of operations. He asked the Board for approval of the amended budget. No other discussion was held on this item.

**Dianna Burns moved to approve agenda item 9. Laurie Nanni seconded the Motion. Motion carried unanimously.**

10. **Approval to continue staff and administrative performance incentives as approved by NSHS Governing Body on 8/16/12, 8/15/2013, 8/21/2014, and 8/20/2015. It is requested that the Board adopt a new administrative performance incentive calculation for administrators that accounts for vertical and horizontal calculations rather than simply vertical calculations. This new calculation was requested by the Governing Body last school year 2014-2015 and then again this year in the administrative identified objective for the school's Chief Operations Officer. A beta example is provided for comparison. (John Hawk, COO) (Information/Discussion/Action)**

Dr. John Hawk explained the reasoning behind the proposed changes to seek both horizontal and vertical calculations to performance incentives. Laurie Nannie stated that she thinks the idea is great because it improves the school.

**Laurie Nanni moved to approve agenda item 10. Dianna Burns seconded the Motion. Motion carried unanimously.**

11. **Approval for Nevada State High School to engage in opening a third site at 4250 East Bonanza that is owned by the same owner as the current facility at 850 S. Durango and that the lease and terms would be similar to those used to open 850 South Durango Drive. The Chief Operations Officer of Nevada State High School is given the authority to negotiate and begin the amendment process to open a third site with the State Public Charter School Authority and begin filling out paperwork for any necessary conditional use permits with the appropriate jurisdiction to begin operation of the school by fall 2016. The school may decide to seek replication rather than expansion of a third site depending on the ability to receive grant funds to support the replication. (John Hawk, COO) (Information/Discussion/Action)**

Dr. John Hawk explained that the state has established a November deadline for schools/organizations to express an interest in charter expansions. Dr. Wendi Hawk provided an explanation of the difference between expansion and replication. Laurie Nanni asked that if the state denies the schools replication application, will there still be an opportunity for expansion. Both Dr. John Hawk and Dr. Wendi Hawk visited the Bonanza site and believe it will be an excellent location. The Board is being asked for permission to proceed with an expansion, but to also apply to the state for possible replication.

**Dianna Burns moved to approve agenda item 11. Vicki Brumberg seconded the Motion. Motion carried unanimously.**

12. **Approval for Nevada State High School's Chief Operations Officer to work with the school's lawyer and accountant to seek non-profit incorporation status under NRS 386.553(1). (John Hawk, COO) (Information/Discussion/Action)**

Dr. John Hawk explained that as a sub-governmental agency, new law from the recent legislative session allows charter schools to incorporate as a non-profit organization. The state is encouraging interested parties to seek non-profit status in order to operate as a Charter Management Organization (CMO). Being a CMO allows leverage for expansion and/or replication. This would allow for the opportunity to expand in to northern Nevada. Dr. Hawk explained the implications that this action will have regarding the school and the board. He is asking for the Board to grant approval to leverage resources to seek non-profit status.

Public Comment: Mr. Russ Keglovits stated that he agrees with Dr. Hawk's interpretation of the new laws, and is believes that it was very forward thinking of the Legislature to make them. He looks forward to being able to work with Nevada State High School on this process.

**Laurie Nanni moved to approve agenda item 12. Dianna Burns seconded the Motion. Motion carried unanimously.**

13. **Approval for Nevada State High School to submit a letter of intent to complete a charter application to open a site in Northern Nevada Reno or Carson City area, and is subject to Nevada State High School being eligible to become a non-profit corporation in Nevada and operate as a CMO. (John Hawk, COO) (Information/Discussion/Action)**

Dr. Hawk explained that the application has not yet been made available to the public, and it is not known when it will be available. He would like to be proactive in seeking permission to move forward so that when the application is available, he already has permission to begin work immediately. He will keep the Board apprised of the process. No other discussion was held on this item.

**Laurie Nanni moved to approve agenda item 13. Dianna Burns seconded the Motion. Motion carried unanimously.**

14. **Approval for Nevada State High School to apply for grant funds (US Department Charter School Program Grant) through the Nevada Department of Education and elsewhere that would allow for money to be used towards the dissemination, expansion and/or replication of Nevada State High School in areas of East Las Vegas, Reno, and/or Carson City areas. (John Hawk, COO) (Information/Discussion/Action)**

Dr. Hawk explained that this item is bringing together the previous items so that the school may move forward with expansion and/or replication. No other discussion was held on this item.

**Dianna Burns moved to approve agenda item 14. Laurie Nanni seconded the Motion. Motion carried unanimously.**

15. **Board Member Comments**

No board member had any comments at this time.

16. **Public Comments**

Dr. John Hawk expressed his appreciation for both Mark Schumm and James Yoder, the two directors of site administration, for the great amount of work they have taken on in a short time. He is pleased with the progress that he has seen and the reports he has received. He is appreciative of them and their staff for their hard work.

17. **Adjournment**

**Laurie Nanni moved to adjourn the meeting. Dianna Burns seconded the Motion. Motion carried unanimously.**

Meeting ending time: 7:22 p.m.

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Nevada State High School****Expansion Amendment request**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 9

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, SPCSA****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 25 mins****SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Nevada State High School amendment request pursuant to NAC 386.3265  
**DATE:** December 1, 2015 December 3, 2015

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Summary of Request:

Nevada State High School has requested permission to pursue the acquisition of a new facility in East Las Vegas. The new campus would open with approximately 150 students in 2016-17 and is projected to serve 250 students at capacity.

Background

Nevada State High School was approved by the State Board of Education in 2010 and opened in the fall of that year. It currently operates under a written charter which will expire in 2016. It has submitted a request for expedited renewal which will also be considered today. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance. The school has operated as a 5 Star school since the inception of the NSPF and was ranked as Exceeds in 2013 and Exceptional in 2014 on the SPCSA Academic Framework.

Recommendation: *Approve with Conditions*

The school meets the current criteria for approval for a new facility pursuant to the most recent revisions to NAC and has participated thoughtfully in the new amendment request process in a manner which demonstrates the capacity to effectively govern and operate a new campus. It is important to note that the school's unique dual-enrollment model serving 11<sup>th</sup> and 12<sup>th</sup> grade students who receive the majority of their instruction on college campuses presents some challenges in participating in the menu of diversification strategies that the SPCSA has articulated in evaluating expansion requests. The staff's analysis of this school's context and those diversification options is provided below:

- *Operating a Weighted Lottery:* Because the school has historically accepted all interested students, the school has operated on a rolling admissions basis and has not had to operate a lottery or maintain a wait list. Consequently, a weighted lottery is not applicable in this instance.

- *Providing a Broad or the Full Continuum:* Given the inclusion nature of the dual-enrollment program and the school's reliance on higher education partnerships—including the disability services offices at the local colleges—it is unclear whether mandating a broader continuum is appropriate in this particular context.
- *Participation in the NSLP program:* As a program which sends students to college campuses, the school is not in a position to offer a breakfast or lunch program.
- *State/Federal Pre-K program:* As a very small high school, the option of directly operating a subsidized pre-K program would not provide a diversification feeder, the primary purpose behind that option. However, a future partnership with an East Las Vegas charter school which offers the Pre-K program might provide pregnant and parenting students enrolled at NSHS who are unable to participate in a college based pre-K program with an additional support, depending on alignment of that school's schedule with the schedule of the NSHS student. Recommended condition: Staff suggest that the Board request that the school to explore the feasibility of that option during the first and second year of implementation and report back to the Board.

It is important to note that Nevada State High School is pursuing this expansion to provide a dual-enrollment opportunity to students in East Las Vegas, one of the state's most under-served communities. The willingness of an operator which has typically been located in suburban locations to a neighborhood with far more challenges should be encouraged. Moreover, the SPCSA Board retains significant discretion in making expansion amendment decisions, as the criteria adopted by the Board have not been enshrined in regulation and are not rules of general applicability. Rather, they are guidelines intended to serve the broader objective of cultivating an SPCSA student population that is more reflective of the diversity of this state. Approving the expansion of Nevada State High School to East Las Vegas is an action which will support that goal.

As the school is submitting this request well in advance of executing on a lease or sale, staff requests that the initial approval be granted as one strategic amendment to acquire and operate a facility in East Las Vegas and serving the grade levels and student enrollment identified in the request. Staff further requests delegated authority to grant additional technical amendments and approvals in upon receipt of documentation and other items required under NAC to occupy the buildings over the course of the next several years. This approval is consistent with the mechanism the Authority Board uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional board review.

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Doral Academy Expansion****Amendment request**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 10

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, SPCSA****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 25 mins****SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Doral Academy amendment request pursuant to NAC 386.3265  
**DATE:** December 1, 2015 December 3, 2015

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Summary of Request:

Doral Academy has requested permission to pursue the acquisition of three new facilities: one additional K-8 campus to open in 2017, one K-8 campus to open in 2018, and one 9-12 campus to open in 2019 – for a total of 3 additional campuses. This would result in an additional 960 Doral students in 2017-18 growing to a total increased enrollment of 3,300 by 2022-23.

Background

Doral was approved by the SPCSA Board in 2013 and opened in the fall of 2013. It currently operates under a charter contract. It has previously received approval to operate two additional elementary-middle school facilities and to add a high school program. The school has not received any notices of concern or breach related to its academic, financial, or organizational performance. The school currently operates a 5 star elementary school program and a 3 star middle school program. Results from internal assessments indicate that the school is continuing to make academic growth, but it is important to note that absent SBAC data it is impossible to determine what, if any, predictive value the school's commercially available testing system has related to SBAC performance. As the school only operated one campus at the time of the most recent CRT administration, it is not possible to disaggregate academic performance on high stakes state assessments by campus.

Recommendation: *Approve with Conditions*

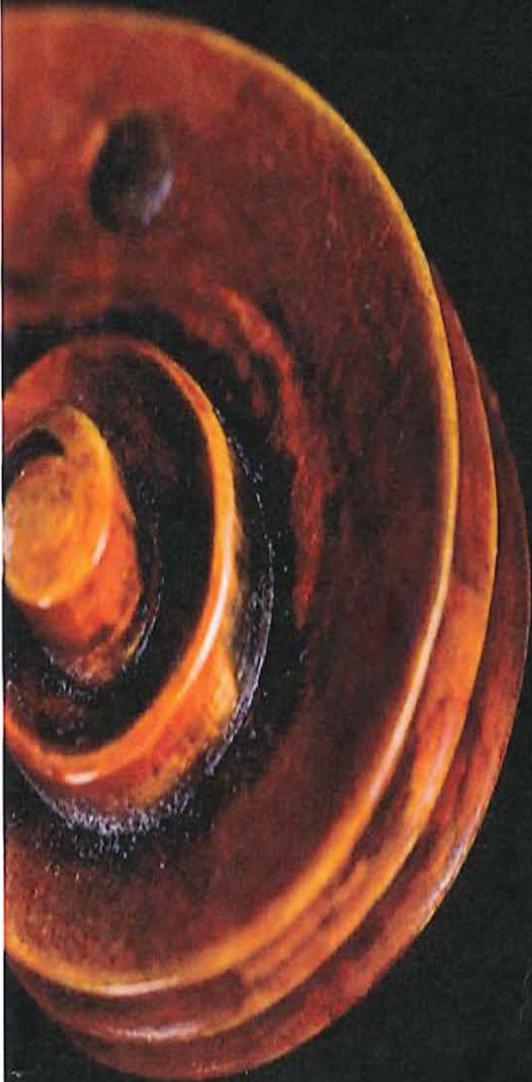
The school meets the current criteria for approval for a new facility pursuant to the most recent revisions to NAC and has participated thoughtfully in the new amendment request process in a manner which demonstrates the capacity to effectively govern and operate multiple new campuses. The school's enrollment diversification strategies align to the criteria and activities articulated by the SPCSA earlier this fall. As the school is submitting this request well in advance of executing on a lease or sale, staff requests that the initial approval be granted as one strategic amendment to acquire and operate three facilities in the approximate identified area and serving the grade levels and student enrollment identified in the request. Staff further requests delegated authority to grant

additional technical amendments and approvals in upon receipt of documentation and other items required under NAC to occupy the buildings over the course of the next several years. This approval is consistent with the mechanism the Authority Board uses to permit the incorporation of pre-opening requirements for new schools into the charter contract without the delay and complexity attendant to additional board review.



Doral Academy of Nevada  
Charter School Amendment  
Application  
November 2, 2015

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## EXECUTIVE SUMMARY

*Provide a brief overview of your school, including:*

- *An overview of the mission and vision for the expanded school network*
- *Proposed model and target communities*
- *The outcomes you expect to achieve across the network of campuses*
- *The key components of your educational model for the expanded school*
- *The values, approach, and leadership accomplishments of your school or network leader and leadership team*
- *Key supporters, partners, or resources that will contribute to your expanded school's success*

Doral Academy of Nevada (DAN) is seeking to expand its high-performing school network by increasing DAN's capacity to serve students in the Southwest Las Vegas region. This region is one of the fastest growing in Las Vegas and supports many of the city's most overcrowded schools. DAN's waiting list for its Cactus campus in the Southwest region exceeds 2,500 students, as families have found great value in DAN's Mission and Vision. Specifically, DAN requests one additional K-8 campus to open in 2017, one K-8 campus to open in 2018, and one 9-12 campus to open in 2019 – a total of 3 additional campuses.

With the expansion of the school network, DAN's plans to expand its mission and vision to intentionally include a more diverse pool of students who are traditionally underserved.

### Mission

Doral Academy of Nevada is dedicated to providing an enhanced educational experience **for all students**. We will develop outstanding student achievement with focus on each child being well-rounded in all parts of education. Students will be prepared in an academically challenging and personally meaningful learning environment with an emphasis on arts integration, and increasing literacy, cognitive, and social development **for all students**. A collaborative effort including students, teachers, parents, and staff will be devoted to establishing, achieving, and celebrating individual goals for each child at Doral Academy.

### Vision

The educational outcome from Doral Academy of Nevada will create lifelong skills including: critical and analytical learning, confident decision makers, problem solvers, collaborative workers, and imaginative and creative thinkers. We are committed to equip **all** students with the skills and personal growth necessary to be successful scholars throughout life.

\* Please note changes to mission and vision are indicated in bold.

### Expanding Opportunities

To expand opportunity for all students to attend and excel at DAN, DAN plans on implementing the National School Lunch Program across its campuses. DAN plans on implementing a weighted lottery to

increase the likelihood for students in at-risk populations or attending failing schools, as specified once Nevada statutes and regulations outline the procedures for doing so. Moreover, DAN plans on implementing a robust grassroots campaign that meets parents and families where they are located to educate them about DAN's programming. As a key part of this campaign, DAN will emphasize in its marketing materials the well-known benefits of Arts Integration for students with special needs, explicitly making it clear that special needs students are welcome and encouraged to apply for admission at DAN.

Although DAN seeks to expand, it will not forgo the high standards for financial, operational, and academic operations. To protect DAN's exemplary standards, DAN's Governing Board (Board) and DAN's Executive Director will work closely with each new Campus Principal to ensure close fidelity to DAN's best practices and use system-wide resources to minimize the potential for otherwise common startup issues.

System-wide, DAN expects each of its campuses to reach all of the goals outlined in DAN's original charter application, at a minimum, as set forth below:

Goal 1 – Eighty-five (85) percent of students enrolled at the school for a three consecutive year period will achieve proficient or advanced status on the state's annual assessment. This goal is applicable to students who upon the third consecutive year of enrollment, are registered in the third through eighth grade.

Goal 2 – Seventy (70) percent of students will show at least a one year growth in reading and mathematics skills annually.

Goal 3 – The School will demonstrate a 90 percent satisfaction rating in an annual survey administered to parents or designated legal guardians of students attending the school each academic year.

Goal 4 – The School's transiency rate will not exceed 15 percent on an annual basis.

Goal 5 – The School will generate a minimum of 5 percent fund surplus each school year.

Goal 6 – Each Governing Board member will participate in a minimum of four hours of professional development every two years. Board governance professional development targets will include open government, conflicts of interest, ethics, and financial responsibilities.

Goal 7 – The licensed teacher retention rate will be at least 90 percent each year, not including separations for health or family reasons.

DAN will become a successful model network for K-12 charter operation in Nevada through sustaining a partnership with Doral Academy Inc. DAN's strategic partnership with the Kennedy Center for Performing Arts, the Smith Center, and the Nevada Ballet will ensure the success of an Arts Integrated Curriculum. DAN will collaborate with families and the community, and welcome in local artists to learn from their experiences. DAN's ongoing partnership with Academic Nevada will support specific management-related operations.

