

NEVADA STATE PUBLIC CHARTER SCHOOL AUTHORITY

June 29, 2012

Nevada Legislature
Room 2134
401 South Carson Street
Carson City, Nevada

And

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

MINUTES OF THE REGULAR MEETING
(Video Conferenced)

AUTHORITY MEMBERS PRESENT:

In Las Vegas:

Kathleen Conaboy
Elissa Wahl
Marc Abelman
Nora Luna
Melissa Mackedon
Michael Van

In Carson City:

None

AUTHORITY MEMBERS ABSENT:

Robert McCord.

AUTHORITY STAFF PRESENT:

In Las Vegas:

Steve Canavero, Director, State Public Charter School Authority

In Carson City:

Tom McCormack, Education Program Professional, State Public Charter School Authority
Angela Blair, Education Program Professional, State Public Charter School Authority
Katherine Rohrer, Education Program Professional, State Public Charter School Authority
Allyson Kellogg, Management Analyst, State Public Charter School Authority

LEGAL STAFF PRESENT:

In Las Vegas:

None

In Carson City:

Shane Chesny, Senior Deputy Attorney General

NEVADA DEPARTMENT OF EDUCATION STAFF PRESENT:

In Las Vegas:

None

In Carson City:

None

AUDIENCE IN ATTENDANCE:

In Las Vegas:

Joan Sando
Susan Waters
Ruth Parker
John Hawk
Elizabeth Dixon
Jennifer Hosh
Kimberly Rushton
Connie Jordan
Robin Vitiello
Dan Tafoya

In Carson City:

Dianne Karp
Brian Flanner

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

President Conaboy called the meeting to order at 9:01 a.m. with attendance as reflected above.

President Conaboy asked for a motion for a flexible agenda.

Member Mackedon moved to approve a flexible agenda. Member Wahl seconded. The motion carried unanimously.

Agenda Item 1 - Public Comment

None

Agenda Item 2 – Approval of the May 3, 2012 and May 4, 2012 Meeting Minutes

President Conaboy had a few corrections to the minutes.

Member Luna moved to approve the May 3 and May 4 minutes with the noted changes. Member Van seconded. The motion carried unanimously.

Agenda Item 3 – Authority Update

President Conaboy said it has been a very busy time since the May 3 and May 4 meeting. Director Canavero, President Conaboy and Member Mackedon met with David Bobzien, chair of the Legislative Committee on Education. President Conaboy had a lengthy conversation with James Guthrie, Superintendent of Instruction of Public Instruction, about the role charter schools will play moving forward in Nevada. President Conaboy said that Superintendent Guthrie gives his full support to the SPCSA and is looking forward to working with Director Canavero to help authorize high-quality charter schools.

President Conaboy met with “Students First” and asked that when they begin to set their agenda, that they collaborate with the SPCSA to help form “Students First’s” Nevada charter schools agenda.

Agenda Item 4 – Director’s Report

Director Canavero started his discussion by showing the new charter school website the SPCSA will be using.

Director Canavero then moved on to the Superintendents meeting in South Lake Tahoe. He explained some of the new pupil funding models that were discussed at the meeting. It was emphasized that the new model was not about reducing funding per pupil, but rather maintain funding, and eventually increasing funding per pupil.

Director Canavero updated the board about the new staff that the SPCSA had been recruiting. There were a few difficulties along the way, the Administrative Service Officer (ASO) recruitment has reopened and interviews for candidates will begin soon. Director Canavero also said that the Interim Finance Committee also approved a Business Process Analyst position who would strictly deal with Powerschool and all that relates with the student information system.

Director Canavero discussed the Charter School Association of Nevada’s (CSAN) conference that was held June 17 and June 18 in South Lake Tahoe. Director Canavero met with about 30 to 50 stakeholders regarding the performance framework. He was very impressed by the turnout for the meeting and the feedback that was provided.

Learning Bridge Charter School officially made the decision to delay opening for one year. The school had difficulty in finding an adequate and suitable facility. The SPCSA asked for the Learning Bridge to provide a letter explaining the difficulties they faced and Director Canavero provided the letter to the Authority Board. Director Canavero commended the school for realizing their situation and giving their teachers the opportunity to have enough time to find employment elsewhere in the White Pine County School District.