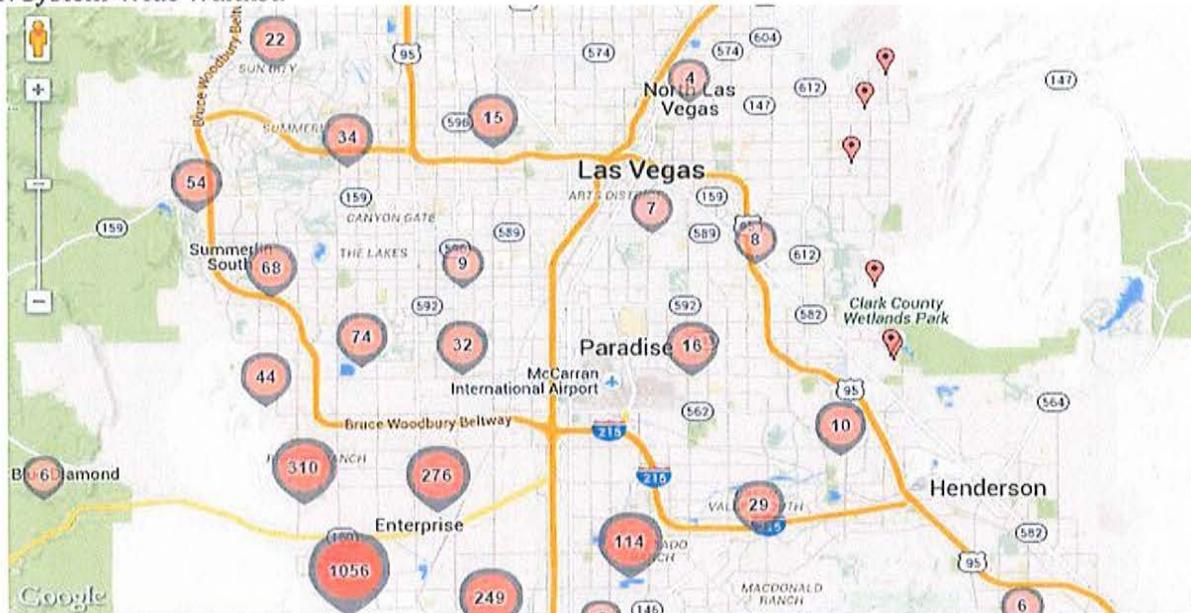
## MEETING THE NEED

### TARGETED PLAN

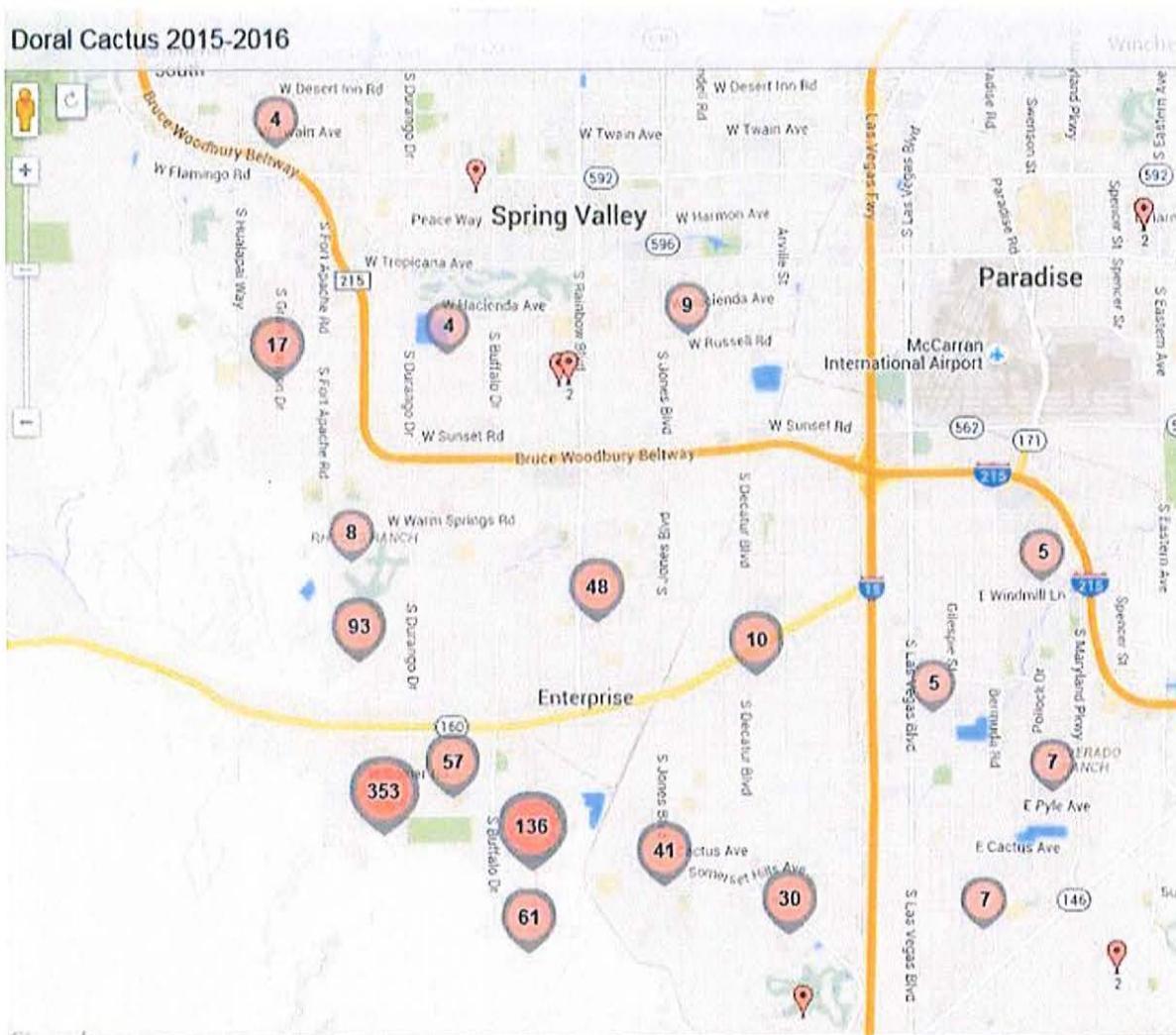
(1) Identify the community you wish to serve as a result of the expansion and describe your interest in serving this specific community.

Doral Academy of Nevada (DAN) looks to serve the Southwest Las Vegas community by expanding to the new campuses that are being proposed. DAN currently operates one campus, the Cactus Campus, in the Southwest Las Vegas area. The Cactus Campus currently serves 930 students in grades K-8. DAN is experiencing a very high demand for the educational experience that their model offers. The Cactus Campus will reach maximum capacity in 2016 with 960 students. The waitlist for the Cactus Campus currently exceeds 2,500 students, and the system-wide waitlist exceeds 5,000 students, the overwhelming majority of waitlisted students reside in the Southwest Las Vegas area (the red circles represent the number of waitlisted students per zip code).

DAN System-Wide Waitlist:



Additionally, students currently attending DAN's Cactus campus also overwhelmingly reside in Southwest Las Vegas, as demonstrated below:



DAN would like to create a multi-campus K-8 system in the Southwest Las Vegas community that can eventually support a high school campus, fulfilling the great demand for DAN's educational program.

(2) Explain how your expansion model, and the commitment to serve this population, including the grade levels you have chosen, would meet the district and community needs and align with the mission of the SPCSA.

DAN's target community is in Southwest Las Vegas, where the Clark County School District (CCSD) has gone to year-round schools at Mark L. Fine Elementary, Robert L. Forbuss Elementary, Carolyn S. Reedom Elementary and William V. Wright Elementary. According to CCSD data for the 2014-15 school year, almost every school in this region is severely overcrowded, many exceeding 40% of building capacity.<sup>1</sup> Thus, DAN's expansion model is not only needed given the demand for DAN's educational program as discussed in Question 1 above, but it is also a timely response to a continuously growing region with inadequate capacity in neighborhood public schools.

<sup>1</sup> <http://ccsd.net/parents/resources/pdf/10.14.14Ref3.04A.pdf>

## **GROWTH RATE AND RATIONALE**

*(1) Describe the school's six-year growth plan for developing new schools in Nevada and other states. Please describe the proposed scope of growth over the next 6 years, including both the campuses the school has already been approved to open, those it is currently applying to open and any additional campuses that it anticipates applying to open in the next six years (number of campuses, locations, proposed six-year enrollment projections, and grade configuration/type of schools).*

Doral Academy of Nevada (DAN) opened the Saddle Campus in August of 2013 with grades K-7, serving approximately 750 students. The Saddle Campus is located in West Las Vegas. It quickly became apparent to the Board that there was a significant interest in the surrounding communities for the arts to be infused into the educational experience of students. In 2014, DAN built out the remainder of the Saddle Campus to accommodate approximately 960 students and also opened the Cactus Campus in Southwest Las Vegas. The Cactus Campus opened with approximately 780 students, and in 2015 DAN opened the Fire Mesa Campus (K-8). DAN is scheduled to open the Red Rock Campus (K-12) in 2016. Both the Fire Mesa and Red Rock campuses are located in West Las Vegas.

It has always been the intent of DAN's Board to offer a K-12 educational experience for its students. DAN's Board decided to create feeder systems into their high schools. DAN's Saddle Campus, Fire Mesa Campus and Red Rock Campus will all eventually feed into the 9th- 12th grade at the Red Rock Campus. Creating feeder systems into the high school will allow DAN to retain their students throughout their entire K-12 experience.

DAN is proposing to open two K-8 campuses in 2017 and 2018 as well as a high school (9-12) campus in 2019. DAN proposes that the two K-8 campuses open with grades K-7 and grow into the 8th grade the following year. DAN proposes that the High School Campus open with a 9th grade and grow by one grade each of the following years, as reflected in the enrollment charts in the tables in Section 3 of Student Recruitment and Enrollment portion of this application. This growth will allow DAN to help relieve a portion of their waitlist and overcrowded CCSD schools located in Southwest Las Vegas. This will also give DAN's students going to the Cactus Campus and the two proposed campuses the opportunity to attend an arts integration high school that otherwise would not be afforded to them.

*(1) Provide a rationale for the proposed six-year growth plan; for example, how the school determined the appropriate pace and scope of the proposed growth and why the school is well-positioned to implement the growth plan. If locating in a new community within your present county of location or a new county within Nevada, please explain the rationale for the geographic expansion. If planning to operate new campuses in other states, please explain the rationale for that expansion.*

Doral Academy of Nevada's (DAN) Board is targeting a community that needs greater school choice. DAN is looking to grow at the proposed pace with the understanding of the high demand for their services in Southwest Las Vegas. Additionally, DAN is looking to retain all of their students. Currently, DAN has a student retention rate of 98% system-wide. The Cactus Campus will be graduating 8th graders in 2016 with no high school option unless they are willing to drive to the Red Rock Campus. DAN is committed to offering all of their students a high school experience and as such they are looking to build a system that will support a sizable high school.

*(2) Specifically identify the key risks associated with this growth plan and describe the steps the school is taking to mitigate these risks. Respondents should demonstrate a sophisticated and nuanced understanding of*

*the challenges of replication in general and as they relate specifically to their school growth plans based on current and historic experience of charter school management organizations and similar types of multi-site social enterprises and non-profit and for-profit organizations. The response should detail specific risks and explain how the school will minimize the impact of each of these risks, and ideally provide contingency plans for them. Examples may include:*

*a. Inability to secure facilities/facilities financing;*

Doral Academy of Nevada (DAN) has already located a site in Southwest Las Vegas that could be ready by the 2017-2018 school year. Please see Attachment 4 which includes the property's parcel number and map.

DAN will have their management company, Academica, continue to look for sites that can accommodate a K-8 campus and a 9-12 High School Campus in the Southwest area of Las Vegas.

DAN has used the Turner-Agassi Charter School Facility Fund to build all of their facilities. DAN expects the continuation of this partnership as a financing option for the three proposed sites. DAN will seek other financing options to give the school the best financial outcome possible.

*b. Difficulty raising philanthropic funding;*

DAN does not rely on philanthropic funding for the operations of their schools. Thus, difficulties in raising donor funds do not pose a risk to DAN.

However, DAN does engage in strategic fundraisers designed to provide additional resources to its students beyond what is allocated in its budgets. For instance, a foundation developed to benefit DAN raised over \$20,000 in a gala event, and these proceeds were used to purchase additional instruments for DAN's Fire Mesa and Cactus campuses, and for additional materials to enable its science teachers to teach the Next Generation Science Standards at DAN's Saddle campus.

*c. Insufficient talent pipeline/difficulty recruiting faculty;*

DAN uses a multi-faceted strategy to ensure it recruits and retains a talented pool of faculty, and will continue to expand on the following activities:

1. Promoting DAN's use of the Charlotte Danielson supervision model and DAN's pay-for-performance model as recruitment and retention tools. These models enable newer, but highly effective teachers to earn more than they could earn in lockstep district systems while also giving them valuable professional development opportunities to grow as teachers. More importantly, since front-line supervision is one of the most important barometers of employee satisfaction and performance, DAN's use of the Charlotte Danielson supervision model enables DAN to retain its high-performing teachers over time, reducing the need to have to recruit replacement faculty.
2. Recruiting faculty at local, regional and national teacher recruitment fairs. This year for instance, DAN is engaged in a number of recruitment events and considering attending statewide and campus-specific recruitment fairs in Michigan, Washington, Utah, Missouri, Texas, Pennsylvania, Iowa, New York, Minnesota, and Reno this year.
3. Expanding DAN's relationships with the educational departments at local colleges and universities to ensure that graduating students are aware of DAN opportunities. Specifically, DAN's leadership has, and will continue to guest lecture at local campuses about working at charter schools.

Additionally, DAN partners with the University of Nevada, Las Vegas and the Las Vegas campuses of the University of Phoenix to place student teachers at DAN campuses.

4. Using teachers-teachers.com as a resource to recruit teachers online. This recruitment resource contains over 800,000 teacher applicants and offers the most cost-effective recruitment strategy for DAN.

*d. Insufficient leadership pipeline/difficulty recruiting school leaders:*

Using similar means to those used for DAN's recruitment of high quality faculty members, DAN will recruit both within and outside their system to provide quality leaders for the new campuses. In 2015, DAN appointed Bridget Phillips as Executive Director to oversee all school administration and operations. Director Phillips will work with her Principals to ensure that the Assistant Principals, Lead Teachers and Teachers are being prepared to take leadership roles within the Doral Academy system. DAN's use of the Charlotte Danielson supervision system will give DAN the type of data necessary to determine which of its faculty should be pushed into leadership positions.

*e. Misalignment between the founding school and leader and new campuses and leaders*

DAN's Board, particularly, Director Phillips, will guide all principals and school leaders to ensure that each campus promotes and bolsters DAN's vision and mission. Further, the Board will conduct annual performance reviews of each campus. From these reviews, the Board will monitor the progress being made at each campus, holding the school leaders and principals accountable for ensuring their respective campuses are meeting DAN's mission and vision.

*f. Ambiguous student performance outcomes and the need to curtail expansion if performance drops.*

DAN has gone to great lengths to develop performance metrics that adequately and reliably detail student performance. The Board will employ user-friendly performance dashboards at meetings and will receive academic performance updates for each campus. Further, DAN has implemented a curriculum that is designed to ensure academic growth for all students including those in general education, special education, and the academically disadvantaged (at-risk) students. With these measures in place, DAN is confident that its students will maintain year-over-year academic growth; thus, precluding the need to curtail expansion due to inadequate student performance.

*2. Discuss lessons learned during the schools past replication efforts and those of any replicated school or organization from another jurisdiction. For example: specifically identify each challenge encountered and how the school addressed them, as well as how the school would minimize such challenges for the proposed campuses.*

In general, starting up and opening up a new campuses are often challenging, and DAN has experienced some difficulties in maintaining consistent operations in the initial openings of its campuses. DAN has successfully addressed these challenges using several methods and strategies. DAN's most significant step towards minimizing the risk of issues arising during its opening of new campuses was hiring an Executive Director who oversees the principals at all DAN campuses, and ensures consistency in each model for financial, logistical, and academic aspects of operating each of its campuses. Currently, a Campus Startup Manual is being developed that covers all general aspects of school operation necessary for opening a campus, including crucial logistical elements such as building out the Infinite Campus database system, managing the carpool, organizing student schedules, etc.

Also, with past experiences in opening three separate campuses to date, DAN now has personnel with expertise in the various aspects of its operation and who would be able assist in the design of campus-specific solutions for all major operations. For instance, the individual who manages the carpool at one of DAN's campuses will be a shared resource to help a new DAN campus design and implement an effective carpool system at DAN's new campuses.

In addition to taking advantage of DAN's institutional knowledge, DAN will also be able to capitalize on the knowledge and skills already found in existing campuses, which serve as models for new campuses. DAN plans on hiring school leaders for each campus prior to the end of each school year and plans to provide several opportunities for school leaders of new campuses to observe and learn from the logistical, financial, and academic best practices of DAN's existing campuses. This along with the professional development DAN will provide to its leadership and faculty during the onboarding process will mitigate many of the potential risks of startup.

## PARENT AND COMMUNITY INVOLVEMENT

(1) Describe the role to date of any parents, neighborhood, and/or community members involved in the proposed expansion of the school.

DAN's proposed expansion is targeted in the region where DAN's Cactus campus is currently in operation. DAN regularly provides tours to parents who are very interested in attending DAN, but have not been accepted through DAN's lottery process. With over 2,500 students on its waiting list, DAN plans to provide notice to these families to inform them of DAN's expansion and encourage them to reapply to DAN's lottery.

(2) Describe how you will engage parents, neighborhood, and community members from the time that the application is approved through the opening of the new campus(es) or grade levels. What specific strategies will be implemented to establish buy-in and to learn parent priorities and concerns during the transition process and post opening?

DAN will market via multiple modes to ensure that all families are informed of their educational options. A grassroots recruitment campaign is especially important to make sure that "harder-to-reach" families (e.g. single-parent families, low socio-economic households, second language families, etc.) are aware of the choice program and their eligibility to apply for enrollment. A grassroots marketing campaign includes: school website, social media such as Facebook, flyers, direct mailers, advertisements in varying English and Spanish media, building relationships with community groups, and a "door to door" approach. DAN will post flyers in local public facilities such as the post office, community centers and other locations of public access. The goal is to reach parents by using various means of information delivery. Promotional flyers and/or postcards will be distributed via direct mail and/or directly to community groups and churches to ensure that harder-to-reach families are aware of the school and their eligibility to apply for enrollment.

Specifically, DAN plans on hosting community events such as information sessions, informational tables, and enrollment fairs in some or all of the following forums to enhance the diversity of its applicants (the distance from DAN's Cactus campus is shown in parenthesis):

- Parks
  - Mountain's Edge Regional Park (2.2 miles)
  - Goett Family Park (7.2 miles)
  - Desert Breeze Park (9.8 miles)
  - Spring Valley Community Park (9.9 miles)
  - Sky Zone Indoor Trampoline Park (8.5 miles—privately owned, low-cost recreational activity for children)
- Retail Centers
  - Smiths, Rainbow (5.4 miles)
  - Wal-Mart, Arroyo Crossing (6.9 miles)
  - Home Depot Arroyo Crossing (6.9 miles)
  - Target, Blue Diamond (7.2)
  - Albertson's, Rainbow (6.3)
- Community Centers
  - Boys and Girls Club of Southern Nevada, Southern Highlands Clubhouse (6.4 miles away)
  - Desert Breeze Community Center (9.8 miles away)
- Libraries
  - Windmill Library (5.4 miles away)
  - Enterprise Library (8.7 miles away)

To establish buy-in and to learn parent priorities and concerns during the transition process and post opening, DAN will host back-to-school nights and new student information sessions to provide families opportunities to become more familiar with the DAN model, the resources DAN offers to support students, and opportunities to become more involved in the school community.

*(3) Describe how you will engage parents in the life of the expanded school (in addition to any proposed governance roles). Explain the plan for building family-school partnerships that strengthen support for learning and encourage parental involvement. Describe any commitments or volunteer activities the school will seek from, offer to, or require of parents.*

Parental involvement is a fundamental aspect of DAN's mission and vision. DAN will encourage parents to be active participants in their children's education through volunteer opportunities at the school. DAN will develop a multi-tiered communication plan that will best fit the needs of their school's community. This plan will include regularly scheduled communications through the following means:

- E-mail Newsletter: At least twice per quarter, parents will receive a newsletter updating them on school events and highlights. For families that do not have access to e-mail, a paper copy of the e-mail may be sent home with the student.
- DAN School's Website: The School's website will be a resource with a wealth of information for families. The website will be designed to meet the needs of the DAN community. The website will include information such as:
  - DAN's Mission, Vision and History
  - DAN's School Schedule and Calendars
  - DAN's Curriculum
  - Frequently Asked Questions
  - DAN's Governing Board Meetings: Public Notices, Agendas, and Minutes
    - DAN's Governing Board Meetings are open public meetings that are held, on average, every other month.
  - Directory of Administration and Staff
  - Uniform Policy Information and Links for Purchasing
  - News and Announcements
  - Any other pertinent information that parents may need to know.
  - For a sample of what the DAN website may look like please see <http://www.doralacademynv.org/>
  - DAN Facebook Page

DAN will also use workshops, parent meetings, open houses, and other events to inform parents of involvement opportunities throughout the school year. Parents will be informed via e-mail, website, etc., as noted above. These events and activities include:

- Quarterly Parent/Teacher Conferences: Hosted in the evenings at schools where parents can discuss topics that affect their children's educational progress.
- Open houses, Career Fairs, Family Day: These events are held yearly to recruit new students, maintain communication and promote involvement between the DAN and the surrounding community.
- PTSO: Parent Teacher Student Organization coordinates extra-curricular events involving the community. Through the PTSO and other such committees, parent and community members will also be able to partake in the school's decision-making process. The school plans to provide parent workshops on education-related topics, such as decision-making regarding school performance and student assessment needs.
- Volunteering for School Events: Chaperoning field trips, assisting with class projects, helping in the

library or office, family day, lunch and recess monitoring, holiday events, speaking during career week, etc.

DAN will take the initiative to involve our families in the educational outcomes of our schools. DAN parents are asked to volunteer, per DAN charter, 30 hours each year. Parents can begin volunteering before the school doors are open. DAN's Parent Teacher Student Organization (PTSO) for each new campus will be formed in the summer and officers are identified. PTSO subcommittees will be formed with various focuses. For example, there could be arts integration and theme committees, fundraising committee, charitable giving committee, etc.

Volunteer hours will be tracked throughout the school year. DAN will provide many opportunities for parents to earn their hours through school-wide events, community events, and education-focused nights held at each of the schools. Below are some additional examples of events that support educational decisions and outcomes, as well as family involvement:

- New Family Night at Doral
- Informal Open House
- Open House
- Parent Conferences
- P.I.E. Night (Parents Involved in Education)
- Internet Safety Workshops
- Bully Prevention Workshops
- Accreditation Parent Forum
- PTSO General Membership meetings
- PTSO Board meetings
- Citizen Assemblies
- Fine Arts Performances
- Gallery Walk Nights (displaying students' Arts Integration projects)
- Curriculum Nights
- Family Movie Night
- Back to School Picnic
- System wide "Gala Event"
- End of the Year Awards Assemblies

Events and parent forums are held throughout the year. Examples of items include the follow:

- Monthly objective/standard calendar to promote cross-curricular collaboration
- Invitations to board members for special events / classroom presentations
- Open House, which includes detailed information on curriculum, prior to school opening
- Utilization of a phone system to call parents with important messages related to upcoming events
- A streamlined Doral website to include information that parents need in one place:
  - Teacher Websites
  - Nevada Academic Content Standards by Grade
  - Explanation of STAR assessments
  - Examples of Arts Integration Projects
  - Clubs and sporting events

As stated in DAN's Bylaws, there will be a parent representative on the Board of DAN. DAN's Academic

Committee will review school data, ensure that academic expectations and goals are being met, and provide insight to instructional activities that meet specific needs of the students. In addition, the public, specifically parents, are notified of Board meetings and may be active participants at DAN Board meetings by providing public comment and bringing relevant matters to the Board's attention. Parents will be encouraged to come to the Campus Principal or Executive Director to discuss any concerns. DAN and parents will work simultaneously to provide the best educational plan possible for each student's learning needs. DAN encourages parent involvement in all parts of their children's education. DAN will implement a policy to encourage parents to give a minimum of 30 volunteer hours a school year within DAN.

*(4) Discuss the community resources that will be available to students and parents at the expanded school. Describe any new strategic partnerships the expanded school will have with community organizations, businesses, or other educational institutions that are part of the school's core mission, vision, and program other than dual-credit partners discussed in subsequent sections. Specify the nature, purposes, terms, and scope of services of any such partnerships, including any fee-based or in-kind commitments from community organizations or individuals that will enrich student-learning opportunities. Include, as Attachment 11, existing evidence of support from new community partners such as letters of intent/commitment, memoranda of understanding, and/or contracts.*

Community involvement is a fundamental aspect of DAN's mission and vision. Community partnerships are extremely important as it broadens the students' opportunities to be exposed to the arts in and out of the school day. DAN will continue to seek partnerships with community arts organizations that enrich the after-school programs, field trips, guest speakers, etc. DAN continuously seeks additional partnerships within the community. DAN has partnerships with the following organizations:

- Doral Academy Inc.
  - Replication Guidance, Professional Development, Accreditation, etc.
- Kennedy Center of Performing Arts
  - Professional Development (Fee Based)
  - Visiting Artists
- Nevada Ballet
  - Letter of Support
- Smith Center for the Performing Arts
  - Letter of Support
- Local Visiting Artists including but not limited to;
  - STOMP
  - Juan Muniz
  - Cirque du Soleil
  - Legends in Concert
  - Blueman Group
  - Las Vegas Philharmonic
- University of Nevada, Las Vegas and University of Phoenix
  - Student Teachers

*(5) Describe the school's ties to and/or knowledge of the target community. How has the school learned from and engaged with this community to date? What initiatives and/or strategies will you implement to learn from and engage the neighborhood, community, and broader city/county?*

As referenced in Question 1 of this section, DAN's Board has extensive ties and relationships to the target community and surrounding region. In addition, DAN's Board will prioritize deep engagement with the

target community through a multifaceted marketing campaign to educate parents and families about school choice as described in Question 2 of this section. The development of target community engagement will be multidimensional founded on DAN's strategic plan and gathering knowledge from a variety of community stakeholders especially from parents, families, and targeted at-risk subgroups through focus groups and other mechanisms.

*(6) Identify any organizations, agencies, or consultants that are partners in planning and expanding the school, along with a brief description of their current and planned role and any resources they have contributed or plan to contribute to the school's development. If the school is new to this county, describe how your previous work has prepared you to establish relationships and supports in this new community.*

DAN's Board has partnered with Doral Academy Inc. (the replicated school model and partner) and Academica Nevada (the Educational Management Organization) for the planning and establishing DAN. Doral Academy Inc. and Academica Nevada's roles are further described throughout the application's Academic Plan, Operational Plan, and Financial Plan.

DAN has continued to work with Doral Academy Inc.'s Florida Schools earning accreditation through AdvancED. DAN's leadership sits on a joint subcommittee to continue to address priority areas within accreditation.

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Public Hearing to make a determination regarding whether to revoke the written charter of Silver State Charter School. Pursuant to the October 26 action from the Board and Staff's October 26 letter to Silver State Charter School, the Board will consider whether the deficiencies included in the Notice of Closure have been corrected to the satisfaction of the Board.**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 11

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Patrick Gavin, Director, SPCSA; Greg Ott, Deputy Attorney General**

**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 60 mins**

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**SUBMITTED BY:** \_\_\_\_\_

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113

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**BRIEFING MEMORANDUM**

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**TO:** SPCSA Board  
**FROM:** Patrick Gavin  
**SUBJECT:** Silver State Notice of Closure  
**DATE:** December 2, 2015

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Background:

The SPCSA Board directed staff to issue the attached Notice of Closure to Silver State Charter School on October 26, 2015. The school was given a 30 day cure period, pursuant to statute. The cure period ended on November 27, 2015.

As the 27<sup>th</sup> was a state holiday, staff offered the school the opportunity to submit its report on the cure of the identified deficiencies on November 30, 2015. The school submitted the attached report on that date.

Analysis:

As noted in the attached report from Silver State Charter School, the school has elected to forgo submitting complete information for review by staff and the Board prior to the December 4, 2015 meeting. The letter indicates that the school intends to provide additional information at that time. Consequently, staff is not in a position to provide a complete analysis or offer a recommendation.

## **Silver State Charter Schools Response to Notice of Closure**

Christina Saenz and Kit Kotler, Ed. D., November 26, 2015

Patrick Gavin, Director  
State Public Charter School Authority  
1749 N. Stewart Street, Ste. 40  
Carson City, NV 89706-2543

**Re: Notice of Closure, Silver State Charter School**

Dear Director Gavin:

Please accept this letter in response to the Notice of Closure you issued to Silver State Charter School ("SSCS") on behalf of the State Public Charter Authority ("Authority"), dated October 26, 2015. While SSCS will present the curative actions it has taken in response to that Notice at the December 4, 2015, meeting of the Authority, this letter is written to apprise the Authority of specific curative measures which have been taken in order to allow the Authority to properly prepare for that meeting.

- 1. The audit has revealed a pattern of fiscal mismanagement by current and past staff and members of this charter school's governing body and the school has failed to comply with generally accepted standards of fiscal management.**

In response to that allegation, SSCS has taken several curative actions. First of all, SSCS has amicably severed its relationship with Kellie Grahmann. The Authority will note that a large portion of the audit was centered upon accusations against Ms. Grahmann's fiscal management and financial reporting. To that end, SSCS will note that the audit did not reveal any misappropriation of funds or missing/unaccounted funds. Rather, the audit found that the financial reporting was inconsistent and not in conformity with generally accepted standards of fiscal management.

As such, Ms. Grahmann has no further relationship with SSCS, and will not be responsible for the fiscal management of SSCS. She has provided, and will continue to provide any assistance and information necessary to transition her duties. To that end, SSCS has tasked an independent accounting firm, Casey Neilon, to reconcile bank statements and prepare the monthly financial reports for SSCS in conformance with generally accepted accounting principles. Such action will ensure the timeliness, compliance, independence, and accuracy of SSCS's financial reports on a prospective basis.

SSCS has further adopted internal accounting controls to ensure the transparency, security, and accuracy of all of its financial matters. A copy of the draft of the internal accounting controls is enclosed herewith for your convenience.

SSCS has taken these actions under the leadership and direction of its sole remaining executive director, Dr. Kit Kotler, as well as its newly elected board president, Christina Saenz. Dr. Kotler sits as the sole executive director of SSCS following Ms. Grahmann's separation from SSCS. Ms. Saenz was unanimously elected following the notice of resignation from that post, as well as from the board, submitted by Edie Grub. Ms. Grub stepped down from the seat as president, and her resignation from the board will be effective on November 27, 2015.

SSCS has furthered its restructuring by adding three new board members: Barbara Cozens, a paralegal, Sara Choat, a licensed teacher, and Casey Popovich, a business professional. Ms. Cozens and Ms. Choat sat as board members for their first meeting on November 24, 2015, and Ms. Popovich shall fill the seat vacated by Edie Grub. With those additions, SSCS has a full board which is in compliance with all statutory requirements.

Under this leadership, SSCS has an optimistic financial future. Its board is revitalized and filled with new professionals who are prepared to carry forward the admirable mission of the school to serve its students, the Authority's students, indeed, Nevada's students, to the best of its ability, and to the benefit of each family associated with SSCS. SSCS will do so with the internal accounting controls it has adopted as well as the guidance of Casey Neilson to ensure its conformity with generally accepted standards of fiscal management.

SSCS urges the Authority to recognize these substantial actions as satisfactory curative measures to item 1 of the Notice of Closure. On that basis, SSCS requests that the Authority not revoke its charter.

**2. The audit has revealed that the school has invested public funds in a high risk financial instrument, namely a derivatives contract, with Bank of America.**

In response to that allegation, SSCS has taken several curative measures. Through its executive director and board president, SSCS has begun the process of refinancing the subject loan into a compliant account. The board voted to close the derivatives account on November 16, 2015. Ms. Saenz contacted Jason Chin, Public Finance Investment Banking for Bank of America. Mr. Chin is the swaps marketer Bank of America, and informed Ms. Saenz that in order to close the derivatives contract, SSCS will need to provide a Dodd Frank Bilateral Agreement. To that end, on November 23, 2015, Bank of America informed Ms. Saenz that the board must pass a resolution to close the account and indicate the individual with authority to close the account.

Because of the Thanksgiving holiday and the mandates of the Open Meeting Law, the first meeting SSCS could properly notice to adopt that resolution is December 1, 2015. SSCS has agendized the required resolution for that date. A copy of the posted agenda is enclosed herewith for your convenience.

As such, SSCS has committed to closing the subject account. It does note that it opened that account with the approval of its sponsor at the time, the Nevada Department of Education. It further notes that the subject account has saved SSCS a substantial amount of money during its term, and closing that account will cost SSCS a substantial amount of money. However, to ensure its compliance with the cited law, SSCS has taken the curative measure of initiating closure of that account, which it projects will be complete as of December 1, 2015, and surely in advance of the Authority's meeting on December 4, 2015.

SSCS urges the Authority to recognize these substantial actions as satisfactory curative measures to item 2 of the Notice of Closure. On that basis, SSCS request that the Authority not revoke its charter.

Sincerely yours,

Ms. Christina Saenz, Board President  
Dr. Kit Kotler, Executive Director

Encls.

cc: SPCSA Board Members

4839-7663-0827, v. 1

*Christina Saenz is the newly elected President of the Board of Silver States Charter Schools. Kit Kotler, Ed. D., is the Executive Director for Silver States Charter Schools, who began her work with the school on August 6, 2015.*

# **Nevada State Public Charter School Authority**



## **Final Summary for Silver State Charter Schools**

**October 21, 2015**

"This document is subject to the confidentiality provisions of Nevada Law, including but not limited NRS 179A.070(2), Donrey of Nevada v. Bradshaw, 106 Nev. 630, and 83 Op. Att'y General No. 3."

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

### Observation: Accounting System – Cougar Mountain

According to the Breach letter dated December 12, 2014, issued by the State Public Charter School Authority (SPCSA) to Silver State Charter Schools, there was a “*significant discrepancy*” between the balances reported in Silver State Charter Schools’ bank accounts and the amounts reflected in the accounting system. In addition, former Governing Body members expressed concern to the SPCSA about the financial officer because they believed inaccurate financial reports were provided to the Governing Body and the financial officer was using the accounting system as an excuse.

### Investigative Procedures Performed

During the investigation, information was collected from the following sources to determine if there were issues with the accounting system Cougar Mountain<sup>1</sup>.

Source #	Document
A-1	Notice of Breach Letter, dated December 12, 2014 from State Public Charter School Authority
A-2	Cougar Mountain support service log, dated June 18, 2014
A-3	Response to Jonathan Steele’s resignation letter provided by Kellie Grahmann on September 25, 2015
A-4	Email dated October 7, 2015 from Kellie Grahmann
A-5	July 31, 2014 bank statements (nine accounts)
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-3	2013-2014 Annual Independent Audit, issued October 27, 2014
SS-4	Email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain
SS-5	Resignation from Governing Body Letter from Jonathan Steele, dated September 25, 2014
I-2	Interview on July 21, 2015 with Kellie Grahmann
I-3	Interview on July 27, 2015 with Jonathan Steele
I-4	Interview on July 27, 2015 with Zeth Macy
I-5	Interview on September 8, 2015 with Daniel Leck
I-8	Interview on September 28, 2015 with Kellie Grahmann and Edith Grub

### Preliminary/Initial Findings

According to the Governing Body minutes from 2013 and 2014, the Governing Body members were

<sup>1</sup> Silver State Charter Schools used Cougar Mountain software until October 2012 and then changed their software to Denali Fund Accounting, which was also owned by Cougar Mountain. For the purposes of this report, the software will be referred to as “Cougar Mountain”.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

concerned that the financials were not being reported accurately and did not seem to believe that the accounting system was the cause of the issue.

### Findings from Interviews

According to an interview conducted with Daniel Leck, former Governing Body member for Silver State Charter Schools, on September 8, 2015, the Governing Body “had no confidence in Kellie Grahmann.” At one point, starting from the August 19, 2014 Governing Body meeting, Kellie Grahmann was asked not to speak during the Governing Body meetings as the financial officer. According to Daniel Leck, at one of the Governing Body meetings, “the Auditors were present and were asked, how do we know if someone is stealing? The answer was, unless, it is so blatant that a blind person can spot it, we won’t know – if you need more details you would need to hire someone to do a forensic audit.”

According to an interview conducted with Jonathan Steele, former Governing Body member for Silver State Charter Schools, on July 27, 2015, reports were often presented in excel and would not match with the information in Cougar Mountain. Jonathan Steele explained that Kellie Grahmann would always blame the variance on the “glitches” in the accounting system. Additionally, Jonathan Steele “called Cougar Mountain and they could not explain any issues that Kellie Grahmann claimed to be having”.

According to Jonathan Steele, “the accounting issues go back prior to the reported accounting glitch.”

According to interviews conducted with Kellie Grahmann, Executive Director of Administration for Silver State Charter Schools, on July 21, 2015 and September 28, 2015:

- The discrepancy between the balances reported in Silver State Charter Schools’ bank accounts and the amounts reflected in the accounting system were due to the Cougar Mountain system “glitch”.
- The system experienced issues since its purchase and implementation on October 17, 2012.
- After the software was purchased, Kellie Grahmann was scheduled to attend a week long training in Boise, Idaho. The training was cancelled, but representatives from Cougar Mountain arranged a week long training session for her and she got their “undivided attention”. During the course of this training, Cougar Mountain representatives went over several different modules. Kellie Grahmann did not receive a certificate for this training.
- The following were the issues experienced with Cougar Mountain<sup>2</sup> (please refer to Appendix A for details related to these issues provided by Kellie Grahmann):
  - When a credit was entered, it would not balance the transaction because the system would put in the credit twice. Cougar Mountain had to fix this issue on the backend to clean it up because Kellie Grahmann did not have a way to do this.
  - On the invoices, there was an issue with the discounts – the discount would show up on the credit side.
  - Payments to American Express would show up as “not paid” in Cougar Mountain even though the bank statements showed them as paid. Kellie Grahmann, got in touch with Tech support of Cougar Mountain and they would help on the backend and would mark Amex as being paid. This issue occurred several times.