Member Wahl asked about the recruitment for the ASO and whether or not applicants who were denied on the first time around would be allowed to apply again. Director Canavero said yes they would be allowed to apply again.

Agenda Item 5 – Charter School Association of Nevada update on conference and recent activities

Dr. John Hawk presented on behalf of the Charter School Association of Nevada. CSAN has been working on creating partnerships with outside entities to make the costs for things like insurance cheaper for each of the schools. He also spoke about the IRS determination of governmental status. He said they are still waiting for the IRS’s decision on the matter, but the expected date for the final decision was going to be July 9 or July 10. 46 people attended the conference in South Lake Tahoe. 20 current charter schools out of the 34 charter schools in the state were in attendance. Dr. Hawk finished by advocating for more collaboration between the SPCSA and CSAN, especially in areas like professional development.

Agenda Item 6 – Overview of the Elementary and Secondary Act (ESEA) Flexibility Waiver as submitted by the Nevada Department of Education and current assessment data from SPCSA sponsored charter schools.

Katherine Rohrer, Education Program Professional, SPCSA, overviewed the ESEA Flexibility Waiver as submitted by the Nevada Department of Education and the 2011-2012 Nevada Proficiency Examination Program results. She said the ESEA would complement the Nevada School Performance Framework (NSPF). There are two areas of the NSPF, elementary and secondary. Each area will have certain indicators that are looked at within that specific area. Nevada is currently unable to measure growth at the high school level because in order to measure growth you must have two testing points and Nevada only has one. The Nevada Department of Education is looking into ways to provide two data testing points. Dr. Rohrer detailed the ESEA and how it would relate to the charter schools in Nevada. The ESEA waiver will classify and identify Priority and Focus schools without regard to their charter/non-charter status. However, nothing in the ESEA shall interfere with the autonomy and accountability of charter schools as defined by Nevada charter school law and regulations. The ESEA will be implemented in a way that will protect the authority of charter sponsors to close low-performing charter schools under the charter contract's timeframes and according to the performance expectations in their charter agreements

Dr. Rohrer then detailed exactly what this meant to schools sponsored by the SPCSA. She said the adoption of a SPCSA Academic Performance Framework would allow for the Authority to measure the indicators outside of the NSPF. The question is how do we marry the two frameworks and create a harmonious whole? Dr. Rohrer gave some options that could bridge the divide between the two frameworks.

Dr. Rohrer said that one of the main concerns for SPCSA-sponsored schools moving forward is to ensure they provide accurate coding for their pupils when they withdraw. Unfortunately, in the past that has not been the case and some of the charter school's graduation rates have suffered because of it. Dr. Rohrer said the data collection is getting much better and she feels that next year's graduation cohort rate will be much better for SPCSA-sponsored charter schools. Dr. Rohrer said current assessment data will be presented at a future meeting once the AYP and CRT results are in.

Agenda Item 7 – Discussion and possible action related to performance-based charter contracts and the draft Performance Frameworks for the SPCSA-sponsored charter schools. The discussion may result in the Authority providing direction to the committees working to develop frameworks.

Director Canavero led the discussion around performance-based charter contracts and the draft Performance Framework for the SPCSA sponsored charter schools. He recommended the Authority provide general direction to frame the committee's work in developing the frameworks. This direction could include the following concepts: a strong focus on outcomes; simple rather than complex; understandable; defensible – valid and rigorous measures; and actionable.

Director Canavero detailed the Performance-Based Charter Contract. Currently the SPCSA's is defined as the written charter agreement in combination with the charter school application. The proposed contract would be the embodiment of the autonomy for accountability bargain. It will clearly articulate the rights and responsibilities of both the sponsor and the charter school. It will have measures for evaluating success and failures. The contract will contain performance consequences and other material terms. Currently, this is not included in Nevada's charter definition.

The categories that will be included in the contracts are standard across the country. These categories include the financial, academic and operational frameworks. Each framework's purpose is to provide authorizers with guidance necessary to develop and implement a quality, comprehensive, Performance Framework that is aligned with the Principles and Standards.