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<sup>2</sup> Access to the Cougar Mountain system was not available to replicate the alleged issues and identify the defect.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

- Credit card payments not posting to the G/L. This issue was never fixed and Kellie Grahmann had to perform manual reconciliation to address this alleged glitch.
- The alleged “glitch” was never fully fixed – from 2012 to January 2015, when the new software was implemented, she had to perform manual reconciliations and at times representatives from Cougar Mountain had to fix the issues on the backend, when she could not fix them on her own. According to Kellie Grahmann, she has all the work papers to support the adjustments and manual reconciliations performed.
- The financial reports were submitted to the Governing Body on a monthly basis and due to the alleged accounting system glitches those reports did not balance. Because of this the Governing Body had a lot of issues with Kellie Grahmann:
  - Due to financials not balancing, “I was getting raked over the coals and it didn’t matter what I did – the board was not willing to listen.”
  - According to Kellie Grahmann, Jonathan Steele<sup>3</sup>, former Governing Body member of Silver State Charter Schools, did not understand fund accounting. Kellie Grahmann brought in Charles Morrison, a Certified Public Account who had performed the Independent Audit for Silver State Charter Schools in the past, to talk about fund accounting at a Governing Body meeting, but Jonathan Steele was not present at that meeting. Prior to joining Silver State Charter Schools, Kellie Grahmann had no work experience in fund accounting. She had taken a fund accounting class in college.
  - Kellie Grahmann invited Jonathan Steele several times to come to Silver State Charter Schools’ business office to see the problems that Kellie Grahmann was experiencing with the system, but Jonathan Steele never came to the business office.
  - Not all revenues came in every month and the reports from Cougar Mountain did not show line items that were zero for the month. Because Kellie Grahmann did not show the zero line items in the financials to the Governing Body, that was one of the issues.
- In January 2015, Silver State Charter Schools transitioned to a new software. It took a year to a year and one-half to change the software because Stephen Knight, then Superintendent of Silver State Charter Schools was watching the money and the budget. Before selecting the new software, Kellie Grahmann made a list of recommendations in April 2014 and presented it to Stephen Knight and Blaine Spires, then Principal of Silver State Charter Schools. Stephen Knight, approved the switch to the new software and gave Kellie Grahmann the authority to select the software. There are no issues with new software.
- Detailed transactions from Cougar Mountain were not transferred – only the ending balances were transferred over to the new system. Kellie Grahmann still has access to Cougar Mountain, in case she needs to look at the detailed history of old transactions.

The September 28, 2015, follow-up phone interview was scheduled solely with Kellie Grahmann. Edith Grub was also present during the interview.

According to an interview conducted with Zeth Macy, Partner at Schettler Macy & Associates, on July 27,

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<sup>3</sup> Jonathan Steele is a Certified Public Accountant.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

2015:

- The accounting system did not appear to function properly.
- The sub-ledgers and reports pulled would not tie to the General Ledger.
- Zeth Macy sat down with Kellie Grahmann and saw firsthand the issues Kellie Grahmann experienced with the accounting system.
- Kellie Grahmann was able to replicate the issues she was having for Zeth Macy<sup>4</sup>, such as, posts of one sided entries and posts to the credit card account, which would not relieve the credit card liability.
- Technical support for the accounting system would provide Kellie Grahmann with work around to fix the issues she was having, but the overall problem was never fixed.
- Kellie Grahmann was met with resistance from the Governing Body when she wanted to change the software because some members believed she was purposely giving reports late or falsifying the financial information. According to Zeth Macy, Kellie Grahmann would typically have to dump the data into excel and manipulate it in order for it to balance properly.
- Zeth Macy ensured the financials were presented accurately in the financial statements by reviewing the supporting documentation. Ultimately, the general ledger presented accurate information; only the sub-ledgers were not presenting the numbers accurately.
  - Zeth Macy and his team looked for alternative reports in order to get the details to tie the numbers back.
  - Due to the accounting system issue, the audit was inefficient and took additional effort.
  - Zeth Macy went through and reviewed each individual journal entry for the year in order to ensure there was a business rationale for each entry and that the entries were not erroneously posted.

### Findings from Documents Read

- According to an email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain, Kellie Grahmann was working with Cougar Mountain to address the Governing Body's concerns regarding the financials:
  - On May 15, 2014, Kellie Grahmann sent the following message to Kevin Winston: "Could you write me something for our board that tells that we are working on the program to get it to where it is correct. Our meeting is Tuesday and they are not going to be happy about the financials and I do not want to give them reports that are not correct. Can you make it so it is not totally my fault so I don't look too bad"
  - On May 16, 2014, Kevin Winston responded as follows: "Ms. Grahmann and I are working on rebalancing the Trial Balance, the balance sheet, and the correct figures you need for reporting. In the past the credit card procedures were not being done correctly and needs to be cleaned up. Ms. Grahmann now knows the proper way of processing credit cards as payments. She also is very aware of the "out of balance" closing of the last year end (F-2011). This also has been corrected. We have just 2 more modules to correct and made sure the figures given are the correct one and that the detail matches with the reporting figures. The concern we had was the amounts from the credit cards were not being

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<sup>4</sup> Schettler Macy & Associates was retained to perform the Annual Independent Audit for Fiscal years 2013 and 2014.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

eliminated by payments, and you were showing much more on the trial balance as liabilities than you had. Ms. Grahmann is almost done, but not in time for the next meeting.”

- On June 5, 2014, Kellie Grahmann sent the following message to Kevin Winston: “I talked to Steve and he would like you to write another letter to the board. The board is under the impression that I do not know how to run the software and that I have not had enough training. He would like the letter to show that the problem was with the software and not me, and that I knew what I was doing and I had been sufficiently trained. He would like it made clear to the board the true problem and would like me to be able to receive a big apology from the board. I have been dealing with this problem since we implemented it two years ago. I have on several occasions called for help on this particular problem many times. I have shown the problem to different people and they would say they would get back to me with a fix and never did. It is not until you and I went through each module where the problem became apparent to you and others at Cougar Mountain. This had caused me a lot of trouble with the school board, it has caused increased anxiety, as to my competence and qualifications for my job.”
- On June 12, 2014, Kellie Grahmann sent the following message to Kevin Winston: “is it possible to get that letter next week for the board? And also the times we have worked with Cougar Mountain?”
- On June 13, 2014, Kevin Winston responded as follows: “This is to inform you about where we are on getting the YTD information in the system correctly and to report it to you. I thought we would be done with the AP by now but, Kellie found a mistake and we here at Cougar are trying to correct a calculation that is not being done. Seems that paying by credit card is NOT posting to GL at all? We discovered this and Cougar is in the process of correction on this. I am not a tech person and cannot in all honesty tell you the time period of correction. In the meantime Kellie does know how to “pay” the invoice by her using the correct procedure and can post it correct and manually make journal entries. Thank you for your patience on this matter.”
- A Cougar Mountain support service log, dated June 18, 2014, was provided by Kellie Grahmann, which shows the dates on which the Cougar Mountain support service was used and also provides the support specialist name and the time spent on the issue. The support service log ranges from April 13, 2011 to June 12, 2014.
- According to Jonathan Steele’s resignation letter, dated September 24, 2014, Jonathan Steele resigned due to a lack of action taking place on recommended changes. According to the resignation letter, Jonathan Steele cited the August and September Governing Body meetings, “During the August 19, 2014 meeting, the Superintendent reported there was \$1,297,191 in cash from various checking accounts, as of July 31, 2014 Balance Sheet. However, when documentation was received later the following week, there was only \$934,634.
  - According to July 31, 2014 bank statements provided by Kellie Grahmann, the total ending balance was \$1,141,091.03
  - On September 25, 2015, Kellie Grahmann, provided a response to the above concern as follows:

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

- “This was the month that I was no longer permitted to talk at the board meetings. Steve had asked in the meeting for me to talk and it was denied.
  - The Board had questions for Steve that he could not answer off the cuff. If I could have answered the questions, I could have cleared up some of the problems.
  - The Board minutes state that we got \$3,000 per month for DSA that should have been almost \$300,000”
  - Jonathan Steele said we have 9 bank accounts and only received 5 bank statements, this was because the general account bank statement always came in the middle of the month, two of our bank accounts were Savings and we only got those quarterly.
  - Jonathan Steele also wanted to know why I had written checks on the Student account in July. They were deposits not checks on the bank statement.
  - I had several times before tried to point out that the errors on Denali were affecting the outcome of the financials. There has never been any money that is missing that is not accounted for by either a check or EFT from the bank. The Governing Board received the bank statements along with the checks written.”
- According to the September 16, 2014, Governing Body minutes, Daniel Leck “wanted an outside accounting firm to complete a forensic audit to clarify the finances at the request of legal counsel because they don't know where the money has gone over the last few years, specifically the last 18 months”. According to the October 14, 2014, Governing Body minutes, approval of the forensic audit was met with disagreements.
- According to Zeth Macy, due to the accounting system issue, the audit was inefficient and required additional effort. The 2013-2014 Annual Independent Audit, issued October 27, 2014, has no notes related to the inefficiency experienced during the audit due to the accounting system “glitches”. In the “Management Letter Comments” document, (from the auditors) dated June 30, 2014, the following observation is mentioned regarding the Accounting software, “During the audit, we observed instances where the accounting software currently being used by the School does not function properly. As part of our procedures we request certain subsidiary ledger reports generated by the software and we noted such reports did not agree to the general ledger control accounts. Support personnel from the software vendor were contacted and could not determine the root cause of the problem.” Additionally, according to the “Management Letter Comments” document, it was recommended “that management and the Board select a software program developed by a reputable vendor that functions properly and can be used to produce accurate reports. Functioning accounting software is vital to a school's ability to make appropriate financial decisions based on accurate information.”
- According to the Breach letter dated December 12, 2014, issued by the Statue Public Charter School Authority, “there is a significant discrepancy between the balances reported in the school's bank accounts and the amounts reflected in the school's accounting system.”
- Majority of the Governing Body minutes for calendar year 2013 and 2014 had a discussion related to financials – most of these minutes expressed concerned around the accuracy of the financials compiled by Kellie Grahmann.

# **Nevada State Public Charter School Authority**

## **Final Summary for Silver State Charter Schools**

### **APPENDIX A – Alleged Issues with Cougar Mountain Software**

# **Nevada State Public Charter School Authority**

## **Final Summary for Silver State Charter Schools**

### **Issue #1**

1<sup>st</sup> page the fast glass invoice 7568 (Sam had done the invoice)

Denali had put the transactions into the General Office Account and Accounts Payable Account Pages 14 & 15 of

This invoice was paid by the American Express Card and page 27 shows what Denali did to the payment

The 17.99 and 4.40 = 22.39

There was no Debit of the 4.40 and the 5.60 which equaled 10.00 only on the Credit side.

Batch AAALV was used to fix the out of balance to the financials, The first Journal entry is the 10.00 to the Credit side

Silver State Charter Schools  
 788 Fairview Dr.  
 Carson City, NV 89701  
 Phone: (775) 883-7900 Fax: (775) 883-9130

Purchase Order

Purchase Order No. 7568

Vendor Number 001

Vendor Ph/Fax:

To OFFICE DEPOT

Ship to Silver State Charter Schools  
 788 Fairview Dr.  
 Carson City, NV 89701

PO Date 06/10/2014 Ship Via F.O.B. Terms AMEX 2118

Buyer Name Buyer Freight Type Prepaid Expected Date 06/10/2014 Vendor Contact Office Remarks Office Tax 0.00%

Quantity	Vendor Stock #	Description	Unit Cost	Extended
0.8000		Folder, Class, 2 dividers	\$49.9900	\$39.99
0.2000		Folder, Class, 2 dividers	\$49.9900	\$10.00
0.8000		Purple Labels	\$27.9900	\$22.39
0.2000		Purple labels	\$27.9900	\$5.60

*This invoice was put into the system.*

Sub Total \$77.98  
 Discount 0.00  
 Freight 0.00  
 Sales Tax 0.00  
 Total \$77.98

Authorized Signature: \_\_\_\_\_

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

09/14/2015 12:56:20 PM

06/10/2014	100-2013100-100-2710-626310000	M KJG	PO -0000000174 - AAAAGU	26.56
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626310000	M KJG	PO -0000000174 - AAAAGU	23.28
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626310000	M KJG	PO -0000000174 - AAAAGU	12.90
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626310000	M KJG	PO -0000000174 - AAAAGU	31.91
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	171.12
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	185.32
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	106.26
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	93.12
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	51.61
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-2013100-100-2710-626320000	H KJG	PO -0000000174 - AAAAGU	127.66
Tran #:	2	Line: 0	Description: C20/130209	
06/10/2014	100-0003110-000-2490-800300000	G KJG	PO -0000000174 - AAAAGU	346.00
Tran #:	13	Line: 0	Description: C32/7078/7079/7080	
06/10/2014	100-0003110-000-2490-800300000	G KJG	PO -0000000174 - AAAAGU	18.00
Tran #:	13	Line: 0	Description: C32/7078/7079/7080	
06/10/2014	100-2010000-100-1000-000304210	A KJG	PO -0000000174 - AAAAGU	364.00
Tran #:	13	Line: 1	Description: 7585 - Balloon Bouquets	
06/10/2014	100-2010000-100-1000-000304210	A KJG	PO -0000000174 - AAAAGU	130.00
Tran #:	13	Line: 1	Description: 7585 - Long and Low Centerpieces	
06/10/2014	100-2013100-100-2490-800310000	M KJG	PO -0000000174 - AAAAGU	130.00
Tran #:	13	Line: 0	Description: C32/7078/7079/7080	
06/10/2014	100-2013100-100-2410-610310000	M KJG	PO -0000000178 - AAAAGY	39.99
Tran #:	6	Line: 0	Description: O01/OD-71684501-001	
06/10/2014	100-2013100-100-2410-610310000	M KJG	PO -0000000178 - AAAAGY	10.00
Tran #:	6	Line: 0	Description: O01/OD-71684501-001	
06/10/2014	100-2013100-100-2410-610310000	M KJG	PO -0000000178 - AAAAGY	22.39
Tran #:	6	Line: 0	Description: O01/OD-71684501-001	
06/10/2014	100-2013100-100-2410-610310000	M KJG	PO -0000000178 - AAAAGY	5.60
Tran #:	6	Line: 0	Description: O01/OD-71684501-001	

39.99  
10.00  
22.39  
5.60

General Office  
 Supplies

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

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Page 15

06/10/2014	100-2010000-100-1000-000304210 A KJG	PO -0000000178 - AAAAGY	39.99
Tran #: 7 Line: 1 Description: 7568 - Folder, Class, 2 dividers			
06/10/2014	100-2010000-100-1000-000304210 A KJG	PO -0000000178 - AAAAGY	10.00
Tran #: 7 Line: 1 Description: 7568 - Folder, Class, 2 dividers			
06/10/2014	100-2010000-100-1000-000304210 A KJG	PO -0000000178 - AAAAGY	22.39
Tran #: 7 Line: 1 Description: 7568 - Purple Labels			
06/10/2014	100-2010000-100-1000-000304210 A KJG	PO -0000000178 - AAAAGY	5.60
Tran #: 7 Line: 1 Description: 7568 - Purple labels			
<b>Totals for Period 12</b>			<b>211,003.81 211,003.81</b>

Accounts Payable

Report Totals		Debits	Credits
Posting Totals		\$211,003.81	\$211,003.81

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

09/15/2015 3:49:51 PM

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07/11/2014	100-2013100-100-2560-540320000	H SRS	AP -0000000531 - AAAAUT	640.00	
Tran #:	8	Line: 1	Description: Ad Mound House		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD	39.99	
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD		39.99
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD	10.00	
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD		10.00
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD	17.99	
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD		17.99
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD		4.40
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/29/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000541 - AAAAVD		5.60
Tran #:	9	Line: 1	Description: A02/OFFICE-7568		
07/25/2014	100-2010000-100-1000-000300000	A SRS	AP -0000000546 - AAAAVI	60.98	
Tran #:	1	Line: 1	Description:		
07/25/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		60.98
Tran #:	1	Line: 1	Description:		
07/10/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		843.62
Tran #:	2	Line: 1	Description:		
07/10/2014	100-2010000-100-1000-000304623	L SRS	AP -0000000546 - AAAAVI	843.62	
Tran #:	2	Line: 1	Description:		
07/27/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		3,040.00
Tran #:	3	Line: 1	Description: TV Ad		
07/27/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		760.00
Tran #:	3	Line: 2	Description: TV Ad		
07/27/2014	100-2013100-100-2560-540310000	M SRS	AP -0000000546 - AAAAVI	760.00	
Tran #:	3	Line: 2	Description: TV Ad		
07/27/2014	100-2013100-100-2560-540320000	H SRS	AP -0000000546 - AAAAVI	3,040.00	
Tran #:	3	Line: 1	Description: TV Ad		
07/28/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		800.00
Tran #:	4	Line: 1	Description: 105.7 KOZZ		
07/28/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000546 - AAAAVI		200.00
Tran #:	4	Line: 2	Description: 105.7 KOZZ ad		

## GL Posting Audit Report

Silver State Charter Schools (SSCS)

10/29/2014 3:49:05 PM

Batch: AAAALV

Page 1

**Posting Detail Period 14**

Date	GL Account/Description	Debits	Credits
07/29/2014	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE	\$10.00	
Tran #: 1	Line: 1 User ID: KJG Posting Reference: GL - 0000000305 - AAAALV		
Description: To Correct transaction in CC out of balance Trans. Reference: GL0030500001			
<b>Totals for Period 14</b>		<b>\$10.00</b>	<b>\$0.00</b>

**Posting Detail Period 16**

Date	GL Account/Description	Debits	Credits
09/04/2014	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE	\$158.84	
Tran #: 2	Line: 1 User ID: KJG Posting Reference: GL - 0000000305 - AAAALV		
Description: To Correct transaction in CC out of balance Trans. Reference: GL0030500002			
09/09/2014	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE	\$30.00	
Tran #: 3	Line: 1 User ID: KJG Posting Reference: GL - 0000000305 - AAAALV		
Description: To Correct transaction in CC out of balance Trans. Reference: GL0030500003			
<b>Totals for Period 16</b>		<b>\$188.84</b>	<b>\$0.00</b>

**Report Totals**

		Debits	Credits
Difference	\$198.84	Posting Totals \$198.84	\$0.00

# **Nevada State Public Charter School Authority**

## **Final Summary for Silver State Charter Schools**

### **Issue #2**

Purchase order 7794 to Sew What for \$1772.68

Sam had input the information for the Invoice.

This invoice was for 1696.42

Discount of \$82.58

158.84 shipping and handling

On the AMEX Bill we were only charged \$1613.84, which is the invoice amount minus the Discount

Amex billed us for 1613.84

So I paid \$1613.84 to Amex from the invoice which left owing the \$158.85

The General entry shows 1613.84 to the debit side, and 1613.84 and \$158.84 to the credit side.

I made an journal entry of the \$158.84 to fix the out of balance

## Purchase Order

Purchase Order No. 7794  
 Vendor Number S55

To SEW WHAT  
 1978 Gladwick St.  
 Ranch Dominguez, CA 90220

Ship To Silver State Charter Schools  
 788 Fairview Drive  
 Carson City, NV 89701  
 Phone: (775) 883-7900  
 Fax: (775) 883-9130

PO Date	Vendor Contact	Remarks	Terms
09/04/2014		Drama	AMEX

Quantity	Vendor Stock #	Description	Unit Cost	Extended
4.00	100-2011741-000-3200-903320000	Base Plate	\$76.9500	\$307.80
4.00	100-2011741-000-3200-903320000	Adjustable Upright 12'	\$100.2000	\$400.80
2.00	100-2011741-000-3200-903320000	Telescopic Drape Support 7' - 12'	\$58.6000	\$117.20
2.00	100-2011741-000-3200-903320000	Masking Drape	\$435.3100	\$870.62
1.00	100-2011741-000-3200-903320000	Shipping - Discount -82.58 Discount 158.84 Shipping	\$76.2600	<del>\$76.26</del>

*This invoice was put in for this*

*amount, when we got the AMEX statement*

*we were not charged shipping*

*we were charged 1163.84 which had the difference of \$158.84*

*Amex ck*

Authorized Signature: *[Signature]*

*1163.84*

Authorized Signature: SK SEE ATTACHED

Total \$1,772.68

384735

# Purchase Order

TO <i>Sen what</i>	SHIP TO
ADDRESS	ADDRESS
CITY, STATE, ZIP	CITY, STATE, ZIP

DATE <i>9/9/14</i>	DATE REQUIRED	TERMS <i>AE</i>	HOW SHIPPED	REQ. NO. OR DEPT.	FOR <i>Melvin Thorton</i>
--------------------	---------------	-----------------	-------------	-------------------	---------------------------

QUANTITY ORDERED	QUANTITY RECEIVED	PLEASE SUPPLY LISTED ITEMS BELOW	PRICE	UNIT
1				
2	<i>2</i>	<i>Thorton covered side curtains</i>		
3		<i>And 5 panels</i>		
4				
5				
6				
7			<i>177268</i>	
8		<i>NOTE -</i>		
9		<i>This is second set to match existing</i>		
10				
11				
12				
13				
14				
15				
16				
17				
18				
19				
20				
21				
22				
23				
24				

*[Handwritten Signature]*

<b>IMPORTANT</b>	Please send _____ copies of your INVOICE with ORIGINAL BILL OF LADING.
Purchase Order Number must appear on all invoices - packaging, etc. Please notify us immediately if you are unable to complete the order by date specified.	PURCHASING AGENT


**Sew What? Inc**

1978 Gladwick St  
 Rancho Dominguez, CA 90220  
 (310) 639-6000 Fax (310) 639-6036

**Quote**
**Quote Number: 41404**

Date: 8/4/2014  
 Expires: 11/02/2014

Page: 1 of 2

**Quote To:**

Steve Knight  
 Silver State High School (charter)  
 788 Fairview Drive  
 Carson City NV 89701

Phone: 775-220-3675

PO:

Terms: Prepay in Full

**Ship To:**

Silver State High School (charter)  
 788 Fairview Drive  
 Carson City NV 89701

*ATTN - STEVE KNIGHT*

Ship Via: FedEx Ground

Rep: Kimberly Lee

Qty	Description	Unit Price	Net Price
4	B181838-20-BLK Heavy Base Assembly 18" x 18" x 3/8" with 2" Pin, Black Powder Coated. Comes with 3 pin holes. Stacking and/or handling slots available for an additional charge.	76.95	307.80
4	TS712-BLK Two-piece Adjustable Upright 7' - 12'h x 2" OD, Black Anodized	100.20	400.80
2	TDS712-BLK Telescopic Drape Support 7' - 12', Black Anodized	58.60	117.20
2	Masking Drape, 12'0"h x 12'0"w, IFR 22oz Encore, Black, Sewn flat, vertical seams, unlined. Top: 6" hem / lined pipe hem. Sides: 6" hem Bottom: 6" hem / lined with chain.	435.31	870.62

Special Discount.

Discount is valid for this quote only and may not be transferred to future quotes.

-82.58

**ESTIMATED SHIPPING AND HANDLING**

Based on the Ship To address and Ship Via method as listed in the "Ship To" box above. Changes to the Ship To address and/or Ship Via method prior to order shipment may affect the actual shipping charges assessed at time of invoicing.

158.84

Note: Due to rising fuel costs leading to changes in shipping fuel surcharges, all shipping costs are estimated. Actual shipping charges will be charged at the time the order ships.

sales tax has been listed on this Quote, as you have indicated that the order will ship to a location outside of California, or a valid California Resale Certificate is on file at Sew What. If, at the time an order is placed, the Ship To location changes to a California address and a California Resale Certificate is not on file at Sew What? Inc., the actual sales tax (if any) will be listed on the order acknowledgement, based on the sales tax rate applicable for the location at which the customer assumes possession of the order.

Sub Total:	1,772.68
Miscellaneous Charges	0.00
Estimated Sales Tax:	0.00
Quote Total:	1,772.68

Terms and Conditions: All orders are subject to our Shipping and Return policies. Our Shipping Policy is available on our website at [www.sewwhatinc.com/shipping.php](http://www.sewwhatinc.com/shipping.php) and our Returns Policy is available on our website at [www.sewwhatinc.com/returns.php](http://www.sewwhatinc.com/returns.php). An interest charge or 1.5% (annual percentage rate of 18%) will be charged on all invoices 30 days past due. Should it become necessary to place the account with a collection agency, the customer agrees to pay all costs of collection in addition to all other sums due. In the event that either party is required to commence or defend any arbitration or litigation to enforce or interpret any term or provision of this agreement, the prevailing party in any such action or proceeding shall be entitled to recover all costs including reasonable attorney fees.

Your signature below confirms that the products as listed above are correct, that you have read and understood the Shipping and Returns Policies, and that you agree to pay the total amount listed, plus shipping if not already included in the total as an individual line item, according to the payment terms listed above.

Sign, Date & Fax Back to 310 639 6036

*[Handwritten Signature]*

Need By Date: 9/26/14

Lead time of 2-4 weeks applies on sewn goods and track.  
Additional charges may apply for rush orders.

*if possible*

*Call Steve Knight  
for change colors &  
Questions  
775-220-3625*

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

09/22/2015 8:55:40 AM

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09/04/2014	100-2013100-100-2620-610310000	N KJG	PO -0000000189 - AAAAHJ	0.33	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	30.38	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	11.84	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	15.18	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	19.73	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	7.58	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	1.33	
Tran #:	4	Line: 0	Description: L08/LOWES-7775		
09/04/2014	100-2010000-100-1000-000304210	A KJG	PO -0000000189 - AAAAHJ		89.60
Tran #:	5	Line: 1	Description: 7776 - Facial tissue		
09/04/2014	100-2010000-100-1000-000304210	A KJG	PO -0000000189 - AAAAHJ		22.40
Tran #:	5	Line: 1	Description: 7776 - Facial tissue		
09/04/2014	100-2013100-100-2620-610310000	N KJG	PO -0000000189 - AAAAHJ	3.90	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610310000	N KJG	PO -0000000189 - AAAAHJ	5.25	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610310000	N KJG	PO -0000000189 - AAAAHJ	5.25	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610310000	N KJG	PO -0000000189 - AAAAHJ	8.00	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	15.60	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	21.00	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	21.00	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2013100-100-2620-610320000	H KJG	PO -0000000189 - AAAAHJ	32.00	
Tran #:	5	Line: 0	Description: T02/TSC-7776		
09/04/2014	100-2010000-100-1000-000304210	A KJG	PO -0000000189 - AAAAHJ		1,772.68
Tran #:	23	Line: 1	Description: 7794 - Base Plate		
09/04/2014	100-2011741-000-3200-903320000	D KJG	PO -0000000189 - AAAAHJ	307.80	
Tran #:	23	Line: 0	Description: S55/SEWWHAT-7794		

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

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09/04/2014	100-2011741-000-3200-903320000	D	KJG	PO-0000000189 - AAAAHJ	400.80		
Tran #: 23 Line: 0 Description: S55/SEWWHAT-7794							
09/04/2014	100-2011741-000-3200-903320000	D	KJG	PO-0000000189 - AAAAHJ	117.20		
Tran #: 23 Line: 0 Description: S55/SEWWHAT-7794							
09/04/2014	100-2011741-000-3200-903320000	D	KJG	PO-0000000189 - AAAAHJ	870.62		
Tran #: 23 Line: 0 Description: S55/SEWWHAT-7794							
09/04/2014	100-2011741-000-3200-903320000	D	KJG	PO-0000000189 - AAAAHJ	76.26		
Tran #: 23 Line: 0 Description: S55/SEWWHAT-7794							
09/04/2014	100-2010000-100-1000-000304210	A	KJG	PO-0000000197 - AAAAHR		0.99	
Tran #: 13 Line: 1 Description: 7927 - Adjustment to PO# 7772							
09/04/2014	100-2013100-100-2213-331320000	H	KJG	PO-0000000197 - AAAAHR	0.99		
Tran #: 13 Line: 0 Description: P54/PESI-7927/7772							
<b>Totals for Period</b>					<b>16</b>	<b>4,280.51</b>	<b>4,280.51</b>

**Report Totals**

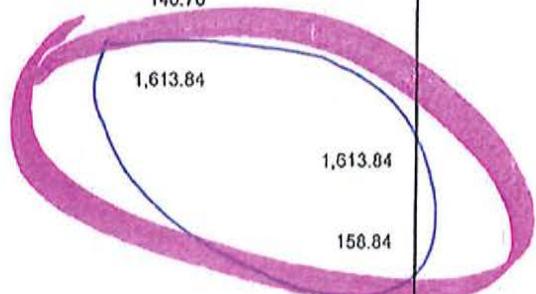
	Debits	Credits
<b>Posting Totals</b>	<b>\$4,280.51</b>	<b>\$4,280.51</b>

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

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09/04/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000566 - AAAAWC	140.70
Tran #:	24	Line: 1	Description: Telephone	
09/04/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000566 - AAAAWC	35.18
Tran #:	24	Line: 2	Description: Telephone	
09/04/2014	100-2013100-100-2610-533310000	M SRS	AP -0000000566 - AAAAWC	35.18
Tran #:	24	Line: 2	Description: Telephone	
09/04/2014	100-2013100-100-2610-533320000	H SRS	AP -0000000566 - AAAAWC	140.70
Tran #:	24	Line: 1	Description: Telephone	
09/04/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000566 - AAAAWC	140.70
Tran #:	25	Line: 1	Description: Telephone	
09/04/2014	100-2010000-100-1000-000304210	A SRS	AP -0000000566 - AAAAWC	35.18
Tran #:	25	Line: 2	Description: Telephone	
09/04/2014	100-2013100-100-2610-533310000	M SRS	AP -0000000566 - AAAAWC	35.18
Tran #:	25	Line: 2	Description: Telephone	
09/04/2014	100-2013100-100-2610-533320000	H SRS	AP -0000000566 - AAAAWC	140.70
Tran #:	25	Line: 1	Description: Telephone	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	1,613.84
Tran #:	4	Line: 1	Description: A02/SEVWHAT-7794	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	1,613.84
Tran #:	4	Line: 1	Description: A02/SEVWHAT-7794	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	158.84
Tran #:	4	Line: 1	Description: A02/SEVWHAT-7794	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	185.40
Tran #:	11	Line: 1	Description: A02/COSTCO-7773	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	185.40
Tran #:	11	Line: 1	Description: A02/COSTCO-7773	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	189.00
Tran #:	13	Line: 1	Description: A02/PESI-7927/7772	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	189.00
Tran #:	13	Line: 1	Description: A02/PESI-7927/7772	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	0.99
Tran #:	13	Line: 2	Description: A02/PESI-7927/7772	
09/04/2014	100-2010000-100-1000-000304210	A KJG	AP -0000000590 - AAAAXA	0.99
Tran #:	13	Line: 2	Description: A02/PESI-7927/7772	
09/04/2014	100-0000000-000-0000-000301016	G KJG	AP -0000000596 - AAAAXG	31.18
Tran #:	1	Line: 1	Description: M37/EFT 9/4/14	
09/04/2014	100-0000000-000-0000-000301016	G KJG	AP -0000000596 - AAAAXG	7.80
Tran #:	1	Line: 1	Description: M37/EFT 9/4/14	



This is what Daniela recorded in GL. The payment 1613.84 is the difference credit

### GL Transaction Edit Report

Silver State Charter Schools (SSCS)

Batch: AAAALV

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Transaction #	Posting Reference	Transaction Description			Transaction Date
1	GL003050001	To Correct transaction in CC out of balance			07/29/2014
Line	Account Number / Description		Debits		Credits
1	100-2010000-100-1000-000304210	ACCOUNTS PAYABLE			
Budget	\$0.00	New Bal	(\$104,491.00)	Amt Remaining	\$104,491.00
					\$10.00
<b>Totals for Transaction # 1</b>			<b>Debits</b>	<b>Credits</b>	<b>Difference</b>
Transaction			\$10.00	\$0.00	\$10.00 DR
					<b>Balance</b>
					\$10.00 DR
2	GL003050002	To Correct transaction in CC out of balance			09/04/2014
Line	Account Number / Description		Debits		Credits
1	100-2010000-100-1000-000304210	ACCOUNTS PAYABLE			
Budget	\$0.00	New Bal	(\$104,639.84)	Amt Remaining	\$104,639.84
					\$158.84
<b>Totals for Transaction # 2</b>			<b>Debits</b>	<b>Credits</b>	<b>Difference</b>
Transaction			\$158.84	\$0.00	\$158.84 DR
					<b>Balance</b>
					\$158.84 DR
3	GL003050003	To Correct transaction in CC out of balance			09/09/2014
Line	Account Number / Description		Debits		Credits
1	100-2010000-100-1000-000304210	ACCOUNTS PAYABLE			
Budget	\$0.00	New Bal	(\$104,511.00)	Amt Remaining	\$104,511.00
					\$30.00
<b>Totals for Transaction # 3</b>			<b>Debits</b>	<b>Credits</b>	<b>Difference</b>
Transaction			\$30.00	\$0.00	\$30.00 DR
					<b>Balance</b>
					\$30.00 DR
<b>Summary Totals:</b>			<b>Debits</b>	<b>Credits</b>	<b>Difference</b>
Transaction			\$198.84	\$0.00	\$198.84 DR
					<b>Balance</b>
					\$198.84 DR

**Report Summary**

	Report Selection Criteria	
	Start	End
GL Transaction:	Start	End
Report Type:	Detailed	

The second transaction was to fix the out of balance

# **Nevada State Public Charter School Authority**

## **Final Summary for Silver State Charter Schools**

### **Issue #3**

Purchase order 7793

DATE 9/9/2014

Sam had input the invoice, which is posted as a PO The purchase order #7793

All of the following transactions have referenced the Invoice #7793

The posting was balanced for both sides of the equation, 12.00 and 48.00 on the Debits side to the Accounts payable Account and also to the Bus Maintenance Account

I had paid the invoice using the American Express Card, which is posted as an AP transaction

\$30.00 went to the Debit side in the Accounts Payable Account,

Then \$30.00, \$18.00, \$12.00 part of the transaction went to the credit side to Accounts Payable

I had to make a journal entry to fix the out of balance of \$30.00

# Purchase Order

Purchase Order No. 7793

Vendor Number F06

To FAST GLASS  
3170 South Carson Street  
Carson City, NV 89701

Ship To Silver State Charter Schools  
788 Fairview Drive  
Carson City, NV 89701  
Phone: (775) 883-7900  
Fax: (775) 883-9130

PO Date	Vendor Contact	Remarks	Terms
09/09/2014		Bus maintenance	AMEX

Quantity	Vendor Stock #	Description	Unit Cost	Extended
0.80	100-2013100-100-2730-431320000	Windshield Repair	\$60.0000	\$48.00
0.20	100-2013100-100-2730-431310000	Windshield Repair	\$60.0000	\$12.00

This invoice was paid with Amex but only \$30.00 was charged on statement.

Bus # 9901

Amex c/c

Denali paid 18.00 + 12.00 on credit card

Authorized Signature: WJ

Authorized Signature: SP/D

Total \$60.00  
\$30.00

## GL Reprint Posting Report Silver State Charter Schools (SSCS)

09/21/2015 2:37:23 PM

Page 1

Bus Maintenance Accounts Payable

Posting Detail Period 16

Date	GL Account/Description	User ID	Posting Reference	Debits	Credits
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	AP-0000000590 - AAAAXA	30.00	
Tran #: 8	Line: 1 Description: A02/FG-7793				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	AP-0000000590 - AAAAXA		30.00
Tran #: 8	Line: 1 Description: A02/FG-7793				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	AP-0000000590 - AAAAXA		18.00
Tran #: 8	Line: 1 Description: A02/FG-7793				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	AP-0000000590 - AAAAXA		12.00
Tran #: 8	Line: 1 Description: A02/FG-7793				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	GL-0000000305 - AAAALV	30.00	
Tran #: 3	Line: 1 Description: ACCOUNTS PAYABLE				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	PO-0000000189 - AAAAHJ		48.00
Tran #: 22	Line: 1 Description: 7793 - Windshield Repair				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	PO-0000000189 - AAAAHJ		12.00
Tran #: 22	Line: 1 Description: 7793 - Windshield Repair				
09/09/2014	100-2013100-100-2730-431310000 M KJG	M KJG	PO-0000000189 - AAAAHJ	12.00	
Tran #: 22	Line: 0 Description: F06/FASTGLASS-7793				
09/09/2014	100-2013100-100-2730-431320000 H KJG	H KJG	PO-0000000189 - AAAAHJ	48.00	
Tran #: 22	Line: 0 Description: F06/FASTGLASS-7793				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	PO-0000000190 - AAAAHK		604.90
Tran #: 3	Line: 1 Description: 7801 - Double sided deadbolts				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	217.50	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	135.00	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	157.40	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	15.00	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	30.00	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2013100-100-4500-721300000 B KJG	B KJG	PO-0000000190 - AAAAHK	50.00	
Tran #: 3	Line: 0 Description: A17/15574				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	PO-0000000190 - AAAAHK		13.98
Tran #: 9	Line: 1 Description: 7807 - Drywall Joint Compound				
09/09/2014	100-2010000-100-1000-000304210 A KJG	A KJG	PO-0000000190 - AAAAHK		3.50
Tran #: 9	Line: 1 Description: 7807 - Drywall Joint Compound				

## GL Transaction Edit Report

Silver State Charter Schools (SSCS)  
Batch: AAAALV

10/29/2014 3:48:31 PM

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Transaction #	Posting Reference	Transaction Description			Transaction Date	
1	GL0030500001	To Correct transaction in CC out of balance			07/29/2014	
Line	Account Number / Description			Debits	Credits	
1	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE					
Budget	\$0.00	New Bal	(\$104,491.00)	Amt Remaining	\$104,491.00	
					\$10.00	
Totals for Transaction #		1	Debits	Credits	Difference	Balance
		Transaction	\$10.00	\$0.00	\$10.00 DR	\$10.00 DR
2	GL0030500002	To Correct transaction in CC out of balance			09/04/2014	
Line	Account Number / Description			Debits	Credits	
1	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE					
Budget	\$0.00	New Bal	(\$104,639.84)	Amt Remaining	\$104,639.84	
					\$158.84	
Totals for Transaction #		2	Debits	Credits	Difference	Balance
		Transaction	\$158.84	\$0.00	\$158.84 DR	\$158.84 DR
3	GL0030500003	To Correct transaction in CC out of balance			09/09/2014	
Line	Account Number / Description			Debits	Credits	
1	100-2010000-100-1000-000304210 ACCOUNTS PAYABLE					
Budget	\$0.00	New Bal	(\$104,511.00)	Amt Remaining	\$104,511.00	
					\$30.00	
Totals for Transaction #		3	Debits	Credits	Difference	Balance
		Transaction	\$30.00	\$0.00	\$30.00 DR	\$30.00 DR
Summary Totals:			Debits	Credits	Difference	Balance
			\$198.84	\$0.00	\$198.84 DR	\$198.84 DR

Report Summary

	Report Selection Criteria	
	Start	End
GL Transaction:	Start	End
Report Type:	Detailed	

Third transaction  
was to fix  
out of balance

# **Nevada State Public Charter School Authority**

## **Final Summary for Silver State Charter Schools**

### **Issue #4**

### The last Error in Denali

I sent a copy of the aging report with the dates on the side when the American express items were paid.