Moving forward, Director Canavero wants to create two committees that will collaborate on the development of the Performance Framework and the Charter Contract. These committees will be made up of various stakeholders in the Nevada charter school community including, administrators, governing board members, and other interested parties. These committees will provide “just in time” feedback to consultant and Authority staff in the development of the Performance Framework and the model Charter Contract.

Authority members asked Director Canavero about how the financial framework was going to fit into some areas that have already been undertaken by the Authority, such as how a school’s security interest will be reflected in the financial framework. Director Canavero said that it would be considered an asset and a long term liability.

President Conaboy asked Director Canavero if the framework process would eventually lead to an Audit Manual that could be used by schools to help facilitate the yearly process. Director Canavero said that it is something that could be looked into for future audits. Member Mackedon asked if the framework committee would establish exactly which sources of data would be looked at to determine success or failure. Director Canavero said yes that is something the committee was going to look into. Director Canavero said that this is just the first step in developing an entire intervention protocol for a failing school so all parties know what will be expected of them throughout the process. A grading system will be put into place that ensures charter schools know exactly where they are, and what they need to do in order to become compliant with the framework. Discussion continued between Director Canavero and the Authority about various considerations that may come up with regard to the frameworks.

Member Van moved to have the SPCSA Director move forward in framing the committee’s work to develop the performance frameworks. Such direction may include the following concepts: a strong focus on outcomes; simple rather than complex; understandable; defensible – valid and rigorous measures; and actionable. Member Luna seconded. The motion carried unanimously.

Agenda Item 8 – Discussion and possible action related to the SPCSA FY12 and FY13 budgets and the FY14/15 budget development process. The discussion will include an overview of staff work areas and services provided to SPCSA sponsored schools.

Director Canavero started by saying the Fiscal Year 2012 was wrapping up. Director Canavero then detailed how a state agency develops its budget for a fiscal year. The SPCSA had just received approval for their FY13 budget the week before the Authority meeting. He said as more money is awarded to the SPCSA for a number of reasons staff will have to create an amended work program that takes into account any new money that was not in the budget at the time of the initial work program’s development. All state agency budgets, and amended budgets, must be approved by the Interim Finance Committee. Director Canavero said that after the final FY12 money is tallied, the SPCSA will have a surplus.

Member Wahl asked where the proportionate share of Distributive School Account money for Renaissance Academy ended up. Director Canavero said that he would have to look at how much money was brought in and whether or not that was put into the reserve.

Director Canavero then detailed the FY13 budget for the SPCSA. He said that it had been approved at the most recent Interim Finance Committee meeting, and the budget included funding for the two additional employees that were discussed at the beginning of the meeting.

Director Canavero then began to discuss the Priorities and Performance Based Budgeting for FY14 and FY15. The Governor has established budget priorities and each agency is supposed to build their budget around those priorities using activities and performance measures. The SPCSA staff is going to have two activities around sponsorship and technical assistance. Within each activity are three performance measures: quality, outcome, and efficiency. Director Canavero hopes to be able to include a quality indicator around the SPCSA’s

sponsorship role. Director Canavero said he hoped to have some actual budget language at the August board meeting. Within the budget Director Canavero is including a position for Grants and Programs Analyst. This person would deal with the various Title Programs that the SPCSA is involved in. Director Canavero said that the end result of the Performance Based Budgeting is to map expenditures to activities.

Director Canavero also said that as of July 1, 2012 the SPCSA is a wholly independent agency. It is taking over the agency 305 code and will not be within the NDE's budget.

Vice President Wahl was concerned that the website's price in the budget was too expensive. Director Canavero said that at the time the budget was being made staff was unsure whether they would have to use an outside contract for the website. He said he would come back to the Authority with a more definitive number.

President Conaboy said the good news is that the SPCSA is solvent and the office has the resources to hire the necessary employees to help deliver services and assistance to the charter schools. President Conaboy also added that she was very pleased that Director Canavero had managed the money so well that the SPCSA would be able to reimburse its schools at the end of the year.