When a bill gets paid it should not show up on the Aging Report. There is 8 ½ pages of items that were paid. It also shows the payments. The problem was that because they showed up on the aging report they were also a part of the Accounts Payable amount on the financial reports.

I also sent the AP Pay/Adj Posting Audit to show that they were paid.

I also sent the GL Audit trail for the Accounts payable and along with the Bank register.

The payments were going on the Bank register, but they were not being report on the Bank Account or being taken off the Accounts Payable. So I had to make an adjusting Entry to Both the Bank Account and Accounts payable.

The paid items in the American Express account stayed in the account, I had to call the service department and they had to go somewhere behind the scenes to zero them out so they would not show up on the account once they were paid. They had to do this numerous times.

## Nevada State Public Charter School Authority Final Summary for Silver State Charter Schools

### Source Documents for the Accounting System – Cougar Mountain

#### Accounting System Specific Documents

Source #	Document
A-1	Notice of Breach Letter, dated December 12, 2014 from State Public Charter School Authority
A-2	Cougar Mountain support service log, dated June 18, 2014
A-3	Response to Jonathan Steele's resignation letter provided by Kellie Grahmann on September 25, 2015
A-4	Email dated October 7, 2015 from Kellie Grahmann
A-5	July 31, 2014 bank statements (nine accounts)

#### Commonly Used Silver State Charter Schools Documents

Source #	Document
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-3	2013-2014 Annual Independent Audit, issued October 27, 2014
SS-4	Email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain
SS-5	Resignation from Governing Body Letter from Jonathan Steele, dated September 25, 2014

#### Accounting System Specific Interviews

Source #	Document
I-2	Interview on July 21, 2015 with Kellie Grahmann
I-3	Interview on July 27, 2015 with Jonathan Steele
I-4	Interview on July 27, 2015 with Zeth Macy
I-5	Interview on September 8, 2015 with Daniel Leck
I-8	Interview on September 28, 2015 with Kellie Grahmann and Edith Grub

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

### Observations: Kellie Grahmann

Kellie Grahmann, current Executive Director of Administration of Silver State Charter Schools was hired as the finance assistant in September 2009. From 2012 to 2014, Kellie Grahmann, experienced scrutiny from the Governing Body of Silver State Charter Schools for not providing accurate monthly financials, which according to Kellie Grahmann were allegedly due to accounting software “glitches”.

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### Investigative Procedures Performed

During the investigation, information was collected from the following sources to determine if the prescribed procedure(s) from the Bylaws of Silver State Charter Schools were followed and adhered to when Kellie Grahmann performed her job.

Source #	Document
K-1	July 5, 2014 – Governing Body Minutes
K-2	May 11, 2015 – Governing Body Minutes
K-3	May 19, 2015 – Governing Body Minutes
K-4	June 16, 2015 – Governing Body Minutes
K-5	July 8, 2015 – Governing Body Minutes
K-6	July 14, 2015 – Governing Body Minutes
K-7	July 21, 2015 – Governing Body Minutes
K-8	Kellie Grahmann Resume and Silver State Charter Schools Executive Director Application Document
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-4	Email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain
I-1	Interview on July 21, 2015 with Edith Grub
I-2	Interview on July 21, 2015 with Kellie Grahmann
I-3	Interview on July 27, 2015 with Jonathan Steele
I-4	Interview on July 27, 2015 with Zeth Macy
I-5	Interview on September 8, 2015 with Daniel Leck
I-6	Interview on September 9, 2015 with Kellie Grahmann and Sam Schuler
I-8	Interview on September 28, 2015 with Kellie Grahmann and Edith Grub

### Preliminary/Initial Findings

#### Findings from Interviews

According to an interview with Kellie Grahmann on July 21, 2015, she was hired as the Finance Assistant in September 2009. Within six months, the Director of Finance for Silver State Charter Schools who Kellie Grahmann worked for quit, and Kellie Grahmann took over the role as the Director of Finance.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

When Silver State Charter Schools implemented a new accounting software, Cougar Mountain, in 2012 Kellie Grahmann started having difficulty producing accurate financial reports. According to Kellie Grahmann, there was an alleged “glitch” in the accounting software, and many governing body minutes have discussions which revolve around her not performing her job properly.<sup>1</sup> In July 2015, the Governing Body voted to offer the position as Executive Director of Administration to Kellie Grahmann. In this role, her responsibilities include both finance and operations. Edith Grub, Governing Body President of Silver State Charter Schools, had approached her about applying for the position.

According to Jonathan Steele, former Governing Body member of Silver State Charter Schools, one of the main issues while serving on the Governing Body at Silver State Charter Schools was the lack of consistent financials. Stephen Knight, then Superintendent of Silver State Charter Schools and Kellie Grahmann were responsible for providing monthly financial statements to the Governing Body. The Governing Body would often receive an Income Statement, and occasionally a Balance Sheet, but would seldom receive a budget to actual report. The reports presented at the Governing Body meetings were often in excel, and would not match with the information in Cougar Mountain. Additionally, upon review of the bank reconciliations, the bank balance was \$300,000 lower than what was reported on the July 31, 2014 Balance sheet. According to Jonathan Steele, Kellie Grahmann always had excuses for not presenting accurate financial statements at the Governing Body meetings – these excuses included:

- Accounting software “glitches”; and
- Being too busy with other tasks.

He never saw a “smoking gun”, but he constantly saw and heard things that made him speculate. He questioned if the financials did not balance due to “incompetence or someone taking money”. Jonathan Steele was invited by Kellie Grahmann to look at the issues with the accounting system, but he decided not to because at that time he had already decided to resign from the Governing Body.

According to Daniel Leck, then Governing Body member of Silver State Charter Schools, the Governing Body had no confidence in Kellie Grahmann due to repeated inaccurate financial reporting, and asked that she no longer come to the Governing Body meetings as the financial officer. One of the main reasons for Daniel Leck’s resignation was the lack of care to produce accurate financials.

According to an interview with Edith Grub, current Governing Body President of Silver State Charter Schools, only the former Governing Body members, Daniel Leck, Sue Cocking and Jonathan Steele had issues with Kellie Grahmann. The new body has confidence in Kellie Grahmann and feels that all of the issues related to financials have been resolved after changing to new software.

According to Zeth Macy, Partner at Schettler Macy & Associates<sup>2</sup>, he sat down with Kellie Grahmann and witnessed firsthand the issues plaguing the accounting system, which caused the system to not function

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<sup>1</sup> Please refer to the report entitled “Observation: Accounting System – Cougar Mountain” for expanded discussion regarding the financial/accounting system issues.

<sup>2</sup> Schettler Macy & Associates was retained to perform the Annual Independent Audit for Fiscal Years 2013 and 2014.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

properly. Technical support from Cougar Mountain would provide Kellie Grahmann with workarounds to fix the issues she was having, but the overarching problem was never fixed.

According to Edith Grub, in a follow-up interview with Kellie Grahmann and Edith Grub, Kellie was the best choice for the Executive Director of Administration role because she was already familiar with the finances.

### Findings from Documents Read

- According to a read of the Governing Body meeting minutes, there is frequent discussion regarding Kellie Grahmann and the lack of accurate and consistent financial information. The following is an excerpt from a Governing Body meeting:
  - At the Governing Body Meeting on July 15, 2014, “LE<sup>3</sup> said they have all of the bank statements but there is no way to tie them back to the financial report. Edith said the financial report is not correct anyway because Kellie still has to take out July and August’s wages for teachers from last year’s money. Jon said if she was doing her job correctly, she should be able to give us a financial report that is true and accurate with all of those things accounted for.”
- According to an email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain, on May 15, 2014 Kellie Grahmann asked Kevin Winston to write an email for the Governing Body that he is working with Kellie Grahmann to correct the system issues and asked him to **“make it so it is not totally my fault so I don’t look too bad”**.
  - On May 16, 2014, Kevin Winston replied as follows: “Ms. Grahmann and I are working on rebalancing the Trial Balance, the balance sheet, and the correct figures you need for reporting. In the past the credit card procedures **were not being done correctly and needs to be cleaned up**. Ms. Grahmann **now knows the proper way** of processing credit cards as payments. She also is very aware of the “out of balance” closing of the last year end (F-2011). This also has been corrected. We have just 2 more modules to correct and made sure the figures given are the correct one and that the detail matches with the reporting figures. The concern we had was the amounts from the credit cards were not being eliminated by payments, and you were showing much more on the trial balance as liabilities than you had. Ms. Grahmann is almost done, but not in time for the next meeting.”
  - On June 5, 2014 Kellie Grahmann sent an additional message to Kevin Winston requesting a letter to show the problem was with the software, and that Kellie Grahmann had been sufficiently trained to use the software.
  - On June 13, 2014, Kevin Winston, provided Kellie Grahmann with the following response to be presented to the Governing Body, “this is to inform you about where we are on getting the YTD information in the system correctly and to report it to you. I thought we would be done with the AP by now but, **Kellie found a mistake and we here at Cougar are trying to correct a calculation that is not being done**. Seems that paying by credit

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<sup>3</sup> LE refers to Louis E. Volberding, then Governing Body member of Silver State Charter Schools.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

card is NOT posting to GL at all? We discovered this and Cougar is in the process of correction on this. I am not a tech person and cannot in all honesty tell you the time period of correction. In the meantime Kellie does know how to “pay” the invoice by her using the correct procedure and can post it correct and manually make journal entries. Thank you for your patience on this matter.”

- According to the Silver State Charter Schools Executive Director Application Document, dated June 3, 2015 and recent resume attached to the application, Kellie Grahmann has the following education credentials:
  - Associate of Arts in General Business, Western Nevada College, Carson City, NV, September 1985 – June 1989
  - Associate of Arts in Office Administration, Western Nevada College, Carson City, V, September 1997 – January 2000
  - Bachelor of Science in Financial Forensics, Colorado Technical University, Colorado Springs, CO, January 2012 – August 2013
  - Master’s in Business Administration, North Central University, Prescott Valley, AZ, September 2014 – October 2015 (33 Credit hours)
- Below is a screenshot of Kellie Grahmann’s professional experience according to her resume:

### Professional Experience

**Director of Finance/Human Resources**–Silver State Charter Schools, Carson City, NV • 9/2009 – Present

- Non-Profit Accounting
- Oversee all purchases and Payroll for the staff
- Accounts Payable and Accounts Receivable
- Negotiate Insurance plans and health care for Staff
- Inventory of all inventory of all fixed assets
- Up to date on non-profit audits best practices and State and Federal laws regarding nonprofit operations
- Cash flow planning and ensure availability of funds as needed
- Oversee cash, investments and asset management of the school
- Developed and maintained systems of internal controls to safeguard financial assets of the school
- Developed and monitored budgets

**Accounts Payable Clerk**–SlotWorld, Inc, Carson City, NV • 10/2007 – 11/2008

- Responsible for all accounts payable functions
- Reconciled monthly all vendors accounts
- Reconciled monthly all Staff Benefits accounts

**Office Assistant** –ID Corporation, Mountlhouse, NV • 10/2000 – 9/2007

- Responsible for taking customer orders by phone and in person and submitting them for processing
- Responsible for monthly invoicing of vendors and accounts receivable

**Assistant Manager**–Juann Fabric, Carson City, NV • 06/1997 – 10/2000

- Supervised 8 employees
- Responsible for balancing the cash register on a daily basis
- Responsible for being a cashier, cutting fabric and stocking shelves

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

- According to the Governing Body Minutes from July 8, 2015, the Governing Body appointed a Selection Committee to interview applicants for the Executive Director of Academics and Executive Director of Administration positions. Interviews were to be scheduled for July 14, 2015 and the public was welcome to attend. According to the Governing Body minutes, President Edith Grub announced that more than fifty applications were received for the two Executive Director positions, but 50% of the applicants did not meet the minimum requirements for the position. Cristina Saenz, Governing Body Member of Silver State Charter Schools, and Kellie Grahmann were selected to interview for the Executive Director of Administration position.
- According to the Governing Body Minutes from July 14, 2015, the Selection Committee recommended hiring Kellie Grahmann for the position of Executive Director, following discussion of the interview candidates.
  - The Governing Body motioned to hire Ruth Kotler as the Executive Director, Academics and Kellie Grahmann as the Executive Director, Finance, but the motion failed.
  - Jen Geary, Governing Body member of Silver State Charter Schools, voiced concerns that the positions needed to be filled by the right people “to reduce drama and support the people in their positions”.
  - Edith Grub stated that she did not think they would reach consensus on the Finance position.
  - Kimberly Pilant, Governing Body Member of Silver State Charter Schools pointed out that they could take additional applications for the Executive Director, Finance position.
  - The Governing Body voted to continue further deliberations on the Executive Director, Finance position. It was confirmed that Kellie Grahmann would remain in her current position at Silver State Charter Schools.
- According to the Governing Body Minutes from July 21, 2015, a joint meeting of the Selection Committee and Governing Body was held to take possible action to employ an Executive Director of Administration. After discussions of the qualifications of the candidates and public comments, a motion was passed by the Selection Committee to recommend Kellie Grahmann as Executive Director of Administration. **The Governing Body voted to employ Kellie Grahmann as the Executive Director of Administration of Silver State Charter Schools.**

## Source Documents for Observations of Kellie Grahmann

### Kellie Grahmann Specific Documents

Source #	Document
K-1	July 5, 2014 – Governing Body Minutes
K-2	May 11, 2015 – Governing Body Minutes
K-3	May 19, 2015 – Governing Body Minutes
K-4	June 16, 2015 – Governing Body Minutes
K-5	July 8, 2015 – Governing Body Minutes
K-6	July 14, 2015 – Governing Body Minutes
K-7	July 21, 2015 – Governing Body Minutes
K-8	Kellie Grahmann Resume and Silver State Charter Schools Executive Director Application Document

### Commonly Used Silver State Charter Schools Documents

Source #	Document
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-4	Email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain

### Kellie Grahmann Specific Interviews

Source #	Document
I-1	Interview on July 21, 2015 with Edith Grub
I-2	Interview on July 21, 2015 with Kellie Grahmann
I-3	Interview on July 27, 2015 with Jonathan Steele
I-4	Interview on July 27, 2015 with Zeth Macy
I-5	Interview on September 8, 2015 with Daniel Leck
I-6	Interview on September 9, 2015 with Kellie Grahmann and Sam Schuler
I-8	Interview on September 28, 2015 with Kellie Grahmann and Edith Grub

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

### Observations: Edith Grub

Edith Grub, Governing Body President of Silver State Charter Schools, was part of the committee to form Silver State Charter Schools and served on the Governing Body of Silver State Charter Schools until December 2009. She rejoined the Governing Body in January 2012 and currently serves as the Governing Body President. According to resignation letters of and interviews conducted with former Governing Body members, there were complaints from past Governing Body members that Edith Grub failed to properly address the financial issues and appointed members to the Governing Body who would support Edith Grub and Stephen Knight, then Superintendent of Silver State Charter Schools, and their direction for Silver State Charter Schools.

### Prevailing Guidance:

#### Silver State Charter Schools Governing Body Bylaws:

According to the Silver State Charter Schools Bylaws, as amended by the Governing Body on October 12, 2011, "The Governing Body of Silver State Charter Schools shall consist of seven (7) members. Two (2) of said members shall be licensed teachers as required by NRS 386.549 or who previously held such a license and is retired, as long as his or her license was held in good standing; one of which may be a school administrator with a license issued by another state or who previously held such a license and is retired, as long as his or her license was held in good standing. One parent or legal guardian of a pupil enrolled in the charter school who is not a teacher or an administrator at the charter school. **Two members who possess knowledge and experience in one or more of the following areas: Accounting, Financial services, Law, or Human resources.**"

### Investigative Procedures Performed

During the investigation, information was collected from the following sources to determine if the prescribed procedure(s) from the Bylaws of Silver State Charter Schools were followed and adhered to during Edith Grub's current (January 2012 to Present) term on the Governing Body of Silver State Charter Schools.

Source #	Document
E-1	January 18, 2012 – Governing Body Minutes
E-2	June 24, 2014 – Governing Body Minutes
E-3	September 16, 2014 – Governing Body Minutes
E-4	October 14, 2014 – Governing Body Minutes
E-5	Edith Grub Resume
E-6	Resignation from Governing Body Letter from Edith Grub, dated December 17, 2009
E-7	Resignation from Governing Body Letter from Daniel Leck Grub, dated October 22, 2014
E-8	SSCS Governing Body Membership Dates and Election Dates, updated December 9, 2014
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

Source #	Document
SS-5	Resignation from Governing Body Letter from Jonathan Steele, dated September 25, 2014
I-1	Interview on July 21, 2015 with Edith Grub
I-3	Interview on July 27, 2015 with Jonathan Steele
I-5	Interview on September 8, 2015 with Daniel Leck

### Preliminary/Initial Findings

#### Findings from Interviews

According to Edith Grub, she was friends with the Stephen and Patty Knight<sup>1</sup> and they had proposed that she join the Silver State Charter Schools Governing Body. She joined the Governing Body in 2003, and from 2004 until her resignation in December 2009, she served as the President of the Governing Body of Silver State Charter Schools. In 2012, she returned as a member of the Governing Body of Silver State Charter Schools, and was re-elected as President in June 2014.

According to an interview on July 27, 2014 with Jonathan Steele, former Governing Body member of Silver State Charter Schools, after some members of the Governing Body requested a forensic audit<sup>2</sup> tensions on the Governing Body, and between the Governing Body and school administration grew worse. Edith Grub convinced the Governing Body into allowing Stephen Knight to be rehired for the 2014 – 2015 school year after retiring at the close of the 2013 – 2014 school year. Edith Grub and Stephen Knight continued to work together, using the restrictive open meeting laws to their advantage by restricting agenda items at the Governing Body meetings.

According to an interview on September 8, 2015 with Daniel Leck, former Governing Body member of Silver State Charter Schools, the President, Edith Grub, and the (former) Superintendent, Stephen Knight, “ran the body”, and the direction in which they were running the School caused the hostile environment. In order to change anything, they needed four votes, but the majority of the Governing Body was beholden to the Superintendent. If one were to challenge the Governing Body, it would turn “nasty”.

According to Daniel Leck, Edith Grub asked Patty Knight to investigate the terms of all Governing Body Members in an attempt to get rid of Sue Cocking. Jeff Blanck, then Governing Body’s counsel, stated that due to the new Nevada Revised Statutes (NRS), Sue Cocking had another year on her term. Subsequently, Edith Grub and Stephen Knight signed a document stating that Jeff Blanck was no longer being retained in an attempt to make a “power play”. Approval was not given by the Governing Body before signing this document.

<sup>1</sup> Patty Knight is the wife of Stephen Knight, then Superintendent of Silver State Charter Schools. She is not employed by Silver State Charter Schools and has never served as a Governing Body member of Silver State Charter Schools.

<sup>2</sup>Due to the continuing issue with the financial reports, some Governing Body members were concerned fraud was occurring and requested a forensic audit be performed.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

### Findings from Documents Read

- According to the resume for Edith Grub, Edith Grub was part of the committee to form Silver State High School/Silver State Charter Schools. She served as the Governing Body President of Silver State Charter Schools from 2002 until 2009<sup>3</sup>.
- According to the Resignation from Governing Body Letter from Edith Grub, dated December 17, 2009, Edith Grub resigned from the Governing Body of Silver State Charter Schools on December 17, 2009.
- According to the Silver State Charter Schools Governing Body Membership Dates and Election Dates, updated December 9, 2014, Edith Grub serves as the Human Resources representative on the Governing Body.
- According to the Edith Grub's resume, Edith has a Bachelor of Science from Texas Woman's University (1972). Below is a screenshot of relevant experience:

Work Experience: Sierra Convalescent Center, Carson City, NV  
Previous 10 years Administrative Aide 2000-2002

Wal-Mart, Carson City, NV  
Cashier 2009-present

Volunteer Work: Silver State High School/Silver State Charter Schools  
Committee to form, President Governing Body,  
2002-2009

Democratic Woman's Club, past president

EAA, past treasurer

Carson Cruisers, member

- According to January 18, 2012 Governing Body meeting minutes on January 18, 2012, Edith Grub was re-elected to the Governing Body of Silver State Charter Schools.
- According to June 24, 2014 Governing Body meeting minutes, on June 24, 2014 Edith Grub was elected as President of the Governing Body of Silver State Charter Schools.
- According to the Governing Body meeting on September 16, 2014, a lengthy discussion took place related to the dysfunctionality of the Governing Body. Additionally, Jonathan Steele asked to put on the agenda a discussion on July's cash balance because there was a \$362,000 deficit and he wanted to know from Stephen Knight why Silver State Charter Schools was below the loan covenant when Stephen Knight said we were \$300,000 above the covenant.
- According to Jonathan Steele's resignation letter, dated September 25, 2014, Jonathan Steele resigned due to a lack of action taking place on recommended changes. According to the

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<sup>3</sup> According to an interview with Edith Grub on July 21, 2015, Edith Grub indicated that she has been involved with Silver State Charter Schools since 2003. According to the Edith Grub's resume, she has been affiliated with Silver State Charter Schools since 2002.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

resignation letter, Jonathan Steele cited the August and September Governing Body meetings, "During the August 19, 2014 meeting, the Superintendent reported there was \$1,297,191 in cash from various checking accounts, as of July 31, 2014 Balance Sheet. However, when documentation was received later the following week, there was only \$934,634. As of this writing, no explanation has been given, despite the Body's request. **You, as President of the board, the Superintendent, and Financial Officer stopped every attempt to discuss the matter in the following meeting on September 16, 2014 meeting.**"

- According to the Governing Body minutes from October 14, 2014, a discussion took place related to Jonathan Steele's resignation. After Daniel Leck read Jonathan Steele's resignation letter, Edith Grub responded stating that the prior year was not her responsibility because she had only been the Governing Body President since June 2014, and that "A meeting was held with a CPA from Reno in attendance to tell the board the difference between personal and governmental finances, held especially for Jon's benefit and he did not attend."
- According to Daniel Leck's resignation letter from the Governing Body of Silver State Charter Schools, dated October 22, 2014, Daniel Leck resigned from the Governing Body effective October 22, 2014. The following are excerpts from the letter:
  - "The deficiency of action from the board, **president** and school director ultimately resulted in the resignation of our designated financial board representative... At our October 14<sup>th</sup> meeting, I read Mr. Steele's resignation letter, which was followed by discussion. Your comment that followed that he did not understand accounting associated with public schools as his practice dealt with the private sector, was to me **alarming and appalling.**"
  - "Not only have you neglected to address the educational and financial concerns of some of the board members; you have openly sought to enhance the entitlements of the school director at the expense of the students. Two significant examples;
    1. Even though the board directed you to spend funds to solicit the school director's job opening on a national administrator's website, **you refused**. Also, 2+ qualified persons who did apply, were not properly addressed. You then presented to the board a new interim contract for the existing director, with the board appointing the existing director to the position for another year...Though the original contract was for an interim position until we found a new school director, the contract was changed to eliminate the "interim" status, resulting in the director signing a full year contract, similar to his past contracts. **I believe your actions could be construed as being very deceitful.**
    2. Your desire to "stack the board" with individuals agreeable to the director's current program has also been a questionable procedure. By you directing the wife of the school director to research the term limits of each board member, you have created a conflict of interest between the board and director. And in fact, her research was proven to be incorrect. Regardless of the information about the term limits being correct or incorrect, **you had no authority to terminate a board members term without board approval.**"

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

- **“This school if it is to remain open is in dire need of new leadership.** The board is directly responsible for the decline in the school’s education along with numerous other checks and balances that have also failed.”

## Source Documents for Observations of Edith Grub

### Edith Grub Specific Documents

Source #	Document
E-1	January 18, 2012 – Governing Body Minutes
E-2	June 24, 2014 – Governing Body Minutes
E-3	September 16, 2014 – Governing Body Minutes
E-4	October 14, 2014 – Governing Body Minutes
E-5	Edith Grub Resume
E-6	Resignation from Governing Body Letter from Edith Grub, dated December 17, 2009
E-7	Resignation from Governing Body Letter from Daniel Leck Grub, dated October 22, 2014
E-8	SSCS Governing Body Membership Dates and Election Dates, updated December 9, 2014

### Commonly Used Silver State Charter Schools Documents

Source #	Document
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-5	Resignation from Governing Body Letter from Jonathan Steele, dated September 25, 2014

### Edith Grub Specific Interviews

Source #	Document
I-1	Interview on July 21, 2015 with Edith Grub
I-3	Interview on July 27, 2015 with Jonathan Steele
I-5	Interview on September 8, 2015 with Daniel Leck

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

### Observation: Derivative

Concerns related to the derivative noted in the Silver State Charter Schools' Audited Financial Statements may not be in compliance with State regulation that funding received by the school must be held in an account, within this state, which is FDIC insured – for which a derivative may not be in compliance<sup>1</sup>.

### Prevailing Guidance:

#### State Regulation:

NAC 387.765 Compliance with accounting principles; use of chart of accounts; maintenance of money in banks, credit unions or savings and loan associations. (NRS 386.540, 392A.060) A charter school or university school for profoundly gifted pupils shall:

1. Comply with generally accepted accounting principles.
2. Use the chart of accounts prescribed by the Department.
3. Maintain all money received by the charter school or university school for profoundly gifted pupils from this State and from the board of trustees of a school district in:
  - (a) A bank in this State whose deposits are insured by the Federal Deposit Insurance Corporation;
  - (b) A credit union in this State whose deposits are insured by the National Credit Union Share Insurance Fund or by a private insurer approved pursuant to NRS 678.755; or
  - (c) A savings and loan association in this State whose deposits, if made by the State, a charter school or a university school for profoundly gifted pupils or an agency of either, are insured by the Federal Deposit Insurance Corporation, or the legal successor of the Federal Deposit Insurance Corporation.
4. No expenditures from an account may be made in excess of the balance of the account.

(Added to NAC by Bd. of Education by R026-09, eff. 10-27-2009)

### Investigative Procedures Performed

During the investigation, information was collected from the following sources to determine if the prescribed procedure(s) from the Bylaws of Silver State Charter Schools and the State of Nevada were followed and adhered to when Silver State Charter Schools entered into the derivative agreement.

Source #	Document
D-1	2012-2013 Annual Independent Audit, issued October 30, 2013
D-2	Bank of America Commercial Loan Invoices (July 2013 – May 2015)
D-3	June 21, 2011 – Governing Body Meeting Minutes

<sup>1</sup> Applicable state regulation was provided by the SCPSA.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

Source #	Document
D-4	September 7, 2011 - Governing Body Meeting Minutes
D-5	Real Estate Loan Agreement dated as of September 13, 2011
D-6	Global Derivative Products Acknowledgement Letter dated September 9, 2011
D-7	Silver State Charter Schools Risk Management Summary prepared by Bank of America Merrill Lynch, dated October 4, 2011
SS-1	Nevada Administrative Code (NAC) 387.765
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-3	2013-2014 Annual Independent Audit, issued October 27, 2014
I-6	Interview on September 9, 2015 with Kellie Grahmann and Sam Schuler
I-7	Interview on September 10, 2015 with Zeth Macy

### Preliminary/Initial Findings

On September 13, 2011 Sue Cocking, the Governing Body President, and Jonathan Steele, the Governing Body Secretary, on behalf of Silver State Charter Schools entered into a floating rate loan with Bank of America, N.A. for \$3.125 million and an interest rate swap in order to hedge the exposure created by the variable interest rate, and synthetically fix the loan interest rate at 3.59%. The Governing Body approved the \$3.125 million loan with the interest rate swap on September 7, 2011.

### Understanding Interest Rate Swaps

An agreement between two parties (known as counterparties) where one stream of future interest payments is exchanged for another based on a specified principal amount. Interest rate swaps often exchange a fixed payment for a floating payment that is linked to an interest rate (most often the LIBOR). A company will typically use interest rate swaps to limit or manage exposure to fluctuations in interest rates, or to obtain a marginally lower interest rate than it would have been able to get without the swap.

### Findings from Interviews

According to a follow-up interview conducted with Kellie Grahmann, Executive Director of Administration for Silver State Charter Schools on September 9, 2015, the interest rate swap strategy was presented by the Banker at Bank of America. According to Kellie Grahmann, the Banker said if the interest rate had ever gone up, the swap payment would have gone down. However, the interest rate stayed around the same rate. The monthly Interest Rate Swap payment is around \$3,000 - \$4,000. Silver State Charter Schools makes the swap payment in addition to about \$12,500 for principal and interest repayment on the Real Estate loan. Kellie Grahmann did not believe "the banker understood the strategy any more than she did at the time". According to the September bill, the balance on the loan is \$2,809,316, 48.

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

According to a follow-up interview conducted with Zeth Macy, Partner at Schettler Macy & Associates<sup>2</sup> on September 10, 2015, Silver State Charter Schools has an interest rate swap as part of their loan with Bank of America. Zeth Macy relied upon the Silver State Charter Schools Risk Management Summary prepared by Bank of America Merrill Lynch to determine the accumulated decrease in fair market value and the current and long-term liability portions of the derivative instrument presented in the 2013-2014 Annual Independent Audit, issued on October 27, 2014. Zeth Macy was not aware of the circumstances of the interest rate swap agreement.

### Findings from Documents Read

- At the Governing Body Meeting on September 7, 2011, bank representatives from Bank of America and First Independent Bank of Nevada presented building loan proposals. According to the Governing Body Meeting Minutes from September 7, 2011 the following proposals were presented:
  1. Michael Sharp, representing Bank of America, presented a loan for \$3,125,000, at annual fixed interest rate of 3.64%<sup>3</sup> for 5 years, amortized for 25 years. Michael Sharp explained an interest rate swap if the rates went down or up and how it would affect the loan if Silver State Charter Schools paid it off early
  2. Greg Nixon, representing First Independent Bank of Nevada, presented a loan for \$3,000,000, at an interest rate of 5.75% for 10 years, amortized over 20 years.
- According to the Governing Body meeting minutes from September 7, 2011, the members determined that the decision came down to money. According to the Governing Body minutes, Daniel Leck said that with his calculations, the Bank of America loan would save Silver State Charter Schools \$225,000. Sue Cocking said their payment would be at least \$6,000 cheaper with Bank of America.
- According to the Governing Body meeting minutes, on September 7, 2011, the Governing Body voted to approve the lending offer from Bank of America for \$3,125,000 with an interest rate SWAP option. The loan was to be signed by Sue Cocking, then Governing Body President, and Jonathan Steele, then Governing Body Secretary.
- On September 7, 2011, a Board Resolution was signed by Sue Cocking stating the Governing Body agreed to move forward with financing with Bank of America to borrow \$3,125,000 amortized over 25 years with a 5 year term and to enter into an Interest Rate Swap under an International Swaps and Derivatives Association Master Agreement, "ISDA Master Agreement", with the transaction. The Board Resolution gave authority to Sue Cocking and Stephen Knight, then Superintendent of Silver State Charter Schools, to enter into the Governing Body approved transaction.

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<sup>2</sup> Schettler Macy & Associates was retained to perform the Annual Independent Audit for Fiscal Years 2013 and 2014.

<sup>3</sup> According to the Governing Body minutes, the fixed interest rate presented was 3.64%. According to the additional documents read, monthly commercial invoices and the 2013-2014 Annual Independent Audit, the fixed interest rate is 3.59%

"This document is subject to the confidentiality provisions of Nevada Law, including but not limited to NRS 179A.070(2), *Donrey of Nevada v. Bradshaw*, 106 Nev. 630, and 83 Op. Att'y General No. 3."

# Nevada State Public Charter School Authority

## Final Summary for Silver State Charter Schools

- On September 13, 2011, Sue Cocking and Jonathan Steele, on behalf of Silver State Charter Schools and Michael D. Sharp, Senior Vice President of Bank of America, N.A., entered into a Real Estate Loan Agreement for \$3,125,000 with repayment beginning November 2, 2011, and ending on September 30, 2016. The interest rate is a rate per year equal to the British Bankers Association LIBOR Rate (“BBA LIBOR Rate”) (Adjusted Periodically) plus 2.15 percentage points. The loan fee associated with the Real Estate loan was agreed upon at \$75,000.00.
- On September 13, 2011, Sue Cocking, on behalf of Silver State Charter Schools, signed an Acknowledgement Letter dated September 9, 2011. By signing the Acknowledgment Letter, Sue Cocking acknowledged reading the Global Derivative Products Interest Rate Hedging Discussion and understood “both the benefits and risks of entering into the interest rate swap”.
- The Silver State Charter Schools Risk Management Summary prepared by Bank of America Merrill Lynch, dated October 4, 2011 presents the interest rate swap hedging strategy as a strategy to manage risk associated with the floating interest rate loan by synthetically fixing the interest rate. Current market conditions were presented to demonstrate the fluctuations in IM LIBOR rates and the historical movement of 5 year swap and treasury rates. Floating-to-fixed interest rate swaps were explained and diagramed with sample cash flows. The presentation also outlined the benefits and risks associated with hedge products.
- According to Note 6 – Long-term debt in the 2012-2013 Annual Independent Audit, issued October 30, 2013, “In September 2011, the School entered into an agreement with Bank of America for the purchase of a new campus. The loan matures September 2036 and includes a current interest rate of 2.34%. After five years, the bank will renew the loan but the School will have the option to seek alternative financing. Monthly payments include an annual principal payment (every October) and a variable interest rate.”
- During the review period, July 1, 2013 to June 30, 2015, Silver State Charter Schools’ Interest Rate Swap payment ranged from \$2,816.00 (due 3/2/2015) to \$3,421.46 (due 9/3/2013).
- According to Note 7 – Derivative Instrument to the 2013-2014 Annual Independent Audit, issued October 27, 2014, the school entered into an interest rate swap agreement. The objective of the interest rate swap was “to lower its borrowing cost and increase its savings, compared to interest rates on fixed rate notes, the School entered into a loan with a variable interest rate and simultaneously entered into an interest rate swap to serve as a hedge against swings in the cash flows that would be required for the loan. The School’s objective for entering into the swap was to effectively change its variable interest note to a synthetic fixed rate note at 3.59%.” As of June 30, 2014, the fair market value of the derivative instrument was \$(84,456)<sup>4</sup>.

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<sup>4</sup> According to Note 7, “The fair values take into consideration the prevailing interest rate environment and the specific terms and conditions of each swap. All fair values were estimated using the zero coupon discounting method. This method calculates the future payments required by the swap, assuming that the current forward rates implied by the yield curve are the market’s best estimate of future spot interest rates. These payments are then discounted using the spot rates implied by the current yield curve for a hypothetical zero-coupon rate bond due on the date of each future net settlement payment on the swap.”