Agenda Item 9 – Special Education in SPCSA sponsored charter schools

Angela Blair, Education Program Professional, SPCSA, gave an overview of the special education programs in the SPCSA sponsored charter schools. She detailed the current data of special education students in the SPCSA sponsored schools. As it stands, the SPCSA currently has roughly the same amount of special education pupils in its schools as the Carson City School District. She also detailed the various funding that is used by the charter schools in order to facilitate their special education pupils' needs. Discussion continued between Ms. Blair and the Authority.

Ms. Blair then detailed the definition of Local Educational Agency (LEA) and how that relates to the SPCSA. She said a key defining legal characteristic of a charter school is if it is defined as an LEA or part of a larger LEA. She gave background on national statistics about how other states dealt with LEA's. The issue is very complicated and varies from state to state. LEA status depends on the charter school laws that are already in place in each state. There are benefits and downfalls to be defined as an LEA. Ms. Blair said she is working with all of the SPCSA sponsored schools to help them better understand how this affects them.

Ms. Blair then introduced Diane Karp, Nevada Connections Academy (NCA) Special Education Manager, who began by giving an overview of NCA's special education program. She said they serve various types of special needs students including but not limited to, autism, ADHD, and hearing impaired. She said that NCA does provide some of the same services that brick-and-mortar schools provide. They have teachers sit in with the students for live lessons. She said that because of the format of NCA, it allows their special education teachers to spend a great deal of individualized time with special needs students. She gave examples of some of the unique lessons that NCA offers to help their special needs population.

Ms. Blair then introduced Melissa Mackedon, Oasis Academy Principal and SPCSA Board member, who began by explaining Oasis Academy's special education programs. She said that over the course of the past school year Oasis Academy started with 11 Individualized Educational Plans (IEP) and increased to 15 IEP's. She said that Oasis Academy spent \$44,000 on special education over the past school year. Oasis Academy currently serves health impaired, learning disability, and speech and language students.

Ms. Blair then introduced Susan Waters, Principal of Beacon Academy. Beacon Academy is in its fourth year of operation and special needs students comprise roughly 11 or 12 percent of their student population. Ms. Waters said that most of their health impaired students are suffering from severe and chronic health issues. Beacon Academy has forged partnerships with various community entities including the Nevada Children's Cancer Foundation.

Ms. Blair then introduced Jennifer Hosh, Quest Academy special education teacher. Ms. Hosh said that Quest Academy currently has about 650 students and of those 59 have IEP's. She said that Quest Academy provides free after school tutoring to students who are struggling academically and have an IEP. Quest Academy also provides a free summer program for students that are struggling academically. In order to screen and assist all of the students in Quest Academy they have implemented RTI by using the STAR, reading and math assessments. Teachers received training for how to provide RTI training for reading and math and how to track progress or lack thereof. Ms. Hosh said the additional money they have been able to receive through various programs has helped immensely to provide the services needed to students at Quest Academy.

President Conaboy said that it would be useful to look at language that would clarify existing statute and include that in the cleanup bill that would be going to the 2013 Legislative session. Vice President Wahl was concerned that teachers were having to spend a lot of time writing the grants and that the Authority should explore taking some of the special education responsibilities from the schools.

Agenda Item 13 – Progress report on Quest Academy's proposed purchase of real property

Connie Jordan, Quest Academy Principal, started by saying Quest Academy has been working closely with the SPCSA to clarify the security interest. They are closing in escrow during the week of July 30 and are beginning tenant improvements as well. She believes the grand opening will be in August and they are looking forward to the Authority being able to come and see the new property.

Agenda Item 11 – Recommendation(s) for possible consideration by the Legislative Committee on Education during the Work Session to be held on Thursday, August 16, 2012

Director Canavero detailed the recommendations for possible consideration by the Legislative Committee on Education (LCE). He recommended the Authority submit recommendations to LCE regarding the enrollment lottery and performance-based charter schools. Very brief discussion occurred between the Authority and Director Canavero, with only process concerns raised by the Authority members.

Agenda Item 10 – Presentation of bill draft requests as submitted by the June 1, 2012 agency deadline

Director Canavero asked President Conaboy if the Authority would allow him to speak to Agenda Item 10 along with Agenda Item 11 because both items were so closely related. President Conaboy agreed. Director Canavero asked if the Authority would be inclined to combine the application, decision-making, and the autonomy and accountability into one bill draft request suggestion for the LCE to consider.