## Source Documents for the Derivative

### Derivative Specific Documents

Source #	Document
D-1	2012-2013 Annual Independent Audit, issued October 30, 2013
D-2	Bank of America Commercial Loan Invoices (July 2013 – May 2015)
D-3	June 21, 2011 – Governing Body Meeting Minutes
D-4	September 7, 2011 - Governing Body Meeting Minutes
D-5	Real Estate Loan Agreement dated as of September 13, 2011
D-6	Global Derivative Products Acknowledgement Letter dated September 9, 2011
D-7	Silver State Charter Schools Risk Management Summary prepared by Bank of America Merrill Lynch, dated October 4, 2011

### Commonly Silver State Charter Schools Documents

Source #	Document
SS-1	Nevada Administrative Code (NAC) 387.765
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-3	2013-2014 Annual Independent Audit, issued October 27, 2014

### Derivative Specific Interviews

I-6	Interview on September 9, 2015 with Kellie Grahmann and Sam Schuler
I-7	Interview on September 10, 2015 with Zeth Macy

## Common Source Documents for the Silver State Charter Schools Review

Source #	Document
SS-1	Nevada Administrative Code (NAC)
SS-2	Bylaws of Silver State Charter Schools, As amended by the Governing Body on October 12, 2011
SS-3	2013-2014 Annual Independent Audit, issued October 27, 2014
SS-4	Email chain, ranging from May 15, 2014 to June 13, 2014 between Kellie Grahmann and Kevin Winston from Cougar Mountain
SS-5	Resignation from Governing Body Letter from Jonathan Steele, dated September 25, 2014

## Interviews

I-1	Interview on July 21, 2015 with Edith Grub
I-2	Interview on July 21, 2015 with Kellie Grahmann
I-3	Interview on July 27, 2015 with Jonathan Steele
I-4	Interview on July 27, 2015 with Zeth Macy
I-5	Interview on September 8, 2015 with Daniel Leck
I-6	Interview on September 9, 2015 with Kellie Grahmann and Sam Schuler
I-7	Interview on September 10, 2015 with Zeth Macy
I-8	Interview on September 28, 2015 with Kellie Grahmann and Edith Grub

**BRIAN SANDOVAL**  
*Governor*

**STATE OF NEVADA**

**PATRICK GAVIN**  
*Director*



**STATE PUBLIC CHARTER SCHOOL AUTHORITY**

**1749 North Stewart Street Suite 40  
Carson City, Nevada 89706-2543  
(775) 687 - 9174 · Fax: (775) 687 - 9113**

October 26, 2015

Ms. Edie Grub  
Board Chair  
Silver State Charter School  
788 Fairview Drive  
Carson City, NV 89701

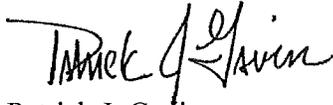
Dear Ms. Grub,

At today's meeting of the State Public Charter School Authority board, the board reviewed the results of the forensic audit of Silver State Charter School. The board adopted the following resolution directing staff to notify you of its intention to close Silver State Charter School:

- 1) The audit has revealed a pattern of fiscal mismanagement by current and past staff and members of this charter school's governing body and the school has failed to comply with generally accepted standards of fiscal management (NRS 386.535(1)(a)(2)).
- 2) The audit has revealed that the school has invested public funds in a high risk financial instrument, namely a derivatives contract, with Bank of America. This is a violation of NAC 387.765, which mandates that all school funds be appropriately insured. While Bank of America is an FDIC member, derivatives contracts are not insured by the FDIC or any other insurer approved by the State of Nevada. Consequently, the school failed to comply with the provisions of NRS 386.490 to 386.649, inclusive, and other statutes or regulations applicable to charter school ((NRS 386.535(1)(a)(3))).
- 3) Because the school has engaged in activities which are grounds for revocation of the written charter pursuant to NRS 386.535, SPCSA staff was directed issue this Notice of Closure to Silver State Charter School.
- 4) Pursuant to NRS 386.535, the school has at least 30 days within which to take corrective actions. The first day of this "cure period" is the date after this letter (October 27, 2015). The date by which the school must have completed all efforts to cure these deficiencies is November 27, 2015.
- 5) Staff are directed to schedule a public hearing at the December 4, 2015 SPCSA Board meeting during which the Board will determine whether the charter school has corrected the deficiencies identified in this resolution and the forensic audit and whether to revoke the charter for Silver State Charter School. Such revocation, if approved by the SPCSA Board, would be effective at the end of the 2015-16 academic year.

This letter serves as the school's formal Notice of Closure as required by NRS 386.535. Pursuant to applicable law, the school will have the opportunity during the cure period described in item number 4 above to correct the deficiencies or reasons upon which this Notice of Closure is based (numbers 1 and 2) above, which have prompted this action. For your convenience, the forensic audit results are also enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick J. Gavin". The signature is written in a cursive style with a large initial "P" and "G".

Patrick J. Gavin  
Director

# Forensic Analysis

Silver State Charter Schools

# Silver State Charter Schools

## Accounting System “Glitch”

### Observation



There was a discrepancy between the balances reported in Silver State Charter Schools’ bank accounts and the amounts reflected in the accounting system. According to Kellie Grahmann, the inaccurate financial reports were due to “glitches” in the Cougar Mountain Accounting System.

### Key Findings

- Majority of the Governing Body minutes for calendar year 2013 and 2014 had a discussion related to financials – most of these minutes expressed concern around the accuracy of the financials compiled by Kellie Grahmann.
- According to Kellie Grahmann, there were issues experienced with the system right from the time it was purchased on October 17, 2012.
- According to Kellie Grahmann, the following were the four main issues with the software: 1). Credit entry being made twice, which would cause the transaction not to balance 2). Issue with discounts 3). Payments to AMEX would not show as “paid” in the system and Credit Card was not posting to the G/L.
- According to Zeth Macy, Partner at Schettler Macy & Associates, the accounting system did not appear to function properly and due that, the audit was inefficient and required additional effort. The 2013-2014 Annual Independent Audit, issued October 27, 2014, has no notes related to the inefficiency experienced during the audit due to the accounting system “glitches”. According to the “Management Letter Comments” document (from the auditors) dated June 30, 2014, “During the audit, we observed instances where the accounting software currently being used by the School does not function properly.
- According to an interview conducted with Jonathan Steele (CPA), former Governing Body member for Silver State Charter Schools, reports were often presented in excel and would not corroborate with the information in Cougar Mountain. “The variance was always blamed on the glitches in the accounting system.” According to Kellie Grahmann, Jonathan Steele did not understand Fund Accounting.
- At one point, starting from the August 19, 2014, Governing Body meeting, Kellie Grahmann was asked not to speak during the Governing Body meetings as the financial officer.
- According to the September 16, 2014, Governing Body minutes, Daniel Leck wanted a accounting firm to complete a forensic audit to clarify the finances. In the October 14, 2014, Governing Body meeting, approval of the forensic audit was met with disagreements.
- In January 2015, Silver State Charter Schools transitioned to a new software. According to Kellie Grahmann, there are no issues with new software. It took a year to a year and a half to change the software because Steve Knight, then Superintendent of Silver State Charter Schools was watching the money and the budget.

# Silver State Charter Schools

## Kellie Grahmann

### Observation



**Kellie Grahmann, current Executive Director of Administration of Silver State Charter Schools experienced scrutiny from the Governing Body of Silver State Charter Schools for not providing accurate monthly financials, which according to Kellie Grahmann were allegedly due to accounting software “glitches”.**

### Key Findings

- The following are responses from Cougar Mountain representative, Kevin Winston, Kevin Winston to write an email for the Governing Body that he is working with Kellie Grahmann to correct the system issues and asked him to “make it so it is not totally my fault so I don’t look too bad”.
  - “...In the past the credit card procedures were not being done correctly and needs to be cleaned up. Ms. Grahmann now knows the proper way of processing credit cards as payments. She also is very aware of the “out of balance” closing of the last year end (F-2011). This also has been corrected...”
- On July 21, 2015, the Governing Body voted to employ Kellie Grahmann as the Executive Director of Administration of Silver State Charter Schools.
  - According to the Governing Body minutes, President Edith Grub announced that more than fifty applications were received for the two Executive Director positions, but 50% of the applicants did not meet the minimum requirements for the position.
  - Cristina Saenz, Governing Body Member of Silver State Charter Schools, and Kellie Grahmann were selected to interview for the Executive Director of Administration position.
  - According to Edith Grub, in a follow-up interview with Kellie Grahmann and Edith Grub, Kellie was the best choice for the Executive Director of Administration role because she was already familiar with the finances.

# Silver State Charter Schools

## Edith Grub

### Observation



There were complaints from past Governing Body members that Edith Grub failed to properly address the financial issues and appointed members to the Governing Body who would support Edith Grub and Stephen Knight, then Superintendent of Silver State Charter Schools, and their direction for Silver State Charter Schools.

### Key Findings

- Edith Grub was friends with the Stephen and Patty Knight and they had proposed that she join the Silver State Charter Schools Governing Body.
- According to Jonathan Steele, former Governing Body member of Silver State Charter Schools, Edith Grub convinced the Governing Body into allowing Stephen Knight to be rehired for the 2014 – 2015 school year after retiring at the close of the 2013 – 2014 school year. **Edith Grub and Stephen Knight continued to work together**, using the restrictive open meeting laws to their advantage by restricting agenda items at the Governing Body meetings.
  - According to the resignation letter of Jonathan Steele, “During the August 19, 2014 meeting, the Superintendent reported there was \$1,297,191 in cash from various checking accounts, as of July 31, 2014 Balance Sheet. However, when documentation was received later the following week, there was only \$934,634. As of this writing, no explanation has been given, despite the Body’s request. **You, as President of the board, the Superintendent, and Financial Officer stopped every attempt to discuss the matter in the following meeting on September 16, 2014 meeting.**”
- According to Daniel Leck, former Governing Body member of Silver State Charter Schools, the President, Edith Grub, and the (former) Superintendent, Stephen Knight, “**ran the body**”, and the direction in which they were running the School caused the hostile environment. In order to change anything, they needed four votes, but the majority of the Governing Body was beholden to the Superintendent. If one were to challenge the Governing Body, it would turn “**nasty**”.
- According to the resignation letter of Daniel Leck, “ This school if it is to remain open is in **dire need of new leadership**. The board is directly responsible for the decline in the school’s education along with numerous other checks and balances that have also failed.”

# Silver State Charter Schools Derivative

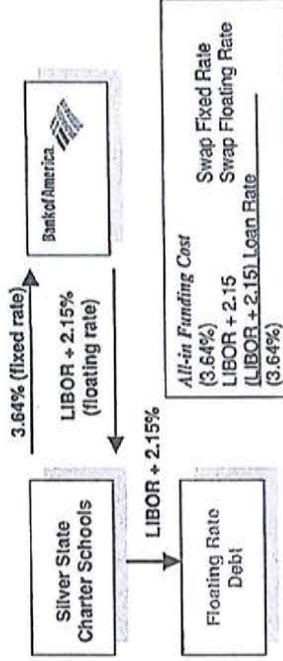
## Observation



Silver State Charter Schools entered into a floating rate loan with Bank of America, N.A. for \$3.125 million and an interest rate swap in order to hedge the exposure created by the variable interest rate, and synthetically fix the loan interest rate at 3.59%.

## Key Findings

- Silver State Charter Schools entered into a Real Estate Loan Agreement for \$3,125,000. The interest rate is a rate per year equal to the British Bankers Association **LIBOR Rate** (“BBA LIBOR Rate”) (Adjusted Periodically) plus **2.15 percentage points**. The loan fee associated with the Real Estate loan was agreed upon at \$75,000.00.



- According to Kellie Grahmann, she did not believe “the banker understood the strategy any more than she did at the time”.
- During the review period, July 1, 2013 to June 30, 2015, Silver State Charter Schools’ Interest Rate Swap payment ranged from \$2,816.00 (due 3/2/2015) to \$3,421.46 (due 9/3/2013).
- According to Note 7 – Derivative Instrument to the 2013-2014 Annual Independent Audit, issued October 27, 2014, the school entered into an interest rate swap agreement. The objective of the interest rate swap was “to lower its borrowing cost and increase its savings, compared to interest rates on fixed rate notes, the School entered into a loan with a variable interest rate and simultaneously entered into an interest rate swap to serve as a hedge against swings in the cash flows that would be required for the loan. The School’s objective for entering into the swap was to effectively change its variable interest note to a synthetic fixed rate note at 3.59%.”

<sup>27</sup>This document is subject to the confidentiality provisions of Nevada Law, including but not limited NRS 179A.070(2), Donrey of Nevada v. Bradshaw, 106 Nev. 630, and 83 Op. Atty General No. 3.

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT

**S U B J E C T: Consideration of WestEd  
Executive Director Evaluation subcommittee  
recommendations**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x  /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 12

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Marc Abelman, chair of the evaluation subcommittee; Paul Koehler,  
WestEd; Sheila Arredondo, WestEd**

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**FISCAL IMPACT:**

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**BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):**

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**LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 20 mins**

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**SUBMITTED BY:** \_\_\_\_\_

**State Public Charter School Authority  
Evaluation Subcommittee  
25 November 2015**

**Proposed Evaluation Protocol**

**Suggested Goals**

- ❖ Reflect upon and document the performance of the entire organization
- ❖ Calibrate and align expectations and goals between the board and executive director
- ❖ Determine the board's level of approval and support for the executive director
- ❖ Establish priorities, set goals, and determine metrics for the coming year

**Participants**

The executive director and all seven board members complete a one-page (front and back) assessment form. A three-member evaluation subcommittee consolidates and analyzes the results.

**Instrument**

The front side of the one-page assessment form is similar in style to the first page of the SPCSA Strategic Plan. The front side includes the overarching goal, four main strategies, recent data for each of the eleven measures, associated targets, and space to write one numerical rating per strategy. Suggested ratings and associated descriptors follow:

- 1 = Does not meet expectations
- 2 = Needs development
- 3 = Meets expectations
- 4 = Exceeds expectations

Once the front side of the form is completed, individuals should reflect upon the data and ratings and then use the spaces provided on the back to respond to the following questions:

- What are the implications for the board?
- What should be the board's top priority?
- What are the implications for the executive director?
- What should be the executive director's top priority?

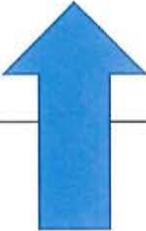
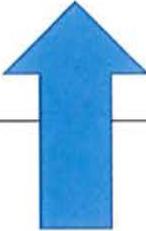
**Frequency**

The full board and executive director complete and analyze results from the one-page assessment form each year, perhaps in the fall or one-year following the appointment of the executive director. Informal mid-year check-in conversations are also conducted between the executive director and board chair to assess progress and redirect efforts as needed. A written description of the conversation is necessary only if major adjustments are made to the work plan.

### Calendar

Phase	Activities	Timeframe
Data Collection	1. The executive director and staff develop definitions to clarify each measure identified in the SPCSA Strategic Plan, compile the most recent data available for each of the measures, and add this information to the one-page assessment form template.	November
Assessment	2. Each board member and the executive director independently complete the one-page assessment form.	December
Analysis	3. The three-member evaluation subcommittee compiles and analyzes results from the eight independently completed assessment forms. The subcommittee calculates average performance scores for each strategy as well as an average overall rating and summarizes themes resulting from qualitative analysis of responses to the questions on the back of the form.	January 1-14
	4. The three-member evaluation subcommittee prepares a brief summary report for the January Board Meeting.	January 14-21
Reporting	5. The three-member evaluation subcommittee shares results with the full board and executive director during the January Board Meeting.	January 29
Evaluation	6. The full board and executive director use the information contained in the summary report to collectively evaluate organizational progress; identify priorities for the coming year; establish goal(s), measures, and targets for the organization and the executive director; and determine next steps. Note: This step should be conducted as part of an annual strategic planning session.	February
Revision	7. The executive director and three-member evaluation subcommittee use board approved results from the February session to update the strategic plan.	March 1-14
	8. New and/or revised goals, strategies, measures, and targets are added to the assessment form template for the next annual evaluation.	
Adoption	9. The full board reviews the revised strategic plan, makes adjustments as necessary, and then adopts the plan for the coming year.	March 21-31
Reporting	10. Evaluation results are reported publicly.	April

State Public Charter School Authority Annual Evaluation Form			
Strategies	Measures	Targets	Ratings
Goal: By 2016, increase the number of SPCSA-sponsored quality charter schools from 4 to 12 based upon the Authority's performance framework.			
Open and sustain quality new schools	2014 approved applications: ■ # applications/category ■ # applications heard ■ # applications approved ■ # applications recommended by staff and not approved	2015 approved applications: ■ # applications/category ■ # applications heard ■ # applications approved ■ # applications recommended by staff and not approved	
	Number of schools meeting quality criteria after 1, 2, and 3 years: ■ # schools rated adequate and above in 2011–2012 (62%) ■ # schools rated adequate and above in 2012–2013 (67%) ■ # schools rated adequate and above in 2013–2014 (77%)		
Establish performance-based contracts for all schools	Number of replications of quality schools: ■ # new sites/campus expansions ■ # replications in other counties		
	Number of schools adopting new contracts: Not Applicable  Number of school renewals: ■ # total renewals ■ # schools with high-stakes reviews		
Support strong school governance	Number of school closures: No closures since 2012  Percentage of schools with effective boards: Unavailable/TBD Percentage of boards receiving technical assistance: Unavailable/TBD		
	2013 Alliance rating of Nevada charter school laws: 2014 Alliance rating of Nevada charter school laws: Partner numbers and types engaged in Stakeholder group: New funding sources for charter schools: ■ Categorical grants from the legislature ■ Grants secured by the Authority ■ Loans and other sources		
<b>Overall Performance Rating</b>			

<b>State Public Charter School Authority Annual Evaluation Form</b>	
<p>Goal: By 2016, increase the number of SPCSA-sponsored quality charter schools from 4 to 12 based upon the Authority's performance framework.</p>	
BOARD	<p>What are the implications for the board?</p>  <p>What should be the board's top priority?</p>
EXECUTIVE DIRECTOR	<p>What are the implications for the executive director?</p>  <p>What should be the executive director's top priority?</p>

## Measure Definitions

### Strategy 1: Open and sustain quality new schools

1. Percentage of approved applications for the 2014 Cycle and 2015 Fall Cycle:
  - Number of applications submitted in each category
  - Number of applications heard
  - Number of applications approved
  - Number of applications recommended by staff and not approved by board
2. Number of schools meeting quality criteria on the academic performance framework after one, two, and three years:
  - Number of schools rated adequate and above in 2011–2012
  - Number of schools rated adequate and above in 2012–2013
  - Number of schools rated adequate and above in 2013–2014
3. Number of replications of quality schools:
  - Number of new sites/campus expansions
  - Number of replications in other counties

### Strategy 2: Establish performance-based contracts for all schools

4. Number of schools voluntarily adopting new contracts: Not Applicable
5. Number of school renewals:
  - Number of total renewals
  - Number of schools with high-stakes reviews
6. Number of school closures: No closures since 2012

### Strategy 3: Support strong school governance

7. Percentage of schools with effective boards: Data currently unavailable; definition to be reconsidered
8. Percentage of boards receiving technical assistance: Data currently unavailable; definition to be reconsidered

### Strategy 4: Collaborate to improve the environment for Nevada charter schools

9. Alliance rating of Nevada charter school laws:
  - 2013 rating
  - 2014 rating
10. Number of partners engaged in Charter School Stakeholder group:
  - Number and types of partners
  - Consider including a brief narrative from the executive director regarding dynamics
11. New funding sources for charter schools:
  - Categorical grants from the legislature
  - Grants secured by the Authority (e.g., CSP grant)
  - Loans and other sources

## STATE PUBLIC CHARTER SCHOOL AUTHORITY

SUPPORTING DOCUMENT**S U B J E C T: Election of SPCSA Board Chair  
and Vice Chair**

<u>  /  /  </u>	Public Workshop
<u>  /  /  </u>	Public Hearing
<u>  /  /  </u>	Consent Agenda
<u>  /  /  </u>	Regulation Adoption
<u>  /  /  </u>	Approval
<u>  /  /  </u>	Appointments
<u>  /  x/  </u>	Information
<u>  /  x /  </u>	Action

MEETING DATE: December 4, 2015

AGENDA ITEM: 13

NUMBER OF ENCLOSURE(S): 1

**PRESENTER(S): Kathleen Conaboy, Chair, SPCSA****FISCAL IMPACT:****BUDGET ACCOUNT (FOR PRINTING CHARGES ONLY):****LENGTH OF TIME EXPECTED FOR PRESENTATION (IN MINUTES): 15 mins****SUBMITTED BY:** \_\_\_\_\_