Director Canavero also recommended for the LCE to consider the enrollment lottery and strike through some older language and strengthen the existing language in section 2c. The Authority members and Director Canavero discussed some of the language within NRS 386.580 and to delete some current language. President Conaboy said Director Canavero should contact the governor's office to inform them about the steps the Authority had currently taken with regard to the bill draft request and to clarify if this was in line with the Governor's priorities.

Vice President Wahl moved to submit two recommendations for possible consideration to the Legislative Committee on Education on behalf of the Authority with the first one being the application language combined with decision-making language, minus the Educational Management Organization definition and the second consideration being the enrollment lottery language with the possible deletion of language in NRS 386.580 2(c). Michael Van seconded. The motion carried unanimously.

Agenda Item 14 – Discussion and possible action related to the development of a Request for Proposal to hire an appropriate contractor to facilitate the strategic plan and mission statement

Director Canavero updated the Authority on the current situation with the Request for Proposal. He said the RFP had been completed and would be moving forward. President Conaboy clarified that the contract would not exceed \$30,000. Director Canavero confirmed that the contract would not exceed \$30,000. The Authority felt the best process was to continue with the standard State of Nevada purchasing procedures and asked Director Canavero to return at a later meeting to give another update.

Agenda Item 12 – Update on preliminary Title I allocations and service plan for FY13

Director Canavero updated the Authority on the current allocations. Director Canavero said that SPCSA staff had a conference call with the SPCSA-sponsored Title I schools. Those schools are: Nevada Connections Academy, Imagine at Mountain View, Alpine Academy, Nevada State High School, Discovery Charter School, Quest Academy, and Nevada Virtual Academy. Those schools were chosen by using the average free and reduced lunch count. Director Canavero said the SPCSA staff is working very hard to balance each of the Title I school's autonomy with the requirements of serving as the LEA for this grant. Everything within the Title I federal program assumes a district to school relationship, not a sponsor to charter school relationship, which can make the implementation and execution of the grant more difficult. SPCSA staff has worked with each of the Title I schools to help with the formation of their district improvement plans. Director Canavero explained that Title I requires there to be a certain holdback percent at the district level. Five percent of the money is set aside to ensure that schools have Highly Qualified teachers and paraprofessionals; however, this money can be accessed by the charter schools. Twenty percent of the total Title I allocation must be set aside for transportation and supplemental education services. Director Canavero then explained why Title I requires these certain holdbacks and what intervention plans a district must use when a school is in need of improvement. There is also a five percent holdback for administrative costs at the district level. This can be used to bring on an additional employee to help facilitate the delivery of the Title I funds. Director Canavero then explained what each school's preliminary Title I funds would be. President Conaboy thought it may be in the Authority's best interest to add staff that will be able to help with the Title programs. Director Canavero thought this was a necessary plan, but would want to look into the exact needs of the office and return to the Authority with more details.

Agenda Item 15 – Discussion and possible action identifying future agenda items

President Conaboy thought it would be good to have the head of the state broadband development come and give a brief update to the Authority about the development of broadband in Nevada's rural communities.

Member Mackedon asked that Katherine Rohrer continue to give the Authority updates about the ESEA waiver and CRT at upcoming meetings.

President Conaboy also extended an invitation to Dr. James Guthrie, Superintendent of Public Instruction, to come speak at an Authority meeting.

President Conaboy said she had forgotten to address one issue from Agenda Item 11. She said that the Authority is looking into using the permanent school fund for bonding. She asked if the Authority would be willing to add one more recommendation for Director Canavero to take to LCE.

Member Luna moved to add a third item to the recommendation for possible consideration to the Legislative Committee on Education being facility funding for charter schools. Member Van seconded. The motion carried unanimously.

Agenda Item 16 – Member Comment

None

Agenda Item 17 – Public Comment

None

Agenda Item 18 – Next Meeting Date

The next Authority meeting will be scheduled for July 27, 2012 at 9:00 am.

The meeting was adjourned at 3:31 p.m